

Agenda
Village of Glen Ellyn
Village Board Meeting
Monday, March 12, 2012
8:00 p.m. – Galligan Board Room

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Village Recognition:
 - A. Planning and Development Director Staci Hulseberg and Utilities Superintendent Bob Greenberg received a letter from School District 89, thanking them for their cooperation in removing and replacing a damaged fire hydrant in the parking lot of the District's office building.
 - B. A resident called to express her appreciation to Public Works personnel Rick Mascarella and Pat Long for their prompt response to her request that her daughter's name be corrected on a high school sign.
 - C. Police Sergeant Joseph Baki and Police Officer Bradley Booton received a note of thanks from a resident expressing her gratitude for their assistance.
5. Audience Participation
 - A. Proclamation in recognition of the accomplishments of the Glenbard South Boys Cross Country Team, with Head Coach Andy Preuss.
 - B. Proclamation for the Union Pacific Railroad in appreciation of their cooperation to replace an area of fencing in conjunction with their recent rail safety upgrade.
 - C. Open:

Members of the public are welcome to speak to any item *not* specifically listed on tonight's agenda for up to three minutes. For those items which are on tonight's agenda, the public will have the opportunity to comment at the time the item is discussed. In either case, please complete the Audience Participation form and turn it in to the Village Clerk.
6. Consent Agenda

The following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below: (*Trustee Ladesic*)

- A. Village Board Meeting Minutes – None
- B. Total Expenditures (Payroll and Vouchers) - \$1,386,734.37.

The vouchers have been reviewed by Trustee Ladesic prior to this meeting.

- C. Motion to approve the recommendation of Village President Pfefferman that Mary Loch be appointed to the Zoning Board of Appeals for a term ending December 31, 2015.
 - D. Motion to approve a contract with CMS Solutions for replacement of the phone system at the Civic Center and Public Works Reno Center at a cost of \$36,550 (including a 10% contingency) to be expensed to the Facilities Maintenance Reserve Fund. (*Finance Director Wachtel*)
 - E. Motion to waive Section 3-23 (Peddlers), Section 8-1-11 (Street Obstruction), and Section 8-1-12 (Merchandise on Street) of the Village Code to allow the Glen Ellyn Chamber of Commerce to host the 2012 Jazz Fest Glen Ellyn event in the Central Business District on Saturday, July 14, 2012 between the hours of 2 p.m. and 10:30 p.m. (*Assistant to the Village Manager Schrader*)
 - F. Motion to waive Section 3-23 (Peddlers), Section 8-1-11 (Street Obstruction), and Section 8-1-12 (Merchandise on Street) of the Village Code for the annual Chamber of Commerce Taste of Glen Ellyn event scheduled for Thursday, May 17 through Sunday, May 20, 2012. (*Assistant to the Village Manager Schrader*)
 - G. Resolution No. 12-02, a Resolution Authorizing the Execution of Two Agreements Regarding the Environmental Conditions at 615 Roosevelt Road Relating to Park Boulevard. (*Assistant to the Village Manager Schrader*)
 - H. Ordinance No. 6006-VC, an Ordinance to Amend Section 9-5-6 (Schedule F; Parking Prohibited at All Times) of the Village Code of the Village of Glen Ellyn, Illinois Regarding Parking on Traver Avenue South of Hill Avenue. (*Police Chief Norton*)
 - I. Ordinance No. 6007-VC, an Ordinance to Amend Section 9-5-14 (Schedule N; Parking Rate Zone Locations) of the Village Code of the Village of Glen Ellyn, Illinois Regarding Parking in the Duane and Lorraine Lot. (*Police Chief Norton*)
 - J. Motion to accept the low bids submitted by Zimmerman Ford of St. Charles, IL for the purchase of a 2012 Ford pickup truck at a cost of \$23,499 plus trade-in of a 1992 Ford pickup truck, and the purchase of a 2012 Ford dump truck with snow plow for \$33,703 plus the trade-in of a 1990 dump truck with snow plow, to be expensed to the Recreation Fund. (*Recreation Director Pekarek*)
7. Planning and Development Director Hulseberg will present information on the request of John Webb to approve an annexation agreement and annexation for property located at 0N180 Cumnor Avenue. Mr. Webb is requesting annexation in order to allow connection to Glen Ellyn water and sanitary sewer services for a new home that he plans to construct on the site. The subject property is located north of Hill Avenue between Cumnor Avenue

and Country Club Lane and is contiguous to the Village. Upon annexation the new address of the property will be 498 Country Club Lane. *(Trustee Hartweg)*

- A. Public hearing on a proposed annexation agreement for 0N180 Cumnor Avenue.
 - B. Ordinance No. 6008, an Ordinance Approving an Annexation Agreement for Property Located North of Hill Avenue between Cumnor Avenue and Country Club Lane Commonly Known as 0N180 Cumnor Avenue (new address 498 Country Club Lane).
 - C. Ordinance No. 6009, an Ordinance Annexing and Zoning Property Located North of Hill Avenue between Cumnor Avenue and Country Club Lane Commonly Known as 0N180 Cumnor Avenue (new address 498 Country Club Lane).
 - D. Resolution No. 12-03, a Resolution Accepting a Public Utility and Drainage Easement on Property Located at 498 Country Club Lane.
8. Ordinance No. 6010, an Ordinance Approving Seven Variations from the Front Yard Setback, Accessory Structure Height and Driveway Approach Requirements of the Zoning Code to Allow Additions, Alterations and a Second Driveway Approach for Property at 567 Lake Road. *(Trustee Cooper)*

Planning and Development Director Hulseberg will present information on a request by Tom and Katherine Condon for seven variations from the Glen Ellyn Zoning Code. The property is located in the R2 Zoning District and is defined as a corner through lot on the north side of Crescent Boulevard.

9. Ordinance No. 6011, an Ordinance Denying a Special Use Permit and Zoning Variations for a Proposed Church at 556 Lowden Avenue. *(Trustee Friedberg)*

Planning and Development Director Hulseberg will present information about the requests of University Bible Fellowship, owner of property located at 556 Lowden Avenue, to allow a church on the site. The petitioner is requesting to continue operating the church in the same manner as it has been since purchasing the property in 1998. Typical church activities include informal worship services on Sundays, Friday group prayer meetings, small group Bible studies and individual quiet study for student members.

10. Reminders:

- The next Regular Village Board Workshop is scheduled for Monday, March 19, 2012 at 6 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.
- The next Regular Village Board Meeting is scheduled for Monday, March 26, 2012, with the Workshop beginning at 7:00 p.m. and the Regular Board Meeting beginning at 8 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

11. Other Business?
12. Adjournment
13. Press Conference



A-5A

VILLAGE OF GLEN ELLYN

Proclamation

WHEREAS, Glenbard South High School, a District 87 High School attended by students from Glen Ellyn, is recognized as a school of distinction; and

WHEREAS, the dedication of faculty, administration, students and parents has produced high-quality academic, extracurricular, and athletic programs; and

WHEREAS, the 2011 Raiders Cross Country Team, with Head Coach Andy Preuss, who is retiring after more than 30 seasons as the Cross Country Coach, captured second place Class 2A honors in the State;

NOW, THEREFORE, I, MARK PFEFFERMAN, President of the Village of Glen Ellyn, Illinois, do hereby convey the sincere congratulations of the Village Board and the residents of Glen Ellyn for the outstanding efforts and achievements of the Glenbard South High School Cross Country Team, and wish them continued success in years to come, and extend our great appreciation to Coach Preuss for his many years of valuable service and our best wishes for many happy and productive years to come.

Village President

attest:

Village Clerk

Date



A-5B

VILLAGE OF GLEN ELLYN

Proclamation

WHEREAS, the Village of Glen Ellyn and Union Pacific (UP) Railroad have worked in partnership throughout the years, and

WHEREAS, the UP Commuter Operations Engineering Department, including Director of Public Affairs Mr. Wes Lujan, have proactively appeared at Village Board Meetings to inform the board and community of UP's actions and outreach on its rail lines; and

WHEREAS, During a recent outreach meeting, President Pfefferman asked Mr. Lujan to help the community's aesthetics by replacing the mismatched fencing resulting from UP's safety upgrades; and

WHEREAS, Mr. Lujan met with President Pfefferman at the area the very same week and assessed the situation to determine a reasonable solution; and

WHEREAS, Mr. Lujan then worked with the Planning and Development Department and amended a request to replace the entire area of fencing rather than just a single section, which provided an upgraded and consistent looking fence throughout the downtown;

NOW, THEREFORE, I, MARK PFEFFERMAN, President of the Village of Glen Ellyn, Illinois, do convey the appreciation of the Village Board and the residents of Glen Ellyn to UP, the UP Commuter Operations Engineering Department and Wes Lujan for their cooperation and concern for the safety, enjoyment, aesthetics and economic development of our Central Business District and for all commuters who pass through the Village on a daily basis.

Village President

attest:

Village Clerk

Date

MEMORANDUM

A-6D

TO: Mark Franz, Village Manager
FROM: Kevin Wachtel, Finance Director *(KW)*
DATE: 03/06/2012
RE: Phone System Replacement



Background

Please see the attached memo from Mark Binkerd on the need to replace the phone system at the Civic Center and Public Works Reno Center. This project was not included in last year's budget deliberations as the manufacturer had not announced that they would no longer allow replacement units to be placed into service. To incent customers to upgrade to a new phone system, the manufacturer is offering discounted rates. The current discount will expire on March 23, 2012.

Quotes were obtained from three reputable sources.

	CMS Solutions NEC		Sound Incorporated
Civic Center	\$ 22,543.00	\$ 32,942.16	
Public Works	\$ 9,684.00	\$ 16,274.83	
Total	\$ 32,227.00	\$ 49,216.99	\$ 41,453.50

Recommendation

Management recommends amending the facilities maintenance reserve fund budget for this purchase in the amount of \$36,550.

Also, management recommends approving the purchase with CMS Solutions in the amount of \$32,227, plus a 10% contingency for a total amount of \$36,550.

Action Requested

Staff requests that the Village Board approve a budget amendment in the Facilities Maintenance reserve fund in the amount of \$36,550, and approve the purchase of a replacement phone system for the Civic Center and Reno Center in the amount of \$36,550.

Attachments

Memo and attachments from Mark Binkerd RE: Phone System Replacement

MEMORANDUM

TO: Kevin Wachtel

FROM: Mark Binkerd

DATE: 02/22/2012

RE: Phone System Replacement



Background

We have been notified by the manufacturer (NEC) of our phone systems at the Civic Center and Public Works that our phone equipment (PBX) will be considered end of life and no longer supported as of September 2012. This means that parts and support from the manufacturer will no longer be available after this date. While there will be aftermarket parts and service available from 3rd party sources, the controller boards (a major component required for operation of the equipment) are serialized and the software for the phone systems is licensed to these specific boards. If we have a failure of one of these boards, originally purchased in 1999, we would not be able to repair the system. This would require us to do an emergency replacement of the phone systems. This effort would cause us to be without phone service at the Civic Center and Public Works for up to a week, and we would be subject to possible non-discounted pricing in place at the time, plus the potential for premium for a rushed order.

NEC is now offering significant discounts (up to 40%) on replacement equipment for those folks who own equipment for which it is discontinuing support. These discounts are available for a limited time (through March 23, 2012) and would allow us to replace the phone systems and voicemail with new hardware and software at a significant savings. With this approach we would be able to reuse the existing phones and station wiring (which typically account for 50% of the cost of a phone system replacement) and would allow the Village to upgrade to IP telephony in the future. There is no operational or cost benefit to invest in new the phones and wiring necessary to upgrade to IP telephony at this time.

Recommendation

I recommend we take advantage of the significant discounts being made available by the manufacturer of our phone system equipment and proactively replace the phone systems at the Civic Center and Public Works to keep us on a supportable platform and avoid a potentially large service impact to the residents who rely on our services. The money to pay for this would be taken from the Facility Reserve Fund. This item was not originally included in the 2011-2012 budget because the implications of the discontinued support were not identified in time for the budget planning window.

Action Requested

I have obtained 3 competitive quotes for the equipment and installation and the lowest quote was provided by CMS at \$32,227.00. We used CMS for the replacement of the phone systems at the fire stations and they demonstrated their ability to deliver good service at a very competitive price point. I am requesting approval to purchase the replacement phone system equipment from CMS, who provided the lowest quote for the work.

Attachments

Competitive quotes from Sound Equipment, NEC Direct, and CMS Communications.



Presented by:
 Greg Fortier & Terrie Idel
 630-693-2705

Schedule A
 Village of Glen Ellyn - Village Hall
 SV8300 Migration
 02/21/12

NEC

System Configuration	Existing	New	Difference
Analog Voice Ports	40	40	0
Digital Voice Ports	152	152	0
Central Office Trunk Ports	0	8	8
ISDN PRI Digital Trunk Ports	24	24	0
IP SoftPhone Licenses	4	4	0
IP CCIS Licenses	16	16	0
IP PAD Channels	16	32	16
IP Station Licenses	24	24	0

	Qty	NEC List Price
UNIVERGE SV8300		
Base System and Components includes:		\$24,570
SV8300 SIP Basic Plus Pkg (Processor, Main & Expansion Chassis & 128IPLA VoIP Board)	1	
SMDR & ISDN System Wide Licenses	inc.	
R6 Software (contains 108 System Port Licenses, 32 IP Licenses & 16 VoIP PAD Channels)	inc.	
Additional System Port Licenses	176	
IP CCIS Licenses	16	
IP SoftPhone Licenses	4	
Expansion Chassis	2	
Rack Mount Kit (19" Rack not included)	1	
VM21 Internal Modem	1	
Internal Battery (10 minutes)	1	
Embedded Conference Ports (8 Built-in)	inc.	
8-Port Analog Station Blade	5	
8-Port Digital Station Blade	1	
16-Port Digital Station Blade	9	
4-Port CO Trunk Blade	2	
24-Port ISDN PRI Interface Blade	1	
Installation, Design & Programming	1	
Voicemail System		\$10,594
16-Port UM8000 Full Voicemail (with 550 hours of recording time)	1	
ViewMail for MS Messaging & ViewCall Software Seats	5 FREE	
Additional ViewMail for MS Messaging & ViewCall Software Seats	20	
Installation, Design & Programming	1	
Other Hardware		\$1,692
MDF, Switch Tails	1	
Investment Summary - Includes 1 Year Parts and Labor Warranty and 1 Year Software Assurance (SWA)		
UNIVERGE SV8300		\$24,570
Voicemail System		\$10,594
Other Hardware		\$1,692
Total List Price		\$36,856
Promotional Discount - Expires March 23, 2012		\$14,663
Estimated Ground Freight		\$350
Total Investment (excluding tax and freight)		\$22,543

Software Assurance (SWA) provides free software upgrades exclusive of any hardware or operating system upgrades that may be required to support the new release of software. Labor to perform software upgrades is not included.

Items not Included in this Quote:

- 1) End User or Administrative Training (if required, CMS will perform at our current hourly labor rates and billed separately)
- 2) Tone and Test of Existing Cable Plant (if required, CMS will perform this service, per Technician, at our current hourly labor rates and billed separately)
- 3) Telco Coordination (if required, CMS will perform at our current hourly labor rates and billed separately)
- 4) Patch Panel or Patch Cords
- 5) DHCP Server
- 6) Cat 5 line cords or Data Patch cords for IP Sets
- 7) Switches that provide PoE & QoS for the LAN
- 8) Routers that provide QoS on the WAN

UH \$22,543
 PW 9684
 \$32,227

 Signature

 Print Name

 Date



Schedule A
Village of Glen Ellyn - Public Works
 SV8300 Migration
 02/21/12

Presented by:
Greg Fortier & Terrie Idel
 630-693-2705

NEC

System Configuration	Existing	New	Difference
Analog Voice Ports	16	16	0
Digital Voice Ports	48	48	0
Central Office Trunk Ports	8	8	0
IP CCIS Licenses	16	16	0
IP PAD Channels	16	32	16
IP Station Licenses	16	16	0

UNIVERGE SV8300

Base System and Components includes:

	Qty	NEC List Price
SV8300 SIP Basic Plus Pkg (Processor, Main & Expansion Chassis & 128iPLA VoIP Board SMDR & ISDN System Wide Licenses	1	\$14,370
R6 Software (contains 108 System Port Licenses, 32 IP Licenses & 16 VoIP PAD Channels)	inc.	
IP CCIS Licenses	16	
Rack Mount Kit (19" Rack not included)	1	
VM21 Internal Modem	1	
Internal Battery (10 minutes)	1	
Embedded Conference Ports (8 Built-In)	inc.	
8-Port Analog Station Blade	2	
16-Port Digital Station Blade	3	
4-Port CO Trunk Blade	2	
Installation, Design & Programming	1	

Other Hardware

MDF, Switch Tails	1	\$846
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Investment Summary - Includes 1 Year Parts and Labor Warranty and 1 Year Software Assurance (SWA)

UNIVERGE SV8300	\$14,370
Other Hardware	\$846
Total List Price	\$15,216
Promotional Discount - Expires March 23, 2012	\$5,817
Estimated Ground Freight	\$285
Total Investment (excluding tax)	\$9,684

Software Assurance (SWA) provides free software upgrades exclusive of any hardware or operating system upgrades that may be required to support the new release of software. Labor to perform software upgrades is not included.

Items not Included in this Quote:

- 1) End User or Administrative Training (if required, CMS will perform at our current hourly labor rates and billed separately)
- 2) Tone and Test of Existing Cable Plant (if required, CMS will perform this service, per Technician, at our current hourly labor rates and billed separately)
- 3) Telco Coordination (if required, CMS will perform at our current hourly labor rates and billed separately)
- 4) Patch Panel or Patch Cords
- 5) DHCP Server
- 6) Cat 5 line cords or Data Patch cords for IP Sets
- 7) Switches that provide PoE & QoS for the LAN
- 8) Routers that provide QoS on the WAN

Signature

Print Name

Date

Equipment List

Glen Ellyn Village Hall SV8300 with AA/VM

February 9, 2012

SV8300	Quantity	Price	TOTAL
Equipment:			
DTERM SP350 SOFTWARE CD	1	\$66.50	\$66.50
SV8300 SIP BASIC PLUS PKG	1	\$4,788.00	\$4,788.00
CHS2U-US	2	\$432.25	\$864.50
PZ-BS11	2	\$212.80	\$425.60
CD-8DLCA	1	\$192.85	\$192.85
CD-16DLCA	7	\$365.75	\$2,560.25
CD-4COTB	1	\$142.97	\$142.97
PZ-4COTF	1	\$129.67	\$129.67
CD-8LCA	2	\$365.75	\$731.50
PZ-8LCE	2	\$359.10	\$718.20
CD-PRTA	1	\$764.75	\$764.75
CD-VM00	1	\$731.50	\$731.50
CHS2U JOINT BRACKET KIT.	3	\$33.25	\$99.75
CHS1U RACK MOUNT KIT	1	\$53.20	\$53.20
CHS2U RACK MOUNT KIT	3	\$33.25	\$99.75
RS CONSOLE CA-A	2	\$73.15	\$146.30
RS RVS-4S CA-F	1	\$86.45	\$86.45
CHS1U INT BATT KIT	1	\$266.00	\$266.00
CHS2U INT BATT KIT	3	\$159.60	\$478.80
LS-SYS-PORT CAPACITY-LIC	136	\$29.93	\$4,069.80
LS-SYS-IPPAD16-LIC	1	\$212.80	\$212.80
LS-EXT-SP-LIC	4	\$49.88	\$199.50
LS-TRK-P2PCCIS-LIC	16	\$66.50	\$1,064.00
LS-NW-CCIS-LIC	1	\$133.00	\$133.00
LKS-UMS-CLIENT 4-LIC	1	\$149.63	\$149.63
LKS-UMS-CLIENT 16-LIC	1	\$478.80	\$478.80
LKS-UMS-PORT 16-LIC	1	\$7,315.00	\$7,315.00
AK DESKTOP PC APP CD	1	\$33.25	\$33.25
AKS UM-8G APP CF	1	\$997.50	\$997.50
AS SV8300 SYSTEM DOCUMENTATION	1	\$9.98	\$9.98
LS-CONF-8PORT-LIC	1	\$282.63	\$282.63
LS-SYS-R6-LIC	1	\$997.50	\$997.50
IP RediCheck License	1	\$77.00	\$77.00
Discount per Dear Associate Letter	-1	\$3,603.45	(\$3,603.45)
NEC Software Upgrade Discount	-1	\$6,577.59	(\$6,577.59)
Miscellaneous MDF Material	1	\$2,498.32	\$2,498.32
		Sub Total	\$21,684.21
		TOTAL	\$21,684.21

"Pricing is firm for 30 days after bid opening date. Thereafter prices may change without advance notice."

VH EQUIP 21,684.21
 Install 11,257.95
 PW EQUIP 8,947.08
 Install 7,327.75
\$49,216.99

Services List

Glen Ellyn Village Hall SV8300 with AA/VM

February 9, 2012

SV8300	TOTAL
<p>Services:</p> <ul style="list-style-type: none"> Project Management VM/UM Database Collection Standard VM/UM Hardware Installation Auto Attendant Design and Implementation System Configuration Engineering Upgrade from IVS-Database Conversion Import Database File SV8300 Hardware Installation System Cutover Cutover Coverage - First Business Day in-service Workmanship Warranty (90 days after Cutover) NEC Software Maintenance SV81/83 SW PREMIUM APS Labor-Only Maintenance (day 91 to 365) 	
Sub Total	\$11,257.95
TOTAL	\$11,257.95

Pricing is firm for 30 days after bid opening date. Thereafter prices may change without advance notice.

Summary

Glen Ellyn Village Hall SV8300 with AA/VM

February 9, 2012

SV8300	TOTAL
<i>Summary:</i>	
Equipment SubTotal:	\$21,684.21
Services SubTotal:	\$11,257.95
Sub Total	\$32,942.16
TOTAL	\$32,942.16

"Pricing is firm for 30 days after bid opening date. Thereafter prices may change without advance notice."

Equipment List

Glen Ellyn Public_Works_ SV8300 with AA/VM

February 9, 2012

SV8300	Quantity	Price	TOTAL
<i>Equipment:</i>			
DTERM SP350 SOFTWARE CD	1	\$66.50	\$66.50
SV8300 SIP BASIC PLUS PKG	1	\$4,788.00	\$4,788.00
CD-16DLCA	3	\$365.75	\$1,097.25
CD-4COTB	1	\$142.97	\$142.97
PZ-4COTF	1	\$129.67	\$129.67
CD-8LCA	1	\$365.75	\$365.75
PZ-8LCE	1	\$359.10	\$359.10
CHS2U JOINT BRACKET KIT.	1	\$33.25	\$33.25
CHS1U RACK MOUNT KIT	1	\$53.20	\$53.20
CHS2U RACK MOUNT KIT	1	\$33.25	\$33.25
RS CONSOLE CA-A	2	\$73.15	\$146.30
RS RVS-4S CA-F	1	\$86.45	\$86.45
CHS1U INT BATT KIT	1	\$266.00	\$266.00
CHS2U INT BATT KIT	1	\$159.60	\$159.60
LS-SYS-PORT CAPACITY-LIC	8	\$29.93	\$239.40
LS-SYS-IPPAD16-LIC	1	\$212.80	\$212.80
LS-EXT-SP-LIC	4	\$49.88	\$199.50
LS-TRK-P2PCCIS-LIC	16	\$66.50	\$1,064.00
LS-NW-CCIS-LIC	1	\$133.00	\$133.00
AS SV8300 SYSTEM DOCUMENTATION	1	\$9.98	\$9.98
LS-SYS-R6-LIC	1	\$997.50	\$997.50
IP RediCheck License	1	\$77.00	\$77.00
NEC Software Upgrade Discount	-1	\$2,803.45	(\$2,803.45)
Miscellaneous MDF Material	1	\$1,090.06	\$1,090.06
		Sub Total	\$8,947.08
		TOTAL	\$8,947.08

Pricing is firm for 30 days after bid opening date. Thereafter prices may change without advance notice.

Services List

Glen Ellyn Public_Works_ SV8300 with AA/VM

February 9, 2012

SV8300	TOTAL
Services: Project Management System Configuration Engineering Upgrade from IVS-Database Conversion Import Database File SV8300 Hardware Installation System Cutover Cutover Coverage - First Business Day in-service Workmanship Warranty (90 days after Cutover) NEC Software Maintenance SV81/83 SW PREMIUM APS Labor-Only Maintenance (day 91 to 365)	
Sub Total	\$7,327.75
TOTAL	\$7,327.75

Pricing is firm for 30 days after bid opening date. Thereafter prices may change without advance notice.

Summary

Glen Ellyn Public_Works_ SV8300 with AA/VM

February 9, 2012

SV8300	TOTAL
<i>Summary:</i>	
Equipment SubTotal:	\$8,947.08
Services SubTotal:	\$7,327.75
Sub Total	\$16,274.83
TOTAL	\$16,274.83

Pricing is firm for 30 days after bid opening date. Thereafter prices may change without advance notice.

\$41,453.50

PROPOSAL



1550 Shore Road • Naperville, IL 60563 • Phone: 630.369.2900 • Fax: 630.369.1211
John Coconato

Account Manager
Voice and Data Group
Sound Incorporated

Village of Glen Ellyn
Mark Binkerd

Sound Incorporated is a privately owned company which has been in the communications business since 1963. To date we are one of the largest low voltage integrators in the Midwest servicing customers around the world.

Sound Incorporated uses the diversity of our 4 groups to service companies low voltage needs. This starts with your voice, data, carrier services, security, building protection and music systems.

Our staff, which sets us apart from others, includes certified union technicians, Microsoft and Cisco certified engineers with expertise in data and networking applications, and longevity within the company in both sales and management.

Finally our, expertise and depth guarantees that our customers will receive top quality products with the highest quality installation to assure a long-term business relationship

Some of our customers are local, such as:



Some of our customers are nationally recognized companies, such as:



630.369.2900

1550 Shore Road Naperville, Illinois 60563

www.soundinc.com



This contract is subject to the terms and conditions on reverse side.

PROPOSAL



1550 Shore Road • Naperville, IL 60563 • Phone: 630.369.2900 • Fax: 630.369.1211

Business Analysis: The Village of Glen Ellyn is requesting an upgrade to their NEC 2000's to NEC 8300 voice servers. This is due to the impending date of no manufacture support beyond September 30th of 2012.

Solution Overview: Sound Incorporated is proposing 2 NEC 8300 voice servers connected together over fiber utilizing NEC's CCIS network software. With this upgrade the Village will be able to reuse their existing telephones protecting their initial investment.

Sound Incorporated proposes to furnish and install an NEC 8300 network solution consisting of the following Masterquote 387980-1-4 and 387980-1-5. This price also includes overtime cutover at both sites performed on a weekday M-F.

Total Price, including training, implementation, and installation but without tax.....\$ 41,453.50

SYSTEM

Sound Inc. installation labor for the following equipment and features...

2	Controllers provided by the manufacturer
2	Chassis at the main site for digital cards
2	Sites
2	Rack mounted installations (racks to be supplied by the Village)
0	Wall mounted controllers, cabinets, or servers
2	External paging units to be programmed on the system utilizing internal 1 zone built in units
VPN	Remote Access, VPN, or "Meet me"

Sound Inc. will provide the necessary server to deploy the call control software. Sound Inc. is responsible for programming and implementing the server connected to the proposed voice platform.

TRUNKING

Sound Inc. installation labor for the following equipment and features...

0	SIP circuits
16	CCIS paths
16	Analog trunks (8 and 8)
0	Power failure jack connections
1	PRI digital circuits
0	Resilient SIP circuits



STATIONS

Sound Inc. installation labor for the following equipment and features...

200	Digital and/or analog phones
0	IP Phones
0	Remote IP Phones
0	Door Phones
0	Wall mounted phones
0	Headsets
0	Internal paging zones
1	Music on hold sources
200	Number of extensions & mailboxes to rekey for migration

DSS/BLF

DSS/BLF buttons allow phone users to view the telephone presence of multiple parties' based on the illumination of the button associated with the specific party's line appearance. The button also acts as a one touch key to call and transfer to the party.

Sound will cover this portion in administration training giving the administrator the ability to provide DSS/BLF buttons to each user necessary.

Mobile Twinning

Mobile twinning will provide seamless converged mobility across the entire Village of Glen Ellyn organization. Village of Glen Ellyn users can work anywhere in the world without limits on device, network or location.

Without the need for mobile client software or additional server hardware, mobile will enable Village of Glen Ellyn's mobile workforce to

- set any 10 digit number as a twinned device
- make and receive calls on all licensed devices presenting a single identity to callers. This enables high availability, consolidates to one corporate voicemail box, and offers the opportunity for cost savings.

Mobile twinning works with any device that has a phone number, including personal phones. Employees can use a mobile or fixed device. Village of Glen Ellyn no longer needs to standardize devices or purchase and maintain mobile phones. Mobile twinning provides users with one centralized mailbox to store all voice messages (if a mailbox is sold, and within proper cellular coverage). This not only simplifies message management, but also eliminates the expense of multiple voice mail services.

Sound has included 0 mobile twinning users.

VOICEMAIL

PROPOSAL



1550 Shore Road • Naperville, IL 60563 • Phone: 630.369.2900 • Fax: 630.369.1211
Sound Inc. is proposing the labor to install and implement an embedded voicemail with [16] ports and [300] end user voicemail boxes.

Sound Inc. will provide the necessary server to deploy the call control software. Sound Inc. is responsible for programming and implementing the server connected to the proposed voice platform.

Automated Attendant

Standard automated attendant function that allows an external caller to dial through to an extension without going through a live attendant. With this application, customers who call in can:

- place a call to a number in the corporate directory
- transfer to a department or person specified in the auto attendant voice prompts
- select multilevel options in response to cascading voice prompts to reach a particular department (e.g., "Press 1 for Recreation" then "Press 5 for Aquatics")

The automated attendant can be programmed to play different greetings during open and closed business hours. After-hours callers reach a company directory that allows them to enter either an extension number or choose from a single-digit option.

In addition, the multilevel capability embedded in the auto attendant (MLAA) allows Village of Glen Ellyn to program a hierarchical menu. As mentioned above, this provides callers with self-service options to reach individuals, departments, or prerecorded information, or to leave voice messages

Sound Inc. is responsible for programming one day/night/holiday(s) greeting, and up to 2 multilevel greetings per day/night/holiday. Any additional greetings necessary will be billable at standard labor rates.

Unified Messaging

Unified Messaging (UM) is a powerful, server-based voice processing system that provides users with the ability to access and manage their email, voice or fax messages from a single interface using an email client such as Outlook, Lotus Notes, or Web View.

Common options within Unified Messaging are:

- Simple Mail Transfer Protocol (SMTP) Forwarding provides the ability to forward voice messages to e-mail. Sound Inc. is supplying this feature for 0 users.
- Web View provides access to voice and fax messages from the Web View application in the user's email client or from a web browser, using a URL provided by the system administrator. Sound Inc. is supplying this feature for 0 users.
- Standard UM provides access and partial synchronization of messages from supported email clients. Sound Inc. is supplying this feature for 0 users.
- **Advanced UM provides access and full synchronization of messages from supported email clients. Sound Inc. is supplying this feature for [40] users.**

Fax mail is the ability to send and/or receive faxes in soft copy form in one central inbox within the end users email account. Sound Inc. is supplying this feature for 0 incoming users and 0 outgoing users.

For this specific installation Sound Inc. is providing the option(s) in **BOLD**. Sound Inc. is responsible for installing all UM voicemail boxes on the system, and integrating them with up to 2 email users, and will provide system administrator training to implement the rest.



ADVANCED APPLICATIONS

Current Customer Environment

Customer's current advanced applications environment includes...

Microsoft Exchange

Advanced Unified Communications

Unified communications (UC) provides presence and availability; secure instant messaging, audio and/or web conferencing, and video collaboration (if purchased) with call control capabilities of the phone system. UC also integrates with leading business productivity tools like Microsoft Exchange/Outlook.

UC 'unifies' components into a single, easy-to-manage interface, providing

- Secure Instant messaging (IM) and Chat
- Voice Mail integration with Unified Messaging (if purchased)
- Visual access to voice mail and unified messaging, including the ability to call, instant message, email, or conference based on messages received (if purchased)
- Start audio, video, or web collaboration from UC Advanced window (if purchased)
- Point-to-Point video (if purchased)
- Presence capability for IM or video, and phone presence capability based mobile twinning (if purchased)

Sound Inc. is providing the features above in **BOLD**.

Sound will program the 0 Advanced UC users purchased on the server, and integrate them with the purchased applications that correspond above. In addition as part of the programming included, Sound Inc. will work with the system administrator on how to program the first two clients on the work stations provided, and then the system administrator is responsible to install additional clients moving forward. Sound Inc. will not be responsible for issues caused by the condition or lack of resources in regards to the work station. Sound Inc. will not provide advanced programming based on individual user preferences. However, additional bulk labor can be purchased to do so after the sale.

Basic Unified Communications (Not Applicable)

The Basic Unified Communications (UC) application is a desktop assistant that runs directly from a PC without the need for an applications server. It combines telephony with Microsoft Outlook and Windows search functionality seamlessly, providing users with a range of intelligent call-handling facilities and productivity enhancements. Since it does not require a server, Basic UC is cost-effective and delivers a rapid return on investment.

Sound Inc. has provided proper work station specifications and is not responsible for functionality of the application if these specifications are not met. Sound Inc. will work with the system administrator on how to program the first two clients on the work stations provided, and then the system administrator is responsible to install additional clients moving forward.



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PC Console

The PC Console is an advanced PC-based IP console and administration application with an intuitive graphical user interface (GUI) that includes screen-based call status and call handling prompts. Features include direct station select (DSS) and busy lamp field (BLF), incoming caller identification, transferred calls and calls on hold screens, plus much more...

Sound Inc. is responsible for installing 0 PC Consoles on an Industry Standard Server that meets proper specification supplied by

Softphone

Provides an embedded IP-based software telephone accessible from a PC or laptop.

Sound Inc. has included 0 softphones and will provide proper work station specifications. Sound Inc. is not responsible for functionality of the application if these specifications are not met. Sound Inc. will work with the system administrator on how to program the first two clients on the work stations provided, and then the system administrator is responsible to install additional clients moving forward.

Audio and/or Web Conferencing

Audio and Web conferencing combines the benefits of a feature-rich audio conferencing solution with easy-to-use, intuitive web conferencing facilities enabling users to enhance a conference call or meeting through the use of shared documents, presentations, chat and desktop video. The benefits of choosing this customer premise application over traditional outsourced conferencing services include improved control and management, ease of use and it is virtually free to run and maintain, accelerating payback in a matter of months.

Sound Inc. will install this server based application and train the system admin on additional administration features, as well as end user interaction. Due to the nature of this application it regularly pertains to the firewall and network security. Unless Sound Inc. is the firewall vendor of record, Sound Inc. will supply the proper parameters for firewall configuration, but Sound Inc. will not be responsible for functionality pertaining to the firewall. Sound Inc. is providing labor to install [0] ports of audio conferencing and 0 web collaboration users.

CONTACT CENTER

Contact Center Solutions (Not Applicable)

Contact Center Solutions is a portfolio of applications that would enable Village of Glen Ellyn to maximize the efficiency of its contact center. Each application equips contact center agents with a unique set of tools to handle customer inquiries quickly and efficiently while, at the same time, empowering supervisors to improve business processes. Contact Center Solutions are browser-based, making them simple to manage from anywhere over the Internet.

Contact Center Solutions combine robust communications platforms, automatic call distribution (ACD) software, and a modular suite of feature-rich, Web-based applications for streaming contact center management and ultimately enabling agents to be located and productive anywhere in the enterprise network.

PROPOSAL



Customer's designated IT contact: Mark Binkerd

1550 Shore Road • Naperville, IL 60563 • Phone: 630.369.2900 • Fax: 630.369.1211

RESPONSIBILITIES

Customer Responsibilities

- Customer will provide onsite IT personnel for concurrent coordination, configuration, testing, and troubleshooting of pertinent equipment, systems, or services not supplied by Sound Inc. as part of this project, that integrate with or are involved in the functionality of the systems being installed by Sound Inc., at times agreed on during the project planning process, possibly including off hours work and coverage the first business days after the cutover.
- Customer will provide a diagram of their existing data network.
- Customer will provide a floor plan displaying existing and new work stations of all facilities pertinent to the installation
- Installation (or replacement of) all site wiring (power, extension of network services, structured wire plant, etc.) as necessary.
- Installation of necessary power distribution boxes, conduits, groundings, lightning protection, connectors, and associated hardware.
- Installation of power outlets located within three feet of the equipment to be installed.
- Any building alterations necessary to meet wiring and other site requirements.
- Environmental modifications as required for the hardware. e.g., HVAC upgrades.
- Adequate and proper rack or surface space in/on which the hardware will be installed.
- Provide and install all patch cords required for the connection of all switches, routers, etc.
- Documentation of all necessary addressing and naming conventions/ requirements. This information is required prior to the on-site arrival of the Sound Incorporated Professional Services Technician.
- All Network Operating Systems, network drivers, application software, and testing for systems not supplied by Sound Incorporated.
- Provide any and all necessary security clearances and access to facilities as required to Sound Incorporated personnel for each phase of this project.
- Create a post cut punch list of incomplete items or features and submit to Sound Incorporated.

Project Responsibilities

Village of Glen Ellyn is responsible for configuring switches including voice & data VLANs.

Village of Glen Ellyn is responsible for coordinating traffic classification for L2 QoS.

Village of Glen Ellyn is responsible for customization of Spanning Tree Protocol for the specific system being sold.

Village of Glen Ellyn is responsible for programming LLDP/MED or CDP on the switches.

Village of Glen Ellyn is responsible for configuring the routers and/or L3 switches.

Village of Glen Ellyn is responsible for providing and/or making changes to the firewall(s).

Village of Glen Ellyn is responsible for coordinating routing protocols with and among other customer-premise routers as appropriate.

Village of Glen Ellyn is responsible for coordinating traffic classification and LLQ (low latency queuing) across WAN links for L3 QOS.

PROPOSAL



Village of Glen Ellyn is responsible for patching switchports to patch panels. 1550 Shore Road • Naperville, IL 60563 • Phone: 630.369.2900 • Fax: 630.369.1211

There will be no replacement of phones

Village of Glen Ellyn is responsible for providing work if necessary at remote / home offices.

CLARIFICATIONS

- Any projects that are performed or cut over during non-business hours (8am to 4:30pm) or weekends that are not specifically set forth in the agreed-to time line in the contract, will be billed at Sound Incorporated's overtime, weekend, or holiday rates.
- If any work being done for this specific project that affects normal business operations will be discussed beforehand with the customer and planned for accordingly.
- Sound Inc. is not responsible for any other vendor's actions that disrupt normal business operations unless Sound Inc. is acting as the general contractor for the specific project.
- Any changes made to the database implementation design after it has been agreed to and signed-off by the customer will be considered billable changes and/or extras to this project.
- All system work will be performed by a Manufacturer Certified Technician(s).
- If necessary, Sound Incorporated may bill as an extra, any additional items added to the system or customers network at the request of the customer.
- If any equipment supplied by Sound Incorporated is found to be defective during the installation, Sound Incorporated will replace the equipment at no extra charge and complete the installation as specified.
- Any delays due to customer infrastructure problems, without pre-notification from the customer, experienced while a Sound Incorporated engineer or technician is on-site that would prevent the completion of associated tasks will be billable at Sound Incorporated's prevailing labor rates.
- The system will be capable of dialing "911" for emergency situations. "911" calls will be routed out the local trunk ports of each gateway.
- Sound Incorporated cannot be held responsible for work performed by other individuals or companies for modifications, additions, or changes to this network equipment during or after completion of this contract.
- The IT and/or customer contact will be onsite for the cutover and cut coverage.

If the information provided by customer is incorrect or incomplete, Sound Incorporated shall have the right to charge the customer, for any increase in costs incurred or time expended by Sound Incorporated due to such error or omission , or stop the project due to change of scope of work.

WARRANTY

The NEC 8300's shall be guaranteed for one full year. A Silver Warranty including all parts and labor excluding the phones covers the first year. Warranty exclusions include adds, moves, changes, abuse, non-hardware related problems, network services, no trouble found, software and 'Acts of God,' all of which are billable at normal labor rates. Batteries, both internal and/or external, used for system power backup are consumable, and are not covered by warranty. The normal working life is two years, and they should be replaced on a two-year schedule. Any necessary conduit or electrical requirements is to be provided by others.

PROPOSAL



1550 Shore Road • Naperville, IL 60563 • Phone: 630.369.2900 • Fax: 630.369.1211

TERMS

50% Down Payment, 40% on the day of system cutover and 10% net 10 days. Acceptance of a lease does not relieve the buyer from the terms of this contract. Any money pre-paid will be refunded upon final payment by the leasing company. The attached masterquotes 387980-1-4 and 387980-1-5 dated 02/03/12 are part of this agreement and are the materials that will be delivered and installed.

Respectfully Submitted by: John Coconato
John Coconato

Acceptance By Purchaser

By _____

Title _____

Printed Name _____

Date _____

Acceptance By Seller in Naperville, IL

By _____

Title _____

Printed Name _____

Date _____



DRAFT

March 13, 2012

A-6E

Georgia Koch, Executive Director
Michael R. Formento, Executive Director
Glen Ellyn Chamber of Commerce
800 Roosevelt Road, Building D, Suite 108
Glen Ellyn, IL 60137

Re: 2012 Jazz Fest Glen Ellyn

Dear Ms. Koch and Mr. Formento:

This letter is to confirm action taken at the Village Board Meeting on Monday, March 12, 2012, regarding the 2012 Jazz Fest Glen Ellyn event scheduled for Saturday, July 14, 2012, as described in the Chamber's attached letter of February 10, 2012. The Village Board approved your requests with modifications and also temporarily waived the pertinent sections of the Village Code.

1. Approval for the event to be held between 2:00 p.m. and 10:30 p.m. on Saturday, July 14, 2012.
2. Approval to close Main Street between Crescent Boulevard and Pennsylvania Avenue and Crescent Boulevard from Main Street west to the alleyway from 5:00 a.m. on July 14, 2012 to 12:00 a.m. on July 15, 2012 in order to set up the event and for staging and to clear the area once the jazz event has ended. Closure of the streets will be allowed only in coordination with and approval by the Public Works and Police Departments. Additionally, please contact these departments to organize your request which includes the usage of a loading zone and four parking spaces on the north side of Crescent Boulevard, east of Main Street.
3. Chapter 3-23, Section 8-1-11 and Section 8-1-12 of the Village Code concerning peddlers, the obstruction of public ways, and the display and sale of merchandise on public ways, respectively, have been waived during the event for the entire Village. You may notify businesses in the Village of this waiver.
4. The Chamber must provide enough volunteers to adequately staff the entrances and exits of the event.
5. Sale of food will be allowed on Main Street between Crescent Boulevard and Pennsylvania Avenue between 2:00 p.m. and 10:00 p.m. only after approval by the DuPage County Health Department.

Civic Center

535 Duane Street
Glen Ellyn, IL 60137

Administration

630-469-5000
Fax 630-469-8849

Finance

630-547-5235
Fax 630-469-1757

Planning and Development

630-547-5250
Fax 630-547-5370

Police

630-469-1187
Fax 630-469-1861

Public Works

30 South Lambert Road
Glen Ellyn, IL 60137
630-469-6756
Fax 630-469-3128

The Village Links and Recreation

485 Winchell Way
Glen Ellyn, IL 60137
630-469-8180
Fax 630-469-8580

www.glenellyn.org
www.villagelinksgolf.com

6. Extra trash and recycling receptacles will be placed by the Public Works Department in the Central Business District with the understanding that solid waste/recycling collection arrangements for all Central Business District on-street containers are the responsibility of the Chamber of Commerce. Plastic bags should be used to line the containers, the containers should be marked as either refuse or recycling, and they should be emptied as necessary throughout the event. The Chamber should contact Allied Waste directly at 630-469-1036 to make arrangements. All extra wire trash/recycling receptacles in the Central Business District must be turned upside down once the event has ended and they have been emptied so that the containers are not used prior to pickup by the Public Works Department.
7. The Public Works Department will make Jazz Fest event signs and place them in selected locations around the Village. Any other signage for the event must be in full conformance with the provisions of the Village Sign Code.
8. The Chamber must notify the surrounding businesses located on Main Street in the Central Business District of the event to take place. Notification must occur prior to Tuesday, July 3, 2012.
9. Police support to assist in traffic flow can be accommodated as scheduling permits. There may be a cost associated with the assignment of uniformed Police Officers. Please work out the exact details of police assignments with the Police Chief or his representative in advance of the event.
10. The Chamber must provide a sufficient number of portable toilets for the length of the event, in addition to hand washing stations.
11. If beer and/or wine are to be sold, the Chamber must apply for a Class E Liquor License by contacting Administrative Services Coordinator, Patti Underhill. The Class E Liquor License Application is also available online at www.glenellyn.org. In addition to the \$20 application fee for the Class E Liquor License, the Chamber must provide dram shop (liquor liability) insurance. The sale of liquor is specifically approved to occur between the hours of 2:00 p.m. and 10:00 p.m. on Saturday, July 14, 2012.
12. It is necessary to obtain a Special Event Liquor License from the Illinois Liquor Control Commission. Please visit their website at www.state.il.us/lcc/ for more information.
13. The Chamber will be required to send every individual serving alcohol at the event to attend Beverage Alcohol Sellers and Servers Education and Training (BASSET). Please contact the Police Department at 630-469-1187 to coordinate the details of this requirement.
14. The use of freestanding tents or canopies will be allowed only on Main Street and Crescent Boulevard provided they are placed on only one side of the roadway and positioned to allow emergency vehicle access. Tents, canopies or any other item that requires the use of stakes, nails or the like will not be permitted. The following additional tent conditions must be met as well: they are a minimum of 10 feet from any building, have no cooking equipment within them, comply with all applicable building regulations and are inspected by a Planning and Development Department Building Inspector prior to the event. Please contact the Planning

and Development Department at 630-547-5250 to arrange for an inspection prior to the event. The cost for a building inspection is \$50.00.

15. The Village is interested in working with your organization to determine the best way to provide electrical power for your event. The Village has different options for power with varying capabilities depending on the location of your event and the amount of power needed. Please contact Rob Kadera and/or Mike Zitzka of Public Works at 630-469-6756 by Tuesday, July 3, 2012 to work out these details.
16. The Chamber will be required to submit a site map of the grounds indicating the location of tents, food and drink sales, restrooms, parking and any other facilities associated with the event by Tuesday, July 3, 2012.
17. Evidence of insurance from the Chamber of Commerce in the amount of \$2 million listing the Village as additionally insured must be presented to Assistant to the Village Manager - HR Danamarie Izzo by Tuesday, July 3, 2012.

The Village expects the Chamber of Commerce to monitor the event to the best of its abilities to ensure that all conditions contained in this letter are observed. Violations that cannot be resolved at the scene may be reported to the Police Department.

Sincerely,

Mark Franz
Village Manager

X:\Admin\CHAMBER\Jazz Fest\2012 Jazz event.doc

cc: Staci Hulseberg, Planning and Development Director
Phil Norton, Police Chief
Julius Hansen, Public Works Director
Bill Holmer, Deputy Police Chief
Dave Buckley, Assistant Public Works Director
Danamarie Izzo, Assistant to the Village Manager - HR
Patti Underhill, Administrative Services Coordinator

"connecting business with the greater community"



February 10, 2012

Mr. Mark Franz
Village Manager
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137



Dear Mr. Franz:

The Chamber of Commerce wishes to thank the Village for its continued cooperation and support which helped make our Jazz program a real success in 2011. We look forward to another successful event in 2012, with the goal of bringing jazz enthusiasts, both first time visitors and local residents, to enjoy beautiful Downtown Glen Ellyn.

Our Jazz program is intended to offer a safe and enjoyable, adult-oriented venue for jazz, while showcasing Glen Ellyn's Central Business District shops and restaurants. The Chamber will encourage retail merchants and restaurants to support the festival with promotion, themed window displays, and hours of operation to accommodate the event.

The Chamber presently has scheduled this summer's Jazz program on Saturday, July 14, 2012 from 2 to 10:30 p.m. and request approval of this date by the Village of Glen Ellyn. Last year's event drew about 2,000 attendees, and we expect that will increase for this year's festival. The approval and assistance of Village Board and Village Staff - especially Glen Ellyn Police and Glen Ellyn Public Works - is essential to the success of this event.

The Chamber respectfully requests assistance from the Village of Glen Ellyn in the areas listed:

1. Location of Event/Access to Venue/Street Closures –The event will again be held on Main Street, between Crescent Blvd. and Pennsylvania Avenue.

We request the following street areas be closed to allow for food/beer service, vendor sales, dressing areas and generator equipment

- a. Close Main Street between Crescent Blvd and Pennsylvania Avenue.
- b. Close Crescent Blvd from Main Street West to the alley way.
- c. Utilize the loading zone and four parking spaces on the North side of Crescent Blvd, East of Main street.
- d. Close the right hand turn lane on the South Side of Pennsylvania Avenue East of Main Street.
- e. Close the right hand turn lane on Pennsylvania West of Main Street to the first parking space.

2. We will require additional barricades at the East side of Crescent and Main Street from the horse trough to the outside of the four vendor spaces. In order to set up the event and staging, we request that the street be cleared of cars and closed to the public at 5 a.m. on Saturday, July 14, 2012 and remain closed until midnight. Please note that all tents erected for the event will be supported by water barrels. There will be no tent staking in the street.

800 Roosevelt Road, Building D, Suite 108 ~ Glen Ellyn, Illinois 60137-5898 ~ phone 630.469.0907 ~ fax 630-469-0426

www.glenellynchamber.com

3. **Sale of Beer/Wine and Food** – We request that the Village Board waive all ordinances or other restrictions and grant the necessary licenses and permits to allow the Chamber to dispense and sell beer and wine, as well as prepare and sell food, during the event. The Chamber will provide the Village with a certificate of liability and dram shop insurance and will name the Village as additionally insured. We request the time for sale of beer/wine and food to be from 2:00 p.m. to 10:30 pm with the last call at 10:00 p.m. on Saturday, July 14, 2012. Beverage sales will be in clear plastic cups. The Chamber will provide volunteer security at entrance/exits to the designated beverage sales area to prevent beverages from leaving the defined areas. The Chamber will work closely with the Village staff and Glen Ellyn Police Department. The Chamber volunteers that are involved with ticket sales, age identification and serving alcoholic beverages will have received Basset training.

4. **Electrical Requirements** – As with last year, we plan to rent a generator(s) and hire a qualified electrician to handle the electrical needs of the music portion of the event. Additionally, we request the use of the two generators from public works which we used last year. We will further require some electrical provisions from the village for the music tent and other areas. Public works has assisted us in the past for these locations.

5. **Clean Up** –To assist with trash control the Chamber will arrange with Allied Waste to have a dumpster located at the South East end of the Crescent/Glenwood parking lot. We would appreciate the assistance of the Village in providing extra trash receptacles in the vicinity of the designated event location. The Chamber will contact Allied Waste to secure trash containers and additional pick-up if needed. The Chamber will hire a cleaning service to maintain the grounds throughout the duration of the event. Every effort will be made to have items that are recyclable collected in specially marked containers.

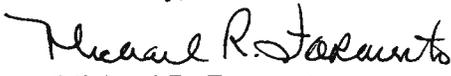
We also request to have restrooms located in the South East corner of the parking lot located on Glenwood and Crescent Blvd. This will assist in providing easy access for patrons.

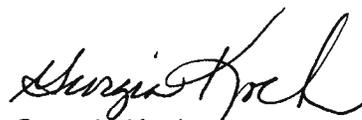
6. **Traffic Control and Security** – We request the services of the Glen Ellyn Police, to assist with traffic control in the vicinity of the event.

7. **Signage** – We would appreciate the “Special Events” signs being placed in appropriate areas throughout the village.

We again thank the Village for its consideration of this request, and for its assistance in making this event a great success. We look forward to presenting another Jazz program for the benefit of Glen Ellyn’s residents and visitors.

Sincerely,


Michael R. Formento
Executive Director


Georgia Koch
Executive Director



A-6F

DRAFT

March 13, 2012

Georgia Koch, Executive Director
Mike Formento, Executive Director
Glen Ellyn Chamber of Commerce
800 Roosevelt Road, Building D, Suite 108
Glen Ellyn, IL 60137

Re: 2012 Taste of Glen Ellyn

Dear Ms. Koch and Mr. Formento:

This letter is to confirm action taken at the Village Board Meeting on Monday, March 12, 2012 regarding the 2012 Taste of Glen Ellyn scheduled for Thursday, May 17, Friday, May 18, Saturday, May 19, and Sunday, May 20, 2012, as described in the Chamber's attached letter of February 7, 2012. The Village Board approved your requests and also temporarily waived the pertinent sections of our Village Code. Representatives of the Chamber must meet with appropriate Police and Public Works Department staff by Tuesday, May 8, 2012, to finalize and coordinate all details.

The formal approval by the Village Board provides for the following:

1. Approval for the event to occur during the following days and hours in 2012:

Thursday, May 17	5:00 p.m. to 11:00 p.m.*
Friday, May 18	5:00 p.m. to 11:00 p.m.
Saturday, May 19	10:00 a.m. to 11:00 p.m.**
Sunday, May 20	12:00 p.m. to 7:00 p.m.

*Please note that music and other amplified noise will only be permitted until 10:00 p.m. on Thursday, May 17, 2012.

**Please note that this time is modified from your request letter.

***Due to security concerns in Chicago and the greater area, the Police Chief or his designee may determine a need to end the event early on any of the above mentioned days.

2. Approval of the use of the Main Street parking lot from 6:00 a.m. on Thursday, May 17, through 11:59 p.m. on Sunday, May 20. Entrances to the lot will be blocked by barricades to allow for setup on Thursday morning, May 17. Any set up requiring loud noises may not occur before 7:00 a.m. on Thursday, May 17 or on any other days of the Taste. The entire parking lot must be cleared, clean, and available for use by 11:59 p.m. on Sunday, May 20. The Chamber must contact Fox Grease directly, at 847-888-2454, to arrange cleanup and removal of grease produced by vendors. **Cleanup and removal of grease produced by vendors is the responsibility of the Chamber and must occur by Monday, May 21, 2012.**

Civic Center
535 Duane Street
Glen Ellyn, IL 60137

Administration
630-469-5000
Fax 630-469-8849

Finance
630-547-5235
Fax 630-469-1757

Planning and Development
630-547-5250
Fax 630-547-5370

Police
630-469-1187
Fax 630-469-1861

Public Works
30 South Lambert Road
Glen Ellyn, IL 60137
630-469-6756
Fax 630-469-3128

The Village Links and Recreation
485 Winchell Way
Glen Ellyn, IL 60137
630-469-8180
Fax 630-469-8580

www.glenellyn.org
www.villagelinksgolf.com

3. Approval to close the west side parking lane of Main Street, between Duane Street and Hillside Avenue, from 3:00 p.m. to 11:59 p.m. on Friday, May 18, 2012. Please contact the Police Department to work out the details of this request (630-469-1187).
4. Approval to close Main Street between Duane Street and Hillside Avenue from Saturday, May 19 at 7:00 a.m. through Sunday, May 20 at 9:00 p.m. Coordinate the times for these streets closures and any other requested detours with the Police Department. Planning, implementation and final approval of all street closures and detours will be handled by the Police Department. In order to provide access for emergency vehicles, a designated traffic lane, 15 feet in width, must be maintained on one side of Main Street.
5. The use of freestanding tents or canopies will be allowed only in the Main Street Parking Lot and on Main Street throughout the event. Coordinate details of tent locations with the Police Department. Tents, canopies or any other item that requires the use of stakes, nails or the like will not be permitted. The following additional tent conditions must be met as well: they are a minimum of 10 feet from any building, comply with all applicable building regulations and are inspected by a Building Inspector prior to the event. Please contact the Planning and Development Department at 630-547-5250 to arrange for an inspection prior to the event. The cost for a building inspection is \$50.00.
6. The Village of Glen Ellyn will assess the Main Street Parking Lot prior to the event. Any damage to occur during the event will be the responsibility of the Chamber of Commerce to repair in a manner that is acceptable to the Department of Public Works. If event damage occurs and is not repaired by the Chamber, the Village will make any necessary repairs and bill the Chamber for the repair work.
7. The Chamber will need to make arrangements with the Police Department and the Public Works Department regarding the proper placement of fencing to ensure safety during the event.
8. Alcoholic beverages will not be allowed outside of the parking lot area. The Chamber must provide enough volunteers to adequately staff the entrances and exits of the event.
9. The Chamber must provide a sufficient number of portable toilets for the attendance of the event during the entire length of the event, in addition to handwashing stations.
10. Chapter 3-23, Section 8-1-11 and Section 8-1-12 of the Village Code concerning peddlers, the obstruction of public ways, and the display and sale of merchandise on public ways, respectively, have been waived for the four days of the event. The provision allows existing merchants in the Village to display merchandise on the sidewalks during the four days of the Taste of Glen Ellyn event. However, merchants in the Village may only use sidewalks for this purpose. You may communicate this waiver to the businesses in the Village.
11. The Village will place temporary signage to designate three handicapped parking spaces in an appropriate location near the event as determined by the Police Department. The temporary signage will be in place for all three days of the event.
12. Extra trash and recycling receptacles will be placed by the Public Works Department in the Main Street Parking Lot and throughout the Central Business District with the understanding that solid waste/recycling collection arrangements for all Central Business District on-street containers are the responsibility of the Chamber of Commerce. Plastic bags should be used to line the containers, the containers should be marked as either refuse or recycling, and they should be emptied as necessary throughout the event. The Chamber must contact Allied Waste directly at 630-469-1036 to make arrangements. All trash/recycling receptacles in the Main Street Parking Lot and extra wire

trash/recycling receptacles in the Central Business District must be turned upside down once the event has ended and they have been emptied so that the containers are not used prior to pickup by the Public Works Department.

13. Village staff will ensure that streetlights are turned on for the event as requested. Please contact Rob Kadera or Mike Zitzka with Public Works at 630-469-6756 to work out these details, as well as the provision of Village generators.
14. Village crews will coordinate both the placement of special event signs in selected locations around the Village as well as necessary street sweeping. Please contact the Public Works Department at 630-469-6756 to discuss your request for updated signage.
15. Permission is hereby granted by the Village to allow the placement of two banners, 2' x 6' in size announcing the Taste of Glen Ellyn, at the intersections of Roosevelt Road and Park Boulevard and Roosevelt Road and Main Street, no more than 14 days prior to the Taste of Glen Ellyn event as authorized by Section 4-5-9(C) of the Glen Ellyn Village Code. All signage must be removed by Tuesday, May 22, 2012 at 5:00 p.m. Please be aware that while the Village is waiving Section 4-5-9(C) of the Village Code to allow for these banners, it is the Chamber's responsibility to contact the private property owners and/or right-of-way property owner (IDOT) prior to banner installation and follow any procedures as required by the owner. Any other signage to be displayed for or during the event must be in full conformance with the Village Sign Code.
16. Arrangements for alternate parking spaces to accommodate regular users of the Main Street Lot must be developed. Please work with the representative of the Police Department by Thursday, May 3, 2012, so that the Village may draft and distribute a letter to these users.
17. Police support to assist in traffic flow can be accommodated as scheduling permits. Please work with the Police Department representative regarding traffic concerns.
18. If beer and/or wine are to be sold, the Chamber of Commerce must apply for a Class E Liquor License by contacting Administrative Services Coordinator Patti Underhill. The license application is also available online at www.glenellyn.org and is due no later than Tuesday, May 10, 2012. In addition to the \$20 application fee for the Class E Liquor License, the Chamber must provide dramshop (liquor liability) insurance. The dramshop policy shall list the Village of Glen Ellyn as owner of the property and provide coverage at a minimum of \$500,000 per person or occurrence.
19. Sales of beer and/or wine will be allowed in the Main Street Parking Lot within the defined area of the Taste event only after approval and issuance of a liquor license by the Liquor Commissioner. Specific details of security, and the dispensing of beer and/or wine, including a specific area for alcohol consumption and the use of clear plastic cups, must be coordinated with and approved by the Police Chief (or his designee) prior to receipt of a Class E Liquor License. The sale of liquor will cease one-half hour prior to the closing time of each evening or earlier if deemed appropriate at the discretion of the Police Chief or his designee. The sale of liquor is specifically approved to occur as follows: Thursday, May 17, from 5:00 p.m. to 10:30 p.m.; Friday, May 18, from 5:00 p.m. to 10:30 p.m.; Saturday, May 19, from 12:00 noon to 10:30 p.m.; and Sunday, May 20, from 12:00 p.m. to 6:30 p.m.
20. It is necessary to obtain a Special Event Liquor License from the Illinois Liquor Control Commission. Please visit their website at www.state.il.us/lcc/ for more information.

21. The Chamber will be required to send every individual serving alcohol at the event to attend Beverage Alcohol Sellers and Servers Education and Training (BASSET). Please contact the Police Department at 630-469-1187 to coordinate the details of this requirement.
22. Evidence of insurance from the Chamber of Commerce in the amount of \$2 million listing the Village as additionally insured must be presented to Assistant to the Village Manager – HR Danamarie Izzo no later than Tuesday, May 8, 2012.
23. The Chamber must notify the surrounding businesses located on Main Street in the Central Business District of the event to take place, in addition to the approved street closure. Notification must occur prior to Tuesday, May 8, 2012. A copy of the notification provided to businesses shall be provided to the Village by Tuesday, May 8.

Traditionally, the Chamber has held follow up meetings after their major events. It is encouraged that the Chamber continue this activity and invite all merchants and retailers that front on this block of Main Street to attend the follow up meeting for the Taste of Glen Ellyn. Representatives of the Village would appreciate attending, as well. Copies of your letter, together with this reply, are being furnished to appropriate staff members so that necessary arrangements can be made to carry out the requests of the Chamber. If you have any questions, please contact the appropriate Village personnel.

Sincerely,

Mark Franz
Village Manager

cc: Staci Hulseberg, Planning and Development Director
Phil Norton, Police Chief
Julius Hansen, Public Works Director
Dave Buckley, Assistant Public Works Director
Bill Holmer, Deputy Police Chief
Danamarie Izzo, Assistant to the Village Manager – HR
Patti Underhill, Administrative Services Coordinator

X:\Admin\CHAMBER\Taste of Glen Ellyn\12 Taste Approval Letter.doc

"connecting business with the greater community"

February 7, 2012

Mr. Mark Franz
Village Manager
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137



Dear Mr. Franz:

The Glen Ellyn Chamber of Commerce is formulating plans for the 31st. annual "Taste of Glen Ellyn" for 2012. Village representatives from Public Works and Sgt. Norm Webber, of the Glen Ellyn Police Department, are participating on our committee to help insure a safe, enjoyable and successful event. We appreciate the continued cooperation of various Village departments, including Police, Public Works and the office of the Village Manager.

Please note: This year the Glen Ellyn Chamber of Commerce is will be holding the Taste of Glen Ellyn on Thursday, May 17th. through Sunday, May 20th.

The Chamber is asking for the return of Sunday to its venue for a number of reasons. We have many requests from citizens to return to Sunday, because it provided family day programs. Additionally, our craft show and food vendors prefer Sunday as an opportunity to better serve the attendees. Also, street closings on Thursday cause some discomfort for the businesses in that block.

We propose to hold the Taste of Glen Ellyn on Thursday, May 17 and Friday, May 18 from 5:00 p.m. to 11:00 p.m., and on Saturday, May 19, the entertainment will begin at 10 a.m. and the Taste will open from Noon to 11:30 p.m. and on Sunday, May 20, the Taste will be open noon until 7 p.m. The Taste will include a Business Expo on Friday, Saturday and Sunday, and a Craft Fair on Saturday and Sunday.

There will be no street closings on Thursday May 17. This will allow for better accessibility and parking for the retail businesses on an evening they are all generally open while limiting the days the street would be closed. We request that on Friday May 18, the West side parking lane on Main Street from Duane to Hillside, be closed from 3 p.m. till Midnight. This will better accommodate safety during Friday's Taste hours. Main Street will be completely closed from Hillside to Duane Street, on Saturday and Sunday and would reopen on Sunday at approximately 9 pm to allow for the tear down of the Taste and the Craft Fair. The Chamber's Craft Fair will remain on Main Street on Saturday and Sunday and we will provide a fire lane for emergency vehicles.

Glen Ellyn Chamber staff will be in contact with the Village Fair Committee (formerly the Jaycees) to coordinate plans for the Taste and Carnival. We anticipate the Village Fair Committee will request assistance from the Village similar to past requests

We thank the Village Board and staff for the tremendous cooperation and support shown to the Chamber for all our events and activities. We look forward to a successful Taste of Glen Ellyn and Village Fair this year. The Chamber respectfully requests assistance from the Village of Glen Ellyn in the areas listed below:

- I. Street Closure**
- II. Location of Event /Access to Venue**
- III. Parking Lot**
- IV. Permission to Sell Merchandise on the Street and Sidewalk**
- V. Sale of Beer and Wine**
- VI. Electrical Requirements**
- VII. Clean-up**
- VIII. Traffic Control and Security**
- IX. Signage**
- X. Chase to the Taste Run**

I. Street Closure

Closing Main Street, as indicated above for the Taste, will help tremendously with crowd control and overall comfort level and the expanded venue better accommodates the many patrons, activities, booths, businesses and entertainment. As requested on Saturday and Sunday, beginning at 7 a.m., the southbound traffic be detoured off Main Street at Crescent Blvd., traveling east onto Crescent and not allowed to cross over the Main Street railroad track crossing.

II. Location of Event /Access to Venue

We request the use of the Main Street parking lot north of Hillside Avenue, for the four days of the event. Because of the length of time it takes to erect the tents, to insure safety and minimize disturbance to Duane St. residents, we ask that all entrances and exits to the Main street parking lot be blocked by barricades at 6:00 a.m. Thursday, May 17 (at the discretion of the police).

III. Parking Lot

With the recent repaving of the Main Street Lot and in cooperation with the Public Works Department, the Chamber will not be staking tents into the pavement. Rather, we will be using water barrels to tie down the tents, in the event of heavy weather conditions.

IV. Permission to Sell Merchandise on the Street and Sidewalk

We request the appropriate ordinance waiver to allow our local merchants and vendors to sell on the sidewalks Friday through Sunday, May 20th.

V. Sale of Beer and Wine

The Chamber requests the Village Board waives all ordinances or other restrictions and grant the necessary licenses and permits to allow the Chamber to dispense and sell beer and wine during the four days of the Taste of Glen Ellyn. We will provide the proper insurance coverage as deemed necessary by the Village. We request the times for sale of beer and wine as: Thursday and Friday, 5:00 p.m. to 11:00 p.m., last call at 10:30, and on Saturday 12:00 noon to 11:30 p.m., with last call at 11:00 p.m. and Sunday from noon until 7:00 p.m., last call at 6:45. A cordoned section will be designated for the sale of alcoholic beverages. Chamber volunteers will serve as security personnel to avoid alcoholic beverages leaving the designated area and will "I.D." and wristband patrons for beverage sales. All individuals that will be serving alcohol will have passed BASSET training. A list of all servers will be provided to the Police Department to insure proper dispensing of alcoholic beverages.

VI. Electrical Requirements

We will hire a qualified licensed electrician to handle electrical needs during the event. However, we request to have the Main St. street lights be turned on during the event, as we utilize some power from the poles. Further, we request the use of the Village generators during the Taste.

VII. Clean-up

We would appreciate the assistance of the Village in providing extra trash receptacles on Main Street from Crescent Blvd. to Hillside Avenue. The Chamber will contact the Village Public Works Department staff to discuss a street sweeper to assist with final cleanup of the lot. We will also work with Public Works regarding the number and location of trash receptacles. The Chamber will employ its own clean up personnel and will collect and dispose of the trash in this area and will also provide two dumpsters to accommodate Taste refuse.

VIII. Traffic Control and Security

We request the services of the Glen Ellyn Police, as available, for assistance with crowd and traffic control. The Village Administrative Staff, Chief Norton, and Deputy Chief Holmer have been instrumental in formulating safety plans for the Taste and proposed street closure. As in the past we intend to hire a security patrol for overnight security.

IX. Signage

We would appreciate the "**Special Events signs with our new logo**" be placed in appropriate areas throughout the Village directing visitors to this event. Our staff will work with the Public Works Department and provide a copy of our new logo.

X. Chase to the Taste Run

Regrettably the Chase to the Taste run has been canceled due to the decision of the B.R. Ryall YMCA to discontinue the race at this time.

We thank the Village for their assistance in making "Taste of Glen Ellyn" possible. The growth of this community event, through the years could not have taken place without Village assistance. We look forward to hosting the 31st. "Taste of Glen Ellyn" for residents and visitors to our community.

Sincerely,

Mike and Georgia

Handwritten signatures of Mike Formento and Georgia Koch.

Mike Formento and Georgia Koch
Executive Directors

MEMORANDUM

A-6G

TO: Mark Franz, Village Manager *zf*

FROM: Kristen Schrader, Assistant to the Village Manager – ADM
Andrew Letson, Administrative Intern *AL*

DATE: March 6, 2012

RE: Highway Authority Agreement and Tiered Approach to Corrective Objectives Agreement – 615 Roosevelt Road



Background

In 2006, ExxonMobile worked to remediate a former gas station site located at 632 Roosevelt Road. During the remediation process, there was a concern that some of the soil located under the Park Boulevard right-of-way had become contaminated. In response to that concern, the Village Board approved a Tiered Approach to Corrective Objectives (TACO) Agreement with ExxonMobile. The TACO Agreement states that the Village would agree to not dig a potable well in the right-of-way adjacent to the remediation site. In addition, the Village would be reimbursed by ExxonMobile for any future remediation costs associated with any improvement projects that take place at the site. The agreement allowed ExxonMobile to receive a “No Further Remediation” determination for the 632 Roosevelt Road property.

The 2006 agreement served as both a TACO and a Highway Authority Agreement (HAA). In 2007, the Illinois Pollution Control Board changed their regulations regarding HAAs to require that all agreements use a set of form language. For that reason, similar situations now require the drafting of separate TACO and Highway Authority Agreements.

Issues

ExxonMobile is requesting that the Village enter into a TACO Agreement, similar to the agreement signed in 2006, and an HAA for remediation work at another former gas station site located at 615 Roosevelt Road. The TACO agreement will provide the Village with protections as described below. The HAA will be submitted to the Illinois Environmental Protection Agency in connection with the corrective action being performed by ExxonMobile at the site allowing ExxonMobile to receive a “No Further Remediation” certification for the property.

The agreements state two obligations for the Village. The first obligation is that the Village shall not allow a potable well to be dug at the site. This is not a major issue since the Village receives its water from the DuPage Water Commission. In addition, the corner of Park Boulevard and Roosevelt Road is not an ideal location for a potable well. The second portion of the agreement states that the Village would agree to initially waive the obligation of the land owner to remove petroleum wastes which have left the property itself and moved into the portion of Park Boulevard next to the remediation site. ExxonMobile agrees that in the event there is a future need to dig up a portion of Park Boulevard for any improvement or other work done by the Village, ExxonMobile will return to the site and remove any polluted soil. If ExxonMobile refuses to remove the polluted soil, the

agreement provides the Village has the option to remove the soil and recover funds from the company. The Public Works Department has confirmed that there are no immediate plans to dig up this portion of Park Boulevard.

Action Requested

It is requested that the Village Board consider a resolution authorizing the execution of a Highway Authority Agreement and a Tiered Approach Corrective Objectives Agreement with ExxonMobile regarding the environmental conditions at 615 Roosevelt Road relating to Park Boulevard.

Recommendation

It is recommended that the Village Board approve a resolution authorizing the execution of a Highway Authority Agreement and a Tiered Approach Corrective Objectives Agreement with ExxonMobile regarding the environmental conditions at 615 Roosevelt Road relating to Park Boulevard.

Attachments

- Resolution
- Proposed Highway Authority Agreement
- Proposed Tiered Approach Corrective Objectives Agreement
- Letter from ExxonMobile Attorney Jennifer Martin dated January 19, 2012

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE EXECUTION
OF TWO AGREEMENTS REGARDING THE
ENVIRONMENTAL CONDITIONS AT
615 ROOSEVELT ROAD RELATING TO PARK BOULEVARD.**

WHEREAS, ExxonMobil Corporation (“ExxonMobil”) operated a gasoline station at 615 Roosevelt Road; and

WHEREAS, ExxonMobil has been seeking a Highway Authority Agreement for a portion of Park Boulevard, located to the east and north of the site; and

WHEREAS, the Village is the owner of Park Boulevard, which is utilized as a public right-of-way; and

WHEREAS, ExxonMobil has or will remove contaminants of concern from the site at 615 Roosevelt Road, but it hopes, as a result of agreements with the Village, to not be required to remove contaminants from Park Boulevard in return for certain promises to the Village; and

WHEREAS, the Village does not anticipate any need to allow potable water to be taken by a well from the location of the right-of-way of Park Boulevard; and

WHEREAS, the Illinois Department of Transportation will permit contaminants of concern to remain in right-of-way areas where the municipality agree not to permit a potable water well at that location; and

WHEREAS, the Village is willing to make that promise in return for promises from ExxonMobil to remove contaminants of concern from Park Boulevard, if that should become necessary; and

WHEREAS, an agreement entitled "Tiered Approach to Corrective Objectives Agreement, and an agreement entitled "Highway Authority Agreement" have been prepared for the execution of ExxonMobil Corporation and the Village of Glen Ellyn; and

WHEREAS, the Corporate Authorities find that the execution of these agreements would be in the public interest because they would allow contaminants of concern to remain under ground in rights-of-way areas where their removal, unnecessarily, might cause the spread of pollution; and

WHEREAS, over an extended period of time these areas may become naturally contaminant free;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GLEN ELLYN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF THIS HOME RULE POWERS, as follows:

SECTION 1: The Village President and the Village Clerk are authorized to execute a Tiered Approach to Corrective Objectives Agreement and a Highway Authority Agreement between ExxonMobil Corporation and the Village of Glen Ellyn in substantially the forms attached to and made a part of this Resolution as Exhibit "A" and Exhibit "B."

SECTION 2: The authorization for the execution of these Agreements is conditioned upon the promises made by ExxonMobil Corporation in the Agreements to promptly remove and

remediate contaminants of concern from the areas of Park Boulevard adjacent to 615 Roosevelt Road in the event that the Village should call upon it to do so and such further rights as the Village possesses in these Agreements to enforce such removal.

SECTION 3: This Resolution shall be in full force and effect upon its passage as provided by law.

PASSED this _____ day of _____, 2012.

AYES:

NAYS:

ABSENT:

ATTEST:

Village Clerk

HIGHWAY AUTHORITY AGREEMENT

This Agreement is entered into this ____ day of _____, 2012, pursuant to 35 Ill. Adm. Code 742.1020 by and between (1) ExxonMobil Corporation (“Owner/Operator”) and (2) the Village of Glen Ellyn (“Highway Authority”), collectively known as the “Parties.”

WHEREAS, ExxonMobil Corporation is the owner or operator of one or more leaking underground storage tanks presently or formerly located at 615 Roosevelt Road, Glen Ellyn, Illinois (“the Site”);

WHEREAS, as a result of one or more releases of contaminants from the above-referenced underground storage tanks (“the Release”), soil and/or groundwater contamination at the Site exceeds the Tier 1 residential remediation objectives of 35 Ill. Adm. Code 742;

WHEREAS, the soil and/or groundwater contamination exceeding Tier 1 residential remediation objectives extends or may extend into the Highway Authority’s Right-of-Way that is governed by this Agreement (“Right-of-Way”);

WHEREAS, the Owner/Operator is conducting corrective action in response to the Release;

WHEREAS, the Parties desire to prevent groundwater beneath the Highway Authority’s Right-of-Way that exceeds Tier 1 remediation objectives from use as a supply of potable or domestic water, and to limit access to soil within the Right-of-Way that exceeds Tier 1 residential remediation objectives so that human health and the environment are protected during and after any access;

NOW, THEREFORE, the Parties agree as follows:

1. The recitals set forth above are incorporated by reference as if fully set forth herein.
2. The Illinois Emergency Management Agency has assigned incident number 900373 to the Release.
3. Attached as Exhibit A is a scaled map(s) prepared by the Owner/Operator that shows the Site and surrounding area and delineates the current and estimated future extent of soil and groundwater contamination above the applicable Tier 1 residential remediation objectives as a result of the Release.
4. Attached as Exhibit B is a table(s) prepared by the Owner/Operator that lists each contaminant of concern that exceeds its Tier 1 residential remediation objective, and its concentrations within the zone where Tier 1 residential remediation objectives are exceeded. The location of the concentrations listed in Exhibit B are identified on the map in Exhibit A.
5. Attached as Exhibit C is a scaled map prepared by the Owner/Operator showing the area of the Highway Authority's Right-of-Way. Because Exhibit C is not a surveyed plat, the Right-of-Way boundary may be an approximation of the actual Right-of-Way lines.
6. The Highway Authority stipulates it has jurisdiction over the Right-of-Way that gives it sole control over the use of the groundwater and access to the soil located within or beneath the Right-of-Way.
7. The Highway Authority agrees to prohibit within the Right-of-Way all potable and domestic uses of groundwater exceeding Tier 1 residential remediation objectives.
8. The Highway Authority further agrees to limit access by itself and others to soil within the Right-of-Way exceeding Tier 1 residential remediation objectives. Access shall be allowed only if human health (including worker safety) and the environment are protected during

and after any access. The Highway Authority may construct, reconstruct, improve, repair, maintain and operate a highway upon the Right-of-Way, or allow others to do the same by permit. In addition, the Highway Authority and others using or working in the Right-of-Way under permit have the right to remove soil or groundwater from the Right-of-Way and dispose of the same in accordance with applicable environmental laws and regulations. The Highway Authority agrees to issue all permits for work in the Right-of-Way, and make all existing permits for work in the Right-of-Way, subject to the following or a substantially similar condition:

As a condition of this permit the permittee shall request the office issuing this permit to identify sites in the Right-of-Way where a Highway Authority Agreement governs access to soil that exceeds the Tier 1 residential remediation objectives of 35 Ill. Adm. Code 742. The permittee shall take all measures necessary to protect human health (including worker safety) and the environment during and after any access to such soil.

9. This Agreement shall be referenced in the Agency's no further remediation determination issued for the Release.
10. The Agency shall be notified of any transfer of jurisdiction over the Right-of-Way at least 30 days prior to the date the transfer takes effect. This Agreement shall be null and void upon the transfer unless the transferee agrees to be bound by this agreement as if the transferee were an original party to this Agreement. The transferee's agreement to be bound by the terms of this Agreement shall be memorialized at the time of transfer in a writing ("Rider") that references this Highway Authority Agreement and is signed by the Highway Authority, or subsequent transferor, and the transferee.
11. This Agreement shall become effective on the date the Agency issues a no further remediation determination for the Release. It shall remain effective until the Right-of-Way is demonstrated to be suitable for unrestricted use and the Agency issues a new no further

remediation determination to reflect there is no longer a need for this Agreement, or until the Agreement is otherwise terminated or voided.

12. In addition to any other remedies that may be available, the Agency may bring suit to enforce the terms of this Agreement or may, in its sole discretion, declare this Agreement null and void if any of the Parties or any transferee violates any term of this Agreement. The Parties or transferee shall be notified in writing of any such declaration.

13. This Agreement shall be null and void if a court of competent jurisdiction strikes down any part or provision of the Agreement.

14. This Agreement supersedes any prior written or oral agreements or understandings between the Parties on the subject matter addressed herein. It may be altered, modified or amended only upon the written consent and agreement of the Parties.

15. Any notices or other correspondence regarding this Agreement shall be sent to the Parties at following addresses:

Manager, Division of Remediation Management
Bureau of Land
Illinois Environmental Protection Agency
P.O. Box 19276
Springfield, IL 62794-9276

Mark Franz
Village Manager
30 South Lambert Road
Glen Ellyn, Illinois 60137.

Scott Bushroe
South Central Area Manager
ExxonMobil Corporation
3225 Gallows Road
Fairfax, VA 22037

IN WITNESS WHEREOF, the Parties have caused this Agreement to be signed by their
duly authorized representatives.

Date: _____

Village of Glen Ellyn, Illinois

By: _____

Title:

Date: _____

Owner/Operator

ExxonMobil Corporation

By: _____

Title: _____

EXHIBIT A

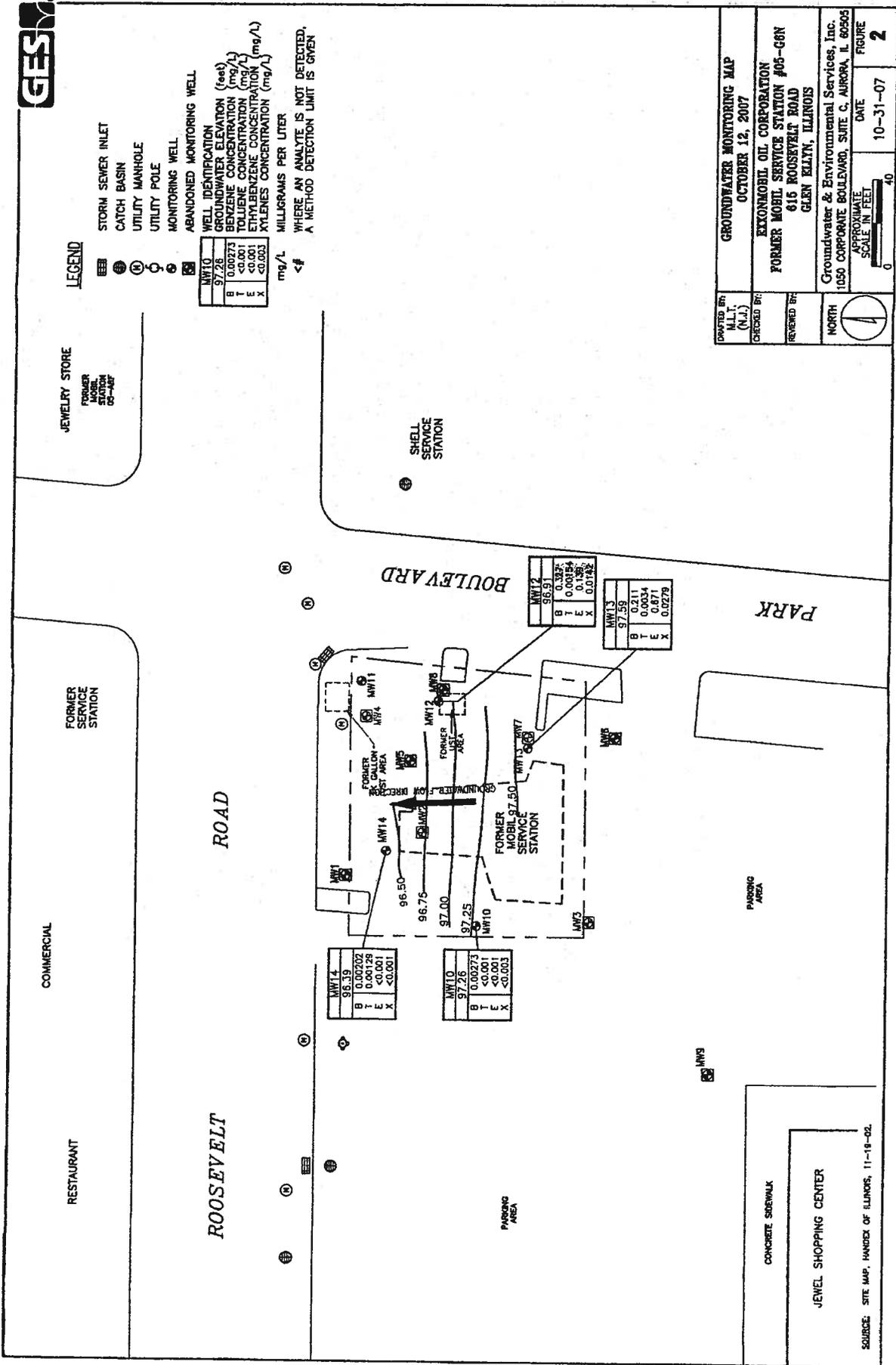


LEGEND

- ☐ STORM SEWER INLET
- ☐ CATCH BASIN
- ☐ UTILITY MANHOLE
- ☐ UTILITY POLE
- ☐ MONITORING WELL
- ☐ ABANDONED MONITORING WELL

WELL IDENTIFICATION	
B	GROUNDWATER ELEVATION (feet)
T	BENZENE CONCENTRATION (mg/L)
E	TOLUENE CONCENTRATION (mg/L)
X	XYLENE CONCENTRATION (mg/L)

mg/L
<# WHERE AN ANALYTE IS NOT DETECTED, A METHOD DETECTION LIMIT IS GIVEN.

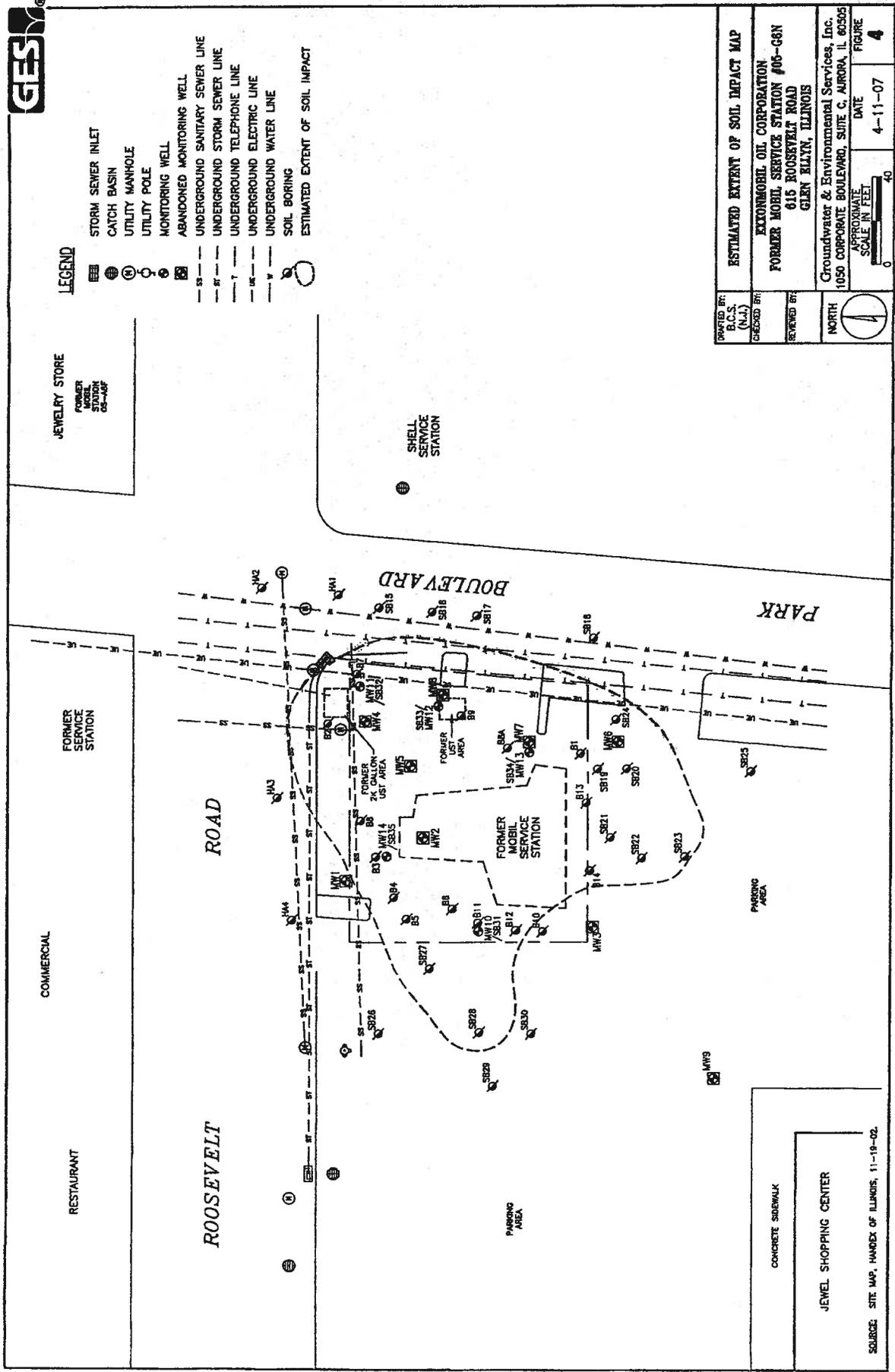


DATE: OCTOBER 12, 2007	SCALE IN FEET: 0 40
PROJECT: GROUNDWATER MONITORING MAP	DATE: 10-31-07
CLIENT: EXXONMOBIL OIL CORPORATION	FIGURE: 2
LOCATION: FORMER MOBIL SERVICE STATION #05-60N	
ADDRESS: 615 ROOSEVELT ROAD	
CITY: GLEN ELLEN, ILLINOIS	
CONTRACTOR: Groundwater & Environmental Services, Inc.	
ADDRESS: 1050 CORPORATE BOULEVARD, SUITE C, AURORA, IL 60505	
APPROXIMATE SCALE IN FEET: 0 40	



LEGEND

- STORM SEWER INLET
- CATCH BASIN
- UTILITY MANKHOLE
- UTILITY POLE
- MONITORING WELL
- ABANDONED MONITORING WELL
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND STORM SEWER LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND WATER LINE
- SOIL BORING
- ESTIMATED EXTENT OF SOIL IMPACT



DRAWN BY: B.C.S. (N.J.)	ESTIMATED EXTENT OF SOIL IMPACT MAP
CHECKED BY:	EXXONMOBIL OIL CORPORATION FORMER MOBIL SERVICE STATION #05-G8N 615 ROOSEVELT ROAD GLEN ELLEN, ILLINOIS
REVIEWED BY:	Groundwater & Environmental Services, Inc. 1050 CORPORATE BOULEVARD, SUITE C, AURORA, IL 60505
NORTH	DATE: 4-11-07 APPROXIMATE SCALE IN FEET: 0 to 40 FIGURE: 4

CONCRETE SIDEWALK

JEWEL SHOPPING CENTER

SOURCE: SITE MAP, HANDEX OF ILLINOIS, 11-19-02.

EXHIBIT B

Table 1

SOIL ANALYTICAL RESULTS - BTEX

Former Mobil Station #05-G6N
615 Roosevelt Road
Glen Ellyn, Illinois

Tier 1 Exposure Routes			Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Total Xylenes (mg/kg)
SCGIER - Class I Groundwater			0.03	12	13	150
SCGIER - Class II Groundwater			0.17	29	19	150
Ingestion Exposure Route			12	16,000	7,800	16,000
Inhalation Exposure Route			0.8	650	400	320
Ingestion Exposure Route - Construction Worker			2,300	410,000	20,000	41,000
Inhalation Exposure Route - Construction Worker			2.2	42	58	5.6
Sample Location	Sample Date	Depth (ft. bgs.)	Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Total Xylenes (mg/kg)
MW1	11/18/89	NA	<0.03	<0.06	<0.05	<0.10
MW2	11/18/89	NA	<0.03	<0.06	<0.05	<0.10
MW3	11/18/89	NA	<0.03	<0.06	<0.05	<0.10
B1	11/18/89	NA	<0.03	<0.06	<0.05	<0.10
B2	11/18/89	NA	<0.03	<0.06	<0.05	<0.10
B3	6/24/91	3-5	1.1	0.11	0.15	1.40
*SB35/MW14	6/27/06	4	0.00944	0.0110	0.152	0.137
B4	6/24/91	3-5	0.6	0.029	0.36	0.052
B7	6/24/91	3-5	2.5	0.31	0.58	1.40
*SB32/MW11	6/27/06	4	0.00162	0.00363	0.00125	<0.00252
B10	6/24/91	3-5	<0.005	0.01	<0.005	<0.005
B11	6/24/91	3-5	0.22	<0.01	0.1	0.1
*SB31/MW10	6/26/06	2	0.0826	0.359	0.112	<0.149
B13	6/24/91	3-5	0.16	<0.25	5.8	9.7
B14	6/24/91	3-5	<0.005	<0.005	<0.005	<0.005
MW7	6/24/91	3-5	1.7	0.77	1.1	1.7
*SB34/MW13	6/26/06	4	1.30	0.658	6.21	2.20
MW8	6/24/91	3-5	3.7	0.15	2.2	6.2
*SB33/MW12	6/26/06	4	1.48	1.36	7.84	3.07
HA1	7/2/91	<5	<0.005	<0.005	<0.005	<0.005
HA2	7/2/91	<5	<0.005	<0.005	<0.005	<0.005
HA3	7/2/91	<5	<0.005	<0.005	<0.005	<0.005
HA4	7/2/91	<5	<0.005	<0.005	<0.005	<0.005
N Wall	7/12/91	NA	0.95	0.057	1.1	0.48
S Wall	7/12/91	NA	0.27	0.011	0.0055	0.071
E Wall	7/12/91	NA	<0.005	0.0096	<0.005	<0.005
W Wall	7/12/91	NA	0.66	0.038	0.08	0.61
Bottom	7/12/91	NA	0.43	0.028	0.013	0.28
SB15	7/15/91	3-5	<0.005	0.0099	<0.005	<0.005
SB16	7/16/91	3-5	<0.005	0.0077	<0.005	<0.005
SB17	7/16/91	3-5	<0.005	0.017	<0.005	<0.005
SB18	7/16/91	3-5	<0.005	<0.005	<0.005	<0.005
SB20	7/16/91	3-5	0.053	0.017	<0.005	<0.005
SB23	7/16/91	3-5	0.16	<0.005	1	0.72
SB25	7/17/91	3-5	<0.005	0.024	<0.005	<0.005
SB26	7/17/91	5.5-7.5	<0.005	0.025	<0.005	0.01
SB29	7/17/91	3-5	<0.005	0.017	<0.005	<0.005
SB30	7/17/91	3-5	<0.005	0.056	<0.005	<0.005
MW9	7/17/91	3-5	<0.005	<0.005	<0.005	<0.005

SCGIER = soil component of the groundwater ingestion exposure route

R bgs = feet below ground surface

<0.0045 = concentration less than the analytical laboratory reporting limit

mg/kg = milligrams per kilogram

Bold = concentration above the Tier 1 soil cleanup objective for Class II groundwater for on-site sampling locations and Class I groundwater for off-site sampling locations

Soil samples were analyzed for benzene, toluene, ethylbenzene, and total xylenes (BTEX) using United States Environmental Protection Agency Method 8020 and 8240

NA = not available

Shaded areas indicate location was re-sampled

* = re-sampled per the Illinois Environmental Protection Agency

Table 2

GROUNDWATER ANALYTICAL RESULTS - BTEX

Former Mobil Station #05-G6N
615 Roosevelt Road
Glen Ellyn, Illinois

Tier I Exposure Routes					Benzene (mg/L)	Toluene (mg/L)	Ethylbenzene (mg/L)	Total Xylenes (mg/L)	
GIER - Class I Groundwater					0.005	1	0.7	10	
GIER - Class II Groundwater					0.025	2.5	1	10	
Sample Location	Sample Date	TOC Elevation (feet)	Depth to Water (ft bgs)	Groundwater Elevation (feet)	Benzene (mg/L)	Toluene (mg/L)	Ethylbenzene (mg/L)	Total Xylenes (mg/L)	
MW1	08/08/06	101.66	NG	NA	0.0002	0.0002	0.0002	0.0004	
MW1	08/09/06	101.66	NG	NA	0.0002	0.0002	0.0002	0.0004	
MW2	12/01/06	102.89	NG	NA	0.0002	0.0002	0.0002	0.0004	
MW2	08/09/06	102.89	12.36	90.53	0.0002	0.0002	0.0002	0.0004	
MW3	12/01/06	99.96	NG	NA	0.0002	0.0002	0.0002	0.0004	
MW3	08/09/06	99.96	3.68	96.28	0.0002	0.0002	0.0002	0.0004	
MW4	12/01/06	100.91	NG	NA	0.0002	0.0002	0.0002	0.0004	
MW4	08/09/06	100.91	11.02	89.89	0.0002	0.0002	0.0002	0.0004	
MW5	08/09/06	100.91	11.02	89.89	0.0002	0.0002	0.0002	0.0004	
MW6	07/13/06	102.46	3.21	99.25	0.001	0.0002	0.0002	0.0014	
MW6	02/16/07	102.46	4.18	98.28	0.001	0.0002	0.0002	0.0014	
MW6	10/12/07	102.46	12.24	90.22	0.001	0.0002	0.0002	0.0014	
MW9	08/09/06	99.91	3.78	96.13	0.0002	0.0002	0.0002	0.0004	
MW10	07/13/06	101.67	3.78	97.89	0.109	0.00164	0.0795	0.0168	
	02/16/07	101.67	4.58	97.09	Well was gauged only				
	10/12/07	101.67	4.41	97.26	0.00273	<0.001	<0.001	<0.003	
MW11	07/13/06	100.27	13.36	86.91	<0.001	<0.001	<0.001	<0.003	
	02/16/07	100.27	5.19	95.08	Well was gauged only				
	10/12/07	100.27	13.36	86.91	0.327	0.00154	0.139	0.0142	
MW12	07/13/06	100.49	3.21	97.28	0.170	0.00135	0.0340	0.0148	
	02/16/07	100.49	3.93	96.56	Well was gauged only				
	10/12/07	100.49	3.58	96.91	Well was dry during sampling event				
MW13	07/13/06	100.91	Well was dry during sampling event						
	02/16/07	100.91	3.57	97.34	0.517	0.00464	0.740	0.0771	
	10/12/07	100.91	3.32	97.59	0.211	0.0034	0.671	0.0279	
MW14	07/13/06	100.92	13.51	87.41	0.00218	<0.001	<0.001	<0.003	
	02/16/07	100.92	4.83	96.09	Well was gauged only				
	10/12/07	100.92	4.53	96.39	0.00202	0.00129	<0.001	<0.001	

GIER = groundwater ingestion exposure route

<0.001 = concentration less than the analytical laboratory reporting limit

mg/L = milligrams per Liter

ft bgs = feet below ground surface

Bold = concentration above the Tier I groundwater cleanup objective for Class II groundwater

NG = not gauged; NA = not available

Groundwater samples were analyzed for benzene, toluene, ethylbenzene, and total xylenes using United States Environmental Protection Agency Method 8020

TOC = top-of-casing

TOC and groundwater elevations are relative to a site-specific datum of 100 feet

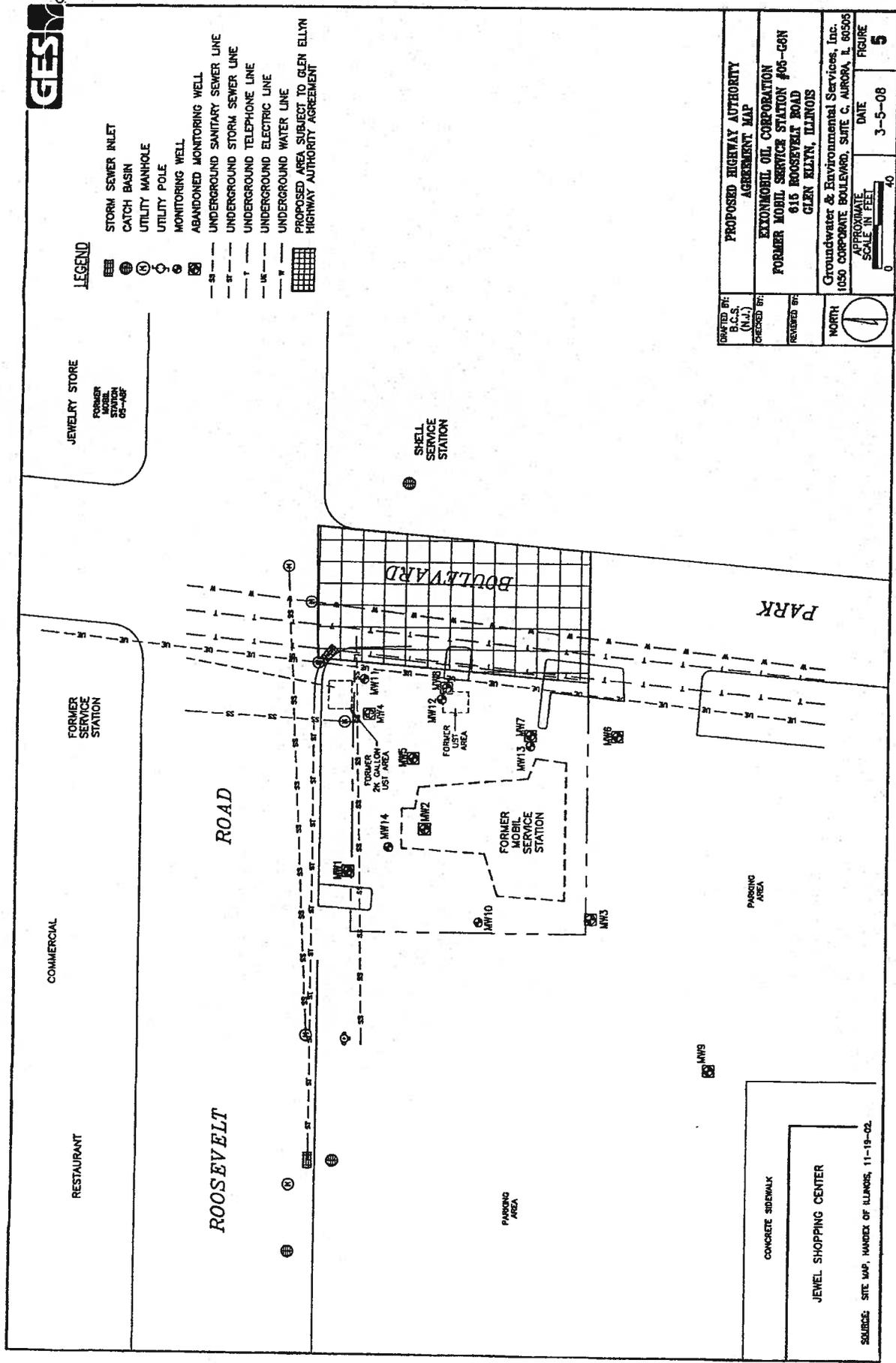
Shaded Area = Monitoring wells abandoned

EXHIBIT C



LEGEND

- STORM SEWER INLET
- CATCH BASIN
- UTILITY MANHOLE
- UTILITY POLE
- MONITORING WELL
- ABANDONED MONITORING WELL
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND STORM SEWER LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND WATER LINE
- PROPOSED AREA SUBJECT TO GLEN ELLYN HIGHWAY AUTHORITY AGREEMENT



DRAFTED BY: B.C.S. (N.J.)	PROPOSED HIGHWAY AUTHORITY AGREEMENT MAP
CHECKED BY: 	EXXONMOBIL OIL CORPORATION FORMER MOBIL SERVICE STATION #05-G3N 615 ROOSEVELT ROAD GLEN ELLYN, ILLINOIS
REVISIONS BY: 	Groundwater & Environmental Services, Inc. 1050 CORPORATE BOULEVARD, SUITE C, AURORA, IL 60505
NORTH	DATE 3-5-08
	APPROXIMATE SCALE IN FEET 0 40
	FIGURE 5

CONCRETE SIDEWALK
 JEWEL SHOPPING CENTER
 SOURCE: SITE MAP, HANDEX OF ILLINOIS, 11-19-02



**Groundwater
& Environmental Services, Inc.**

1050 Corporate Boulevard • Suite C • Aurora, Illinois 60505 • 866-455-2419 • Fax 630-585-5359

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

March 1, 2011

Mr. Scott Rothering
Illinois Environmental Protection Agency
Bureau of Land - #24
LUST Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

**RE: LPC #0430455063 – DuPage County
Glen Ellyn/ Former Mobil Station #05-G6N
615 Roosevelt Road
LUST Incident No. 900373
LUST Technical File**

Dear Mr. Rothering,

Groundwater & Environmental Services, Inc. (GES), on behalf of ExxonMobil Oil Corporation (ExxonMobil) is providing a copy of the executed Illinois Department of Transportation (IDOT) Highway Authority Agreement (HAA) pursuant to the approved Corrective Action Plan. GES is currently working to obtain the HAA with the Village of Glen Ellyn for Park Boulevard.

Should you have any questions or concerns regarding this submittal, please contact the undersigned at (866) 455-2419 Extension 4033.

Sincerely,
Groundwater & Environmental Services, Inc.

Brian Jarzyna
Project Engineer

Cc: GES Project File

Attachment

TIERED APPROACH TO CORRECTION OBJECTIVES AGREEMENT

This Agreement is entered into this ___ day of _____, 2012, by and between ExxonMobil Corporation (“ExxonMobil”) and the Village of Glen Ellyn (“Village”).

ExxonMobil and Village are also collectively referred to as “Parties.”

1. This Agreement is not binding upon the Village until it is signed by the undersigned representative of the Village and before signing, this Agreement constitutes an offer by ExxonMobil. The duly authorized representatives of ExxonMobil have signed this Agreement, and this Agreement is binding upon it, its successors, and assigns upon execution by the Village.

2. a. ExxonMobil is pursuing Corrective Action for the property located at 615 Roosevelt Road, Glen Ellyn, IL (the “Site”). The Illinois Emergency Management Agency has assigned Incident Number 900373 to this matter. As part of ExxonMobil's Corrective Action, it is seeking a Highway Authority Agreement (“HAA”) for a portion of Park Boulevard (“Right-of-Way”) located to the east and north of the Site. “Corrective Action” is defined as active remediation, passive remediation, investigation, and monitoring of “Contaminants of Concern,” which are defined as those contaminants released from the Site which have possibly impacted soil and/or ground water within the Right-of-Way area in excess of applicable Tier 1 remediation objectives, as described in Exhibits A and B, or any combination of these activities defined herein.

2. b. Attached as Exhibit A is a site map prepared by ExxonMobil which show the area of estimated contaminated soil and/or ground water at the time of this Agreement in the Right-of-Way above Tier 1 residential levels under 35 Ill. Admin. Code Part 742. Also shown in Exhibit B is a table prepared by ExxonMobil showing concentrations of Contaminants of Concern (“Contaminants”) in soil and/or ground water within the area described in Exhibit A,

and which shows the applicable Tier 1 soil remediation objectives for property and Tier 1 objectives for ground water of the Illinois Pollution Control Board (“IPCB”) that are exceeded. The Right-of-Way, and only the Right-of-Way, as described in Exhibit C (“Right-of-Way”) adjacent to the Site and adjoining property is subject to this Agreement. As the drawings in the Exhibits are not surveyed plats, the boundary of the Right-of-Way in the Exhibits may be an approximation of the actual Right-of-Way lines. The Right-of-Way has been sampled for Contaminants, and the Parties believe that the area of the Right-of-Way is adequate to encompass soil and ground water possibly impacted with Contaminants from a release at the Site.

2. c. The Illinois Emergency Management Agency has assigned Incident Number 900373 to this matter.

2. d. ExxonMobil intends to request risk-based, site specific soil and/or ground water remediation objectives from the Illinois Environmental Protection Agency (“IEPA”) under 35 Ill. Admin. Code Part 742.

2. e. Under 35 Ill. Admin. Code Part 742, use of risk-based, site specific remediation objectives in the Right-of-Way may require the use of a HAA, as defined in 35 Ill. Admin. Code Section 742.1020.

3. The Village holds a fee simple interest or a dedication for highway purposes in the Right-of-Way, or the Right-of-Way is a platted street, and has jurisdiction of the Right-of-Way. As such, the Village exercises sole access control over the use of the ground water beneath the Right-of-Way and over access to the soil beneath the Right-of-Way.

4. a. Contemporaneously with the execution of this Agreement, ExxonMobil and the Village will execute the HAA attached hereto as Exhibit D, and will submit the executed HAA to

the IEPA. Under 35 Ill. Admin. Code Section 742.1020, the executed HAA is intended to be an acceptable “Highway Authority Agreement” to the IEPA, as the Village is willing to agree that it will not allow the use of ground water under the highway Right-of-Way as a potable or other domestic supply of water, and that it will limit access as described therein to soil under the highway Right-of-Way that is contaminated from the release at levels above residential Tier 1 remediation objectives.

4. b. The IEPA or Illinois Attorney General (“AG”) must review and approve the HAA, and the HAA shall be referenced in the IEPA’s “No Further Remediation” determination in the chain of title for the Site in the county where the Site is located.

4. c. This Agreement shall be null and void should the IEPA or the AG not approve the HAA, or should the HAA not be referenced in the “No Further Remediation” determination, provided, however, that this Agreement shall be effective between ExxonMobil and the Village immediately upon signature by their representatives.

5. The Village agrees that it will prohibit the use of ground water that is contaminated from the release at the Site at levels above Tier 1 residential remediation objectives beneath its Right-of-Way as a potable or other domestic supply of water, and will limit access by itself and others to soil as described herein under the highway Right-of-Way that is impacted from the release at levels above Tier 1 residential remediation objectives. As the pavement in the Right-of-Way may be considered an engineered barrier, ExxonMobil agrees to reimburse the Village for such maintenance activities requested by ExxonMobil in writing as are reasonably necessary to maintain such pavement area(s) as a barrier. The Village does not otherwise agree to perform maintenance of the Right-of-Way, nor does it agree that the highway Right-of-Way will always remain a highway or that it will maintain the Right-of-Way as an engineered barrier.

6. ExxonMobil agrees to indemnify and hold harmless the Village and other highway authorities, if any, maintaining the highway Right-of-Way by an agreement with the Village and the Village's agents, contractors or employees for all obligations asserted against or costs incurred by them, including reasonable attorney's fees and court costs, as a result of claims by third parties associated with the release of Contaminants of Concern, except those obligations arising from the Village's, the Village's agents, contractors or employees willful misconduct or negligence.

7. This Agreement shall be binding upon all successors in interest to ExxonMobil or the Village. A successor in interest of the Village would include a highway authority to which the Village would transfer jurisdiction of the highway.

8. Violation of the terms of the HAA or this Agreement by ExxonMobil, or by the Village, may be grounds for avoidance of this Agreement. Violation of the terms of the HAA by the Village will not void this Agreement unless the IEPA has determined that the violation is grounds for voiding the HAA.

9. The HAA and this Agreement continue in effect from the date of this Agreement until the Right-of-Way is demonstrated to be suitable for unrestricted use and there is no longer a need for a HAA, and the IEPA has, upon written request to the IEPA by ExxonMobil and notice to the Village, issued a new No Further Remediation determination to reflect that there is no longer a need for the HAA, or until the HAA is otherwise terminated or voided.

10. This Agreement constitutes full settlement of claims the Village may have arising from the possible release of Contaminants of Concern associated with Incident Number 900373, and is not in settlement of claims of the IEPA or any other State Agency.

11. Neither the HAA nor this Agreement limit the Village's ability to construct, reconstruct, improve, repair, maintain, and operate a highway upon the Right-of-Way or to allow others to do the same by permit. To that extent, the Village reserves the right, and the right of those using or working in the Right-of-Way under permit, to remove contaminated soil or ground water above Tier 1 residential objectives from its Right-of-Way and to dispose of the same in accordance with all applicable laws and regulations. Prior to taking any such action, the Village shall first give ExxonMobil no less than eight (8) months written notice for work on a published project, and otherwise no less than three (3) months written notice, unless there is an immediate threat to the health or safety of any individual or the public, prior to the scheduled letting day for work involving the Right-of-Way. During this period, which may be extended by agreement of the Parties, the Village and ExxonMobil will engage in a good faith, collaborative process to arrive at a consensus approach to managing the impacted soil and ground water in the Right of Way arising from Incident Number 900373. This consensus approach will attempt to reconcile the Village's engineering and environmental concerns for redepositing impacted soils in the Right-of-Way with ExxonMobil's preference for redepositing as much soil as possible. The removal, disposal or reuse of impacted soils shall be based upon the site investigation (which may be modified by field conditions during excavation), which ExxonMobil may review or may perform, if requested to do so by the Village. The final decision for management will be in the reasonable discretion of the Village. Failure to give notice is not a violation of this Agreement. If reasonably documented and appropriate under applicable statute or regulation, the Village may request ExxonMobil to remove and dispose of the contaminated soil and/or ground water in the Right-of-Way area, as agreed in the collaborative process, so as to facilitate the Village's work in the Right-of-Way at no cost to the Village. If ExxonMobil does not perform the work itself,

ExxonMobil shall reimburse the Village for those commercially reasonable and appropriately necessary costs incurred by the Village to perform the site investigation and to respond to contaminated soil or ground water from Incident Number 900373, which such costs are reasonably documented and appropriately necessary in order to allow the work within the Right-of-Way area to be completed, provided however, that if notice to ExxonMobil has not been given, and/or an opportunity to engage in consensus process has not been offered, and there was no immediate threat to human health or safety, reimbursement for these costs shall be limited to \$10,000. Invoices for reimbursement submitted to ExxonMobil by the Village will be paid within a reasonable time, but no later than January 31, of the subsequent calendar year. There is a rebuttable presumption that the Contaminants, if any, found in the highway Right-of-Way, are presumed to have arisen from the release of Contaminants from the Site unless there is a reported spill in the immediate vicinity of the Right-of-Way, or an increase in contaminant levels from those reported to IEPA with regard to Incident Number 900373. Should ExxonMobil not reimburse the commercially reasonable and appropriately necessary costs under the conditions set forth herein, this Agreement shall be null and void, at the Village's option, upon written notice to ExxonMobil by the Village that those costs have not been reimbursed. ExxonMobil may cure that problem within thirty working days by making payment, or may seek to enjoin that result.

12. Written notice required by this Agreement must be mailed to the following: if to ExxonMobil: Scott Bushroe, South Central Area Manager, 3225 Gallows Rd., Rm. 8B008; Fairfax., VA 22037; if to Village: Mr. Mark Franz, Village Manager, 30 South Lambert Road, Glen Ellyn, Illinois 60137.

13. The Village's sole responsibility under this Agreement with respect to others using the highway Right-of-Way under permit from the Village is to issue all permits for work in the Right-of-Way, and make all existing permits for Work in the Right-of-Way, subject to the following or a substantially similar condition:

As a condition of this permit, the permittee shall request the office issuing this permit to identify sites in the Right-of-Way where a Highway Authority Agreement governs access to soil that exceeds the Tier 1 residential remediation objectives of 35 Ill. Adm. Code 742. The permittee shall take all measures necessary to protect human health (including worker safety) and the environment during and after any access to such soil.

ExxonMobil hereby releases the Village from liability for breach of the HAA or this Agreement by others under permit, and indemnifies the Village against claims that may arise from others under permit causing a breach of the HAA or this Agreement.

ExxonMobil agrees that its personnel, if any at the Site, will advise anyone they know is excavating in the Right-of-Way about the HAA.

14. Should the Village breach the HAA or this Agreement, ExxonMobil's sole remedy is for an action for specific performance or for damages. Any and all claims for damages against the Village, its agents, contractors, employees or its successors in interest arising at any time for a breach of paragraph 5 of this Agreement are limited to an aggregate maximum of \$20,000.00. No other breach by the Village, its agents, contractors, employees and its successors in interest of a provision of the HAA or this Agreement is actionable in either law or equity by ExxonMobil against the Village or them, and ExxonMobil hereby releases the Village, its agents, contractors, employees and its successors in interest for any cause of action it may have against them, other than as allowed in this paragraph, arising under this Agreement or environmental laws, regulations or common law governing the impacted soil or ground water in the highway Right-of-Way. Should the Village convey, vacate or transfer jurisdiction of that highway Right-of-

Way, ExxonMobil may pursue an action under this Agreement against the successors in interest, other than a State Agency, in court.

15. This Agreement is entered into by the Village in recognition of laws passed by the General Assembly and regulations adopted by the IPCB which encourage a tiered approach to remediating environmental contamination. This Agreement is entered into by the Village in the spirit of those laws and under its right and obligations as property owner. Should any provisions of this Agreement be struck down as beyond the authority of the Village, however, this Agreement shall be null and void.

IN WITNESS WHEREOF the Parties set their hands and seals as of the date first written above.

VILLAGE OF GLEN ELLYN

By: _____
Its: Village Manager

ATTEST:

By: _____
Its: Village Clerk

EXXON MOBIL CORPORAITON

By:
Its:

ATTEST:

By: _____
Its:

EXHIBIT A

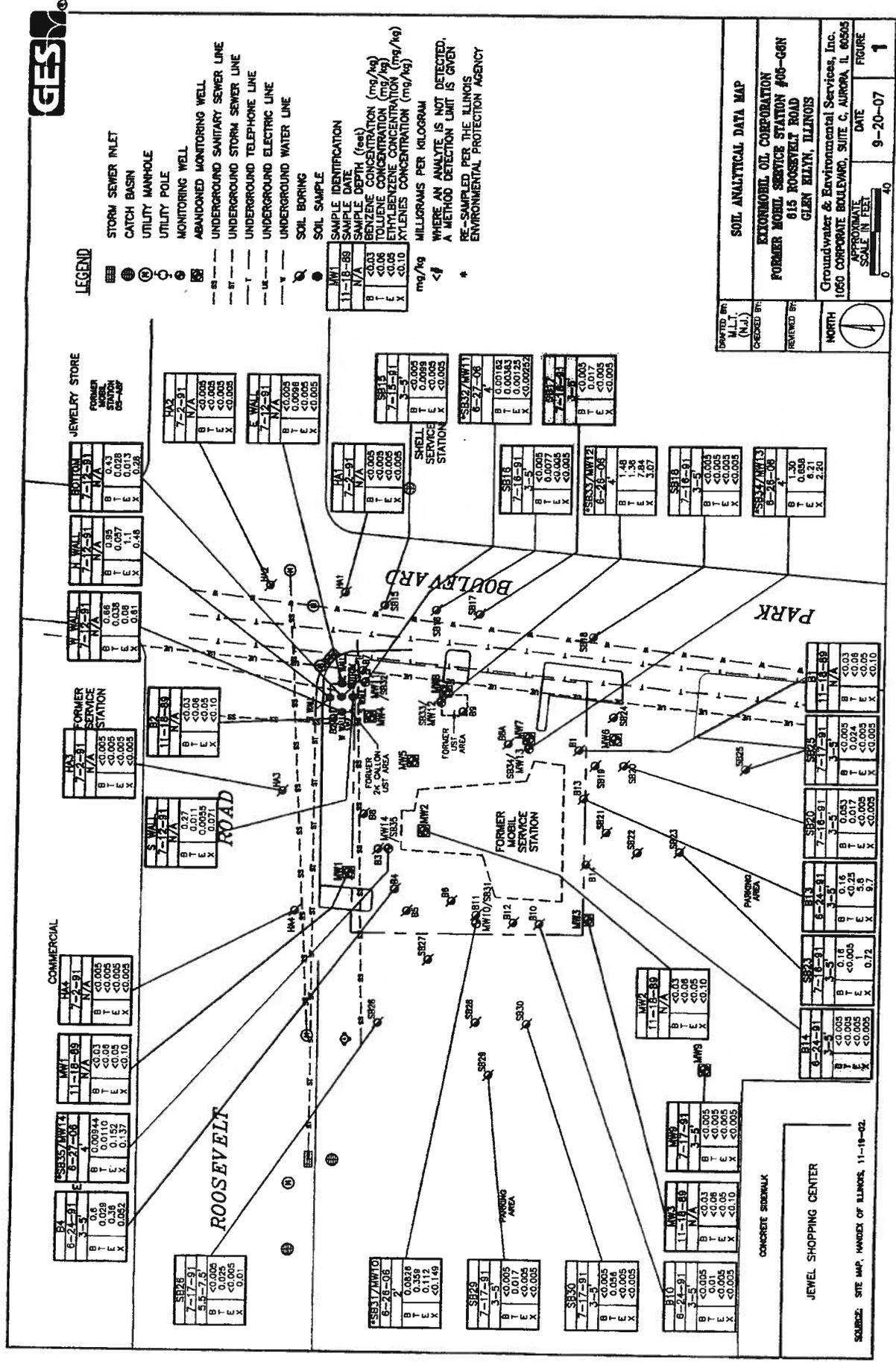


LEGEND

- STORM SEWER INLET
- CATCH BASIN
- UTILITY MANHOLE
- UTILITY POLE
- MONITORING WELL
- ABANDONED MONITORING WELL
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND STORM SEWER LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND WATER LINE
- SOIL BORING
- SOIL SAMPLE

MMT	11-18-89
N/A	N/A
B	<0.03
T	<0.06
X	<0.05

mg/kg
 MILLIGRAMS PER KILOGRAM
 WHERE AN ANALYTE IS NOT DETECTED,
 A METHOD DETECTION LIMIT IS GIVEN
 RE-SAMPLED PER THE ILLINOIS
 ENVIRONMENTAL PROTECTION AGENCY



SOIL ANALYTICAL DATA MAP

EXXONMOBIL OIL CORPORATION
 FORMER MOBIL SERVICE STATION #06-06N
 615 ROOSEVELT ROAD
 GLEN ELLEN, ILLINOIS

Groundwater & Environmental Services, Inc.
 1060 CORPORATE BOULEVARD, SUITE C, AURORA, IL 60505

DATE: 9-20-07

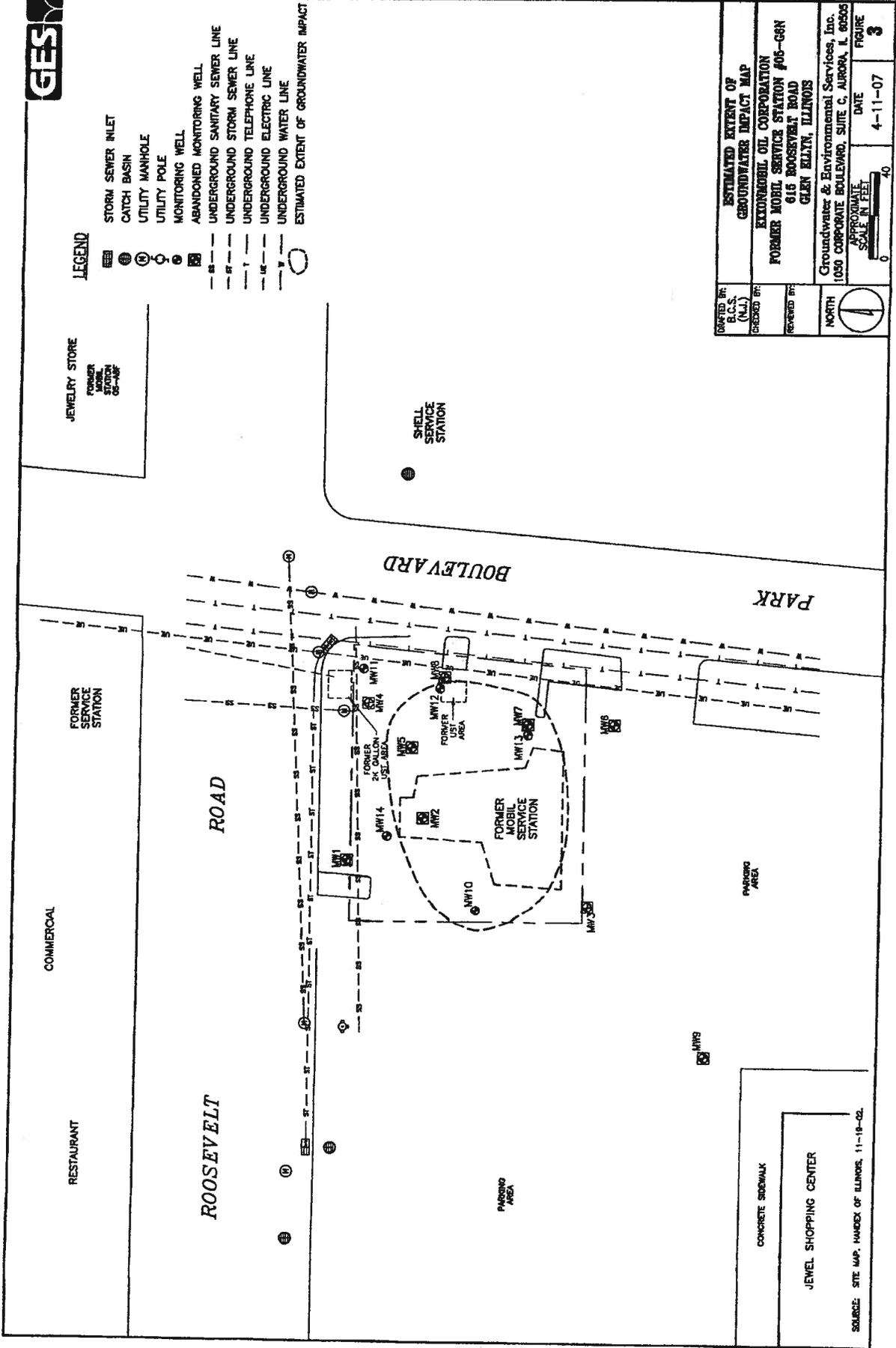
SCALE IN FEET: 0 to 40

FIGURE: 1



LEGEND

- ☐ STORM SEWER INLET
- ⊕ CATCH BASIN
- ⊙ UTILITY MANHOLE
- ⊙ UTILITY POLE
- ⊙ MONITORING WELL
- ⊙ ABANDONED MONITORING WELL
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND STORM SEWER LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND WATER LINE
- ESTIMATED EXTENT OF GROUNDWATER IMPACT



DRAFTED BY: B.C.S. (N.J.)	ESTIMATED EXTENT OF GROUNDWATER IMPACT MAP EXXONMOBIL OIL CORPORATION FORMER MOBIL SERVICE STATION #05-C8N 616 ROOSEVELT ROAD GLEN ELLYN, ILLINOIS
CHECKED BY:	
REVIEWED BY:	
NORTH	Groundwater & Environmental Services, Inc. 1050 CORPORATE BOULEVARD, SUITE C, AURORA, IL 60505 APPROXIMATE SCALE IN FEET 0 40 DATE 4-11-07 FIGURE 3



LEGEND

- ☐ STORM SEWER INLET
- ☐ CATCH BASIN
- ☐ UTILITY MANHOLE
- ☐ MONITORING WELL
- ☐ ABANDONED MONITORING WELL
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND STORM SEWER LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND WATER LINE
- SOIL BORING
- ESTIMATED EXTENT OF SOIL IMPACT

JEWELRY STORE
FORMER
JEWELRY STORE
1950-1960

FORMER
SERVICE
STATION

COMMERCIAL

RESTAURANT

ROOSEVELT
ROAD

BOULEVARD

PARK

SHELL
SERVICE
STATION

PARKING
AREA

FORMER
MOBIL
SERVICE
STATION

CONCRETE SIDEWALK

JEWEL SHOPPING CENTER

SOURCE: SITE MAP, HANDEX OF ILLINOIS, 11-19-02.

DRAFTED BY: B.C.S. (N.J.)	ESTIMATED EXTENT OF SOIL IMPACT MAP
CHECKED BY:	EXXONMOBIL OIL CORPORATION
REVIEWED BY:	FORMER MOBIL SERVICE STATION #05-60N
NORTH	615 ROOSEVELT ROAD GLEN ELLEN, ILLINOIS
	Groundwater & Environmental Services, Inc. 1050 CORPORATE BOULEVARD, SUITE C, ALTOONA, IL 60009
APPROXIMATE SCALE IN FEET 0 40	DATE 4-11-07
	FIGURE 4

EXHIBIT B

Table 1

SOIL ANALYTICAL RESULTS - BTEX

Former Mobil Station #05-G6N
615 Roosevelt Road
Glen Ellyn, Illinois

Tier 1 Exposure Routes			Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Total Xylenes (mg/kg)
SCGIER - Class I Groundwater			0.03	12	13	150
SCGIER - Class II Groundwater			0.17	29	19	150
Ingestion Exposure Route			12	16,000	7,800	16,000
Inhalation Exposure Route			0.8	650	400	320
Ingestion Exposure Route - Construction Worker			2,300	410,000	20,000	41,000
Inhalation Exposure Route - Construction Worker			2.2	42	58	5.6
Sample Location	Sample Date	Depth (ft. bgs)	Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Total Xylenes (mg/kg)
MW1	11/18/89	NA	<0.03	<0.06	<0.05	<0.10
MW2	11/18/89	NA	<0.03	<0.06	<0.05	<0.10
MW3	11/18/89	NA	<0.03	<0.06	<0.05	<0.10
B1	11/18/89	NA	<0.03	<0.06	<0.05	<0.10
B2	11/18/89	NA	<0.03	<0.06	<0.05	<0.10
B3	6/24/91	3-5	0.6	0.029	0.36	0.052
*SB35/MW14	6/27/06	4	0.00944	0.0110	0.152	0.137
B4	6/24/91	3-5	0.6	0.029	0.36	0.052
B7	6/24/91	3-5	0.6	0.029	0.36	0.052
*SB32/MW11	6/27/06	4	0.00162	0.00363	0.00125	<0.00252
B10	6/24/91	3-5	<0.005	0.01	<0.005	<0.005
B11	6/24/91	3-5	0.26	0.25	0.11	0.21
*SB31/MW10	6/26/06	2	0.0826	0.359	0.112	<0.149
B13	6/24/91	3-5	0.16	<0.25	5.8	9.7
B14	6/24/91	3-5	<0.005	<0.005	<0.005	<0.005
B15	6/24/91	3-5	1.7	0.77	1.1	3.1
*SB34/MW13	6/26/06	4	1.30	0.658	6.21	2.20
B16	6/24/91	3-5	3.7	0.15	4.2	6.2
*SB33/MW12	6/26/06	4	1.48	1.36	7.84	3.07
HA1	7/2/91	<5	<0.005	<0.005	<0.005	<0.005
HA2	7/2/91	<5	<0.005	<0.005	<0.005	<0.005
HA3	7/2/91	<5	<0.005	<0.005	<0.005	<0.005
HA4	7/2/91	<5	<0.005	<0.005	<0.005	<0.005
N Wall	7/12/91	NA	0.95	0.057	1.1	0.48
S Wall	7/12/91	NA	0.27	0.011	0.0055	0.071
E Wall	7/12/91	NA	<0.005	0.0096	<0.005	<0.005
W Wall	7/12/91	NA	0.66	0.038	0.08	0.61
Bottom	7/12/91	NA	0.43	0.028	0.013	0.28
SB15	7/15/91	3-5	<0.005	0.0099	<0.005	<0.005
SB16	7/16/91	3-5	<0.005	0.0077	<0.005	<0.005
SB17	7/16/91	3-5	<0.005	0.017	<0.005	<0.005
SB18	7/16/91	3-5	<0.005	<0.005	<0.005	<0.005
SB20	7/16/91	3-5	0.053	0.017	<0.005	<0.005
SB23	7/16/91	3-5	0.16	<0.005	1	0.72
SB25	7/17/91	3-5	<0.005	0.024	<0.005	<0.005
SB26	7/17/91	5.5-7.5	<0.005	0.025	<0.005	0.01
SB29	7/17/91	3-5	<0.005	0.017	<0.005	<0.005
SB30	7/17/91	3-5	<0.005	0.056	<0.005	<0.005
MW9	7/17/91	3-5	<0.005	<0.005	<0.005	<0.005

SCGIER = soil component of the groundwater ingestion exposure route

ft bgs = feet below ground surface

<0.0045 = concentration less than the analytical laboratory reporting limit

mg/kg = milligrams per kilogram

Bold = concentration above the Tier 1 soil cleanup objective for Class II groundwater for on-site sampling locations and Class I groundwater for off-site sampling locations

Soil samples were analyzed for benzene, toluene, ethylbenzene, and total xylenes (BTEX) using United States Environmental Protection Agency Method 8020 and 8240

NA = not available

Shaded areas indicate location was re-sampled

* = re-sampled per the Illinois Environmental Protection Agency

Table 2

GROUNDWATER ANALYTICAL RESULTS - BTEX

Former Mobil Station #05-G6N
615 Roosevelt Road
Glen Ellyn, Illinois

Tier I Exposure Routes					Benzene (mg/L)	Toluene (mg/L)	Ethylbenzene (mg/L)	Total Xylenes (mg/L)	
GIER - Class I Groundwater					0.005	1	0.7	10	
GIER - Class II Groundwater					0.025	2.5	1	10	
Sample Location	Sample Date	TOC Elevation (feet)	Depth to Water (ft bgs)	Groundwater Elevation (feet)	Benzene (mg/L)	Toluene (mg/L)	Ethylbenzene (mg/L)	Total Xylenes (mg/L)	
MW1	07/13/06	100.66	NG	NA	0.0002	0.0005	0.0002	0.0009	
MW1	02/16/07	100.54	16.26	99.38	0.0002	0.0005	0.0005	0.0012	
MW1	10/12/07	100.29	NG	NA	0.0002	0.0005	0.0002	0.0009	
MW2	07/13/06	100.54	12.5	99.89	0.0002	0.0007	0.0005	0.0014	
MW2	02/16/07	99.96	NG	NA	0.0003	0.0007	0.0005	0.0015	
MW2	10/12/07	99.70	5.3	99.36	0.0002	0.0005	0.0002	0.0009	
MW3	07/13/06	100.01	NG	NA	0.0002	0.0005	0.0002	0.0009	
MW3	02/16/07	100.02	10.92	99.06	0.0002	0.0005	0.0002	0.0009	
MW3	10/12/07	100.02	10.6	99.36	0.0002	0.0005	0.0002	0.0009	
MW4	07/13/06	100.25	5.74	99.46	0.0002	0.0005	0.0002	0.0009	
MW4	02/16/07	100.25	5.74	99.46	0.0002	0.0005	0.0002	0.0009	
MW5	07/13/06	100.10	12.41	97.69	0.0002	0.0005	0.0002	0.0009	
MW5	02/16/07	99.51	8.75	97.32	0.0002	0.0005	0.0002	0.0009	
MW10	07/13/06	101.67	3.78	97.89	0.109	0.00164	0.0795	0.0168	
MW10	02/16/07	101.67	4.58	97.09	Well was gauged only				
MW10	10/12/07	101.67	4.41	97.26	0.00273	<0.001	<0.001	<0.003	
MW11	07/13/06	100.27	13.36	86.91	<0.001	<0.001	<0.001	<0.003	
MW11	02/16/07	100.27	5.19	95.08	Well was gauged only				
MW12	07/13/06	100.49	3.21	97.28	0.170	0.00135	0.0340	0.0148	
MW12	02/16/07	100.49	3.93	96.56	Well was gauged only				
MW12	10/12/07	100.49	3.58	96.91	0.327	0.00154	0.139	0.0142	
MW13	07/13/06	100.91	Well was dry during sampling event						
MW13	02/16/07	100.91	3.57	97.34	0.517	0.00464	0.740	0.0771	
MW13	10/12/07	100.91	3.32	97.59	0.211	0.0034	0.671	0.0279	
MW14	07/13/06	100.92	13.51	87.41	0.00218	<0.001	<0.001	<0.003	
MW14	02/16/07	100.92	4.83	96.09	Well was gauged only				
MW14	10/12/07	100.92	4.53	96.39	0.00202	0.00129	<0.001	<0.001	

GIER = groundwater ingestion exposure route

<0.001 = concentration less than the analytical laboratory reporting limit

mg/L = milligrams per Liter

ft bgs = feet below ground surface

Bold = concentration above the Tier I groundwater cleanup objective for Class II groundwater

NG = not gauged; NA = not available

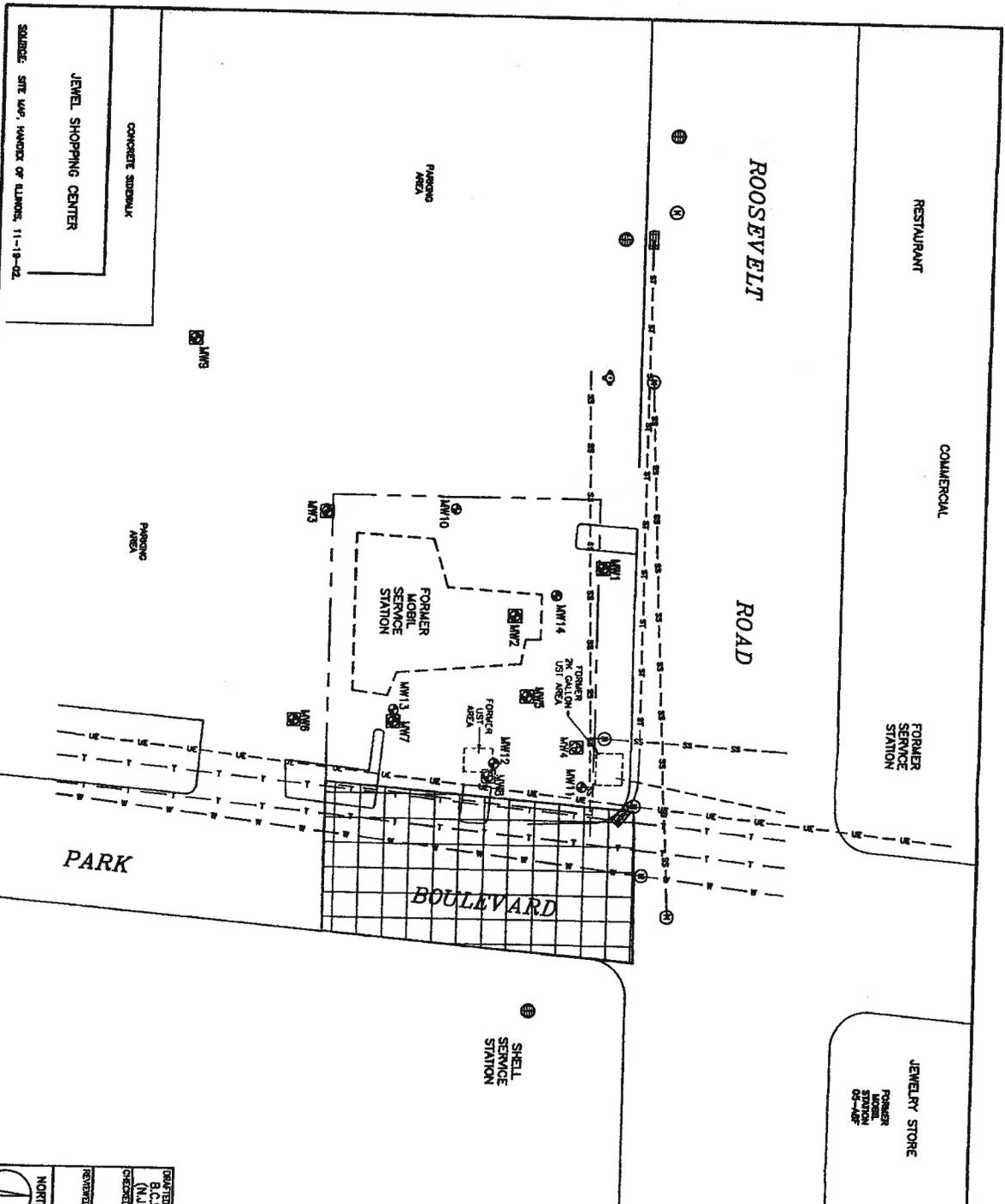
Groundwater samples were analyzed for benzene, toluene, ethylbenzene, and total xylenes using United States Environmental Protection Agency Method 8020

TOC = top-of-casing

TOC and groundwater elevations are relative to a site-specific datum of 100 feet

Shaded Area = Monitoring wells abandoned

EXHIBIT C



LEGEND

- ☐ STORM SEWER INLET
- ☐ CATCH BASIN
- ☐ UTILITY MANHOLE
- ☐ UTILITY POLE
- ☐ MONITORING WELL
- ☐ ABANDONED MONITORING WELL
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND STORM SEWER LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND WATER LINE
- PROPOSED AREA SUBJECT TO GLEN ELYN HIGHWAY AUTHORITY AGREEMENT

<p>REVISIONS:</p> <p>1</p>	<p>DATE: 3-5-08</p> <p>FIGURE: 5</p>
<p>PROJECT:</p> <p>PROPOSED HIGHWAY AUTHORITY AGREEMENT MAP</p>	<p>CLIENT:</p> <p>EXXONMOBIL OIL CORPORATION</p> <p>FORMER MOBIL SERVICE STATION #05-60N</p> <p>615 ROOSEVELT ROAD</p> <p>GLEN ELYN, ILLINOIS</p>
<p>SCALE:</p> <p>APPROXIMATE SCALE IN FEET</p> <p>0 40</p>	<p>DATE:</p> <p>3-5-08</p>
<p>PROJECT:</p> <p>PROPOSED HIGHWAY AUTHORITY AGREEMENT MAP</p>	<p>CLIENT:</p> <p>EXXONMOBIL OIL CORPORATION</p> <p>FORMER MOBIL SERVICE STATION #05-60N</p> <p>615 ROOSEVELT ROAD</p> <p>GLEN ELYN, ILLINOIS</p>
<p>PROJECT:</p> <p>PROPOSED HIGHWAY AUTHORITY AGREEMENT MAP</p>	<p>CLIENT:</p> <p>EXXONMOBIL OIL CORPORATION</p> <p>FORMER MOBIL SERVICE STATION #05-60N</p> <p>615 ROOSEVELT ROAD</p> <p>GLEN ELYN, ILLINOIS</p>



JEWEL SHOPPING CENTER

SOURCE: SITE MAP, HANCOCK OF ILLINOIS, 11-18-02



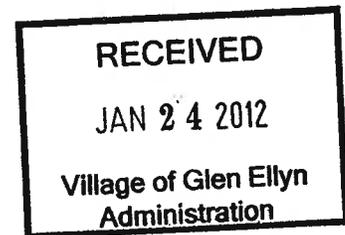
HODGE DWYER & DRIVER

JENNIFER M. MARTIN
E-mail: jmartin@hddattorneys.com

January 19, 2012

Mr. Mark Franz
Village Manager
Village of Glen Ellyn
30 S. Lambert Road
Glen Ellyn, IL 60137

RE: Former Mobil Station #05-G6N
615 Roosevelt Road
Glen Ellyn, Illinois



Dear Mr. Franz:

You and I spoke at the end of 2011 regarding ExxonMobil Corporation's ("ExxonMobil's") request for a Highway Authority Agreement ("HAA") for a portion of Park Boulevard in connection with corrective action being performed at the above location. The original request for a HAA for this location was made in March 2011.

Per your request, I have also included a copy of the HAA entered into between ExxonMobil and the Illinois Department of Transportation ("IDOT") for the subject location, and a copy of the Tiered Approach Correction Objectives Agreement ("TACO Agreement") previously entered into between ExxonMobil and the Village of Glen Ellyn for corrective action that was completed at a different former Mobil station located at 632 Roosevelt Road in Glen Ellyn. Please note that this TACO Agreement was signed in 2006, and the Illinois Pollution Control Board ("Board") regulations governing HAAs were revised in 2007 to require all persons and highway authorities, with the exception of IDOT, to use and submit the form HAA included in the Board's regulations. See 35 Ill. Admin. Code 742.1020. For this reason, I am providing you with two proposed agreements for the subject location – a TACO Agreement that follows the form and language of the TACO Agreement previously executed by the Village and ExxonMobil, and a HAA in the form required by the Board's regulations. ExxonMobil and the Village will execute the TACO Agreement and the HAA, and the HAA will be submitted to the Illinois Environmental Protection Agency in connection with the corrective action being performed by ExxonMobil at the above location. The TACO Agreement includes the same

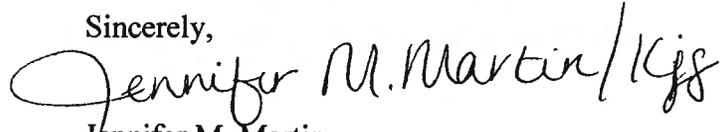
Mr. Mark Franz
January 19, 2012
Page 2

protections provided to the Village in the previously-executed TACO Agreement for the 632 Roosevelt Road location.

Please review the attached documents and the proposed TACO Agreement and HAA for the subject location, and let me know if the Village will sign the proposed TACO Agreement and HAA. If you have any questions, please do not hesitate to call me.

On behalf of ExxonMobil, we appreciate the Village's cooperation in this matter.

Sincerely,



Jennifer M. Martin

JMM:kjg

pc: Jacobus Joubert (via electronic mail)
Mike Meola (via electronic mail)
Brian Jarzyna (via electronic mail)

MOBO:045/Corr/Franz ltr -HAA and TACO Agreement-05-G6N

2

**GLEN ELLYN POLICE DEPARTMENT
MEMORANDUM**

A-6H

TO: Deputy Chief Holmer
FROM: Sergeant Norm Webber *NW80*
DATE: February 9, 2012
SUBJECT: **Parking on Traver Avenue south of Hill Avenue**

The Department has received parking complaints reference vehicles parking on Traver just south of Hill. The complaints state that due to parking being prohibited on Hill, passenger vehicles as well as construction and landscape vehicles will park on Traver. These vehicles park too close to the stop sign making it difficult for vehicles to either turn on to Hill or turn on to Traver.

Currently, Village Code prohibits vehicles from parking within 30 feet of a stop sign. The sidewalk on the west side of Traver just south of Hill is right next to the street, which would prohibit the installation of a NO PARKING sign.

By extending the no parking zone to the first driveways on Travers (90 feet from Hill), it will make the parking on both sides of Traver consistent and resolve the issue reference vehicles parking too close to the intersection.

I have drafted an ordinance for your review, which would prohibit parking on both sides of Traver 90 feet south of Hill.

Please let me know if you have any questions.

02-09-2012

Chief -

I agree and recommend this proposed ordinance.

NW

I AGREE WITH RECOMMENDATION. Roll 2-13-12

VILLAGE OF GLEN ELLYN

ORDINANCE NO. _____ -VC

AN ORDINANCE TO AMEND SECTION 9-5-6
(SCHEDULE F; PARKING PROHIBITED AT ALL TIMES)
OF THE VILLAGE CODE OF THE
VILLAGE OF GLEN ELLYN, ILLINOIS
REGARDING PARKING ON TRAVER AVENUE SOUTH OF HILL AVENUE

ADOPTED BY THE
PRESIDENT AND THE BOARD OF TRUSTEES
OF THE
VILLAGE OF GLEN ELLYN
DUPAGE COUNTY, ILLINOIS
THIS _____ DAY OF _____, 20__.

Published in pamphlet form by the authority
of the President and Board of Trustees of the
Village of Glen Ellyn, DuPage County,
Illinois, this _____ day of
_____, 20__.

ORDINANCE NO. _____ - VC

AN ORDINANCE TO AMEND SECTION 9-5-6
(SCHEDULE F; PARKING PROHIBITED AT ALL TIMES)
OF THE VILLAGE CODE OF THE
VILLAGE OF GLEN ELLYN, ILLINOIS
REGARDING PARKING ON TRAVER AVENUE SOUTH OF HILL AVENUE

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GLEN ELLYN, DUPAGE COUNTY, ILLINOIS, in the exercise of its home rule powers, as follows:

SECTION ONE: Section 9-5-6 (SCHEDULE F; PARKING PROHIBITED AT ALL TIMES) of the Glen Ellyn Village Code is hereby amended by the addition of the following:

Name of Street	District
Traver Avenue (both sides)	From the south line of Hill Avenue to a point 90 feet south of the same line.

SECTION TWO: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION THREE: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

PASSED by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20__.

AYES:

NAYS:

ABSENT:

APPROVED by the Village President of the Village of Glen Ellyn, Illinois, this

_____ day of _____, 20____.

Village President of the Village
of Glen Ellyn, Illinois

ATTEST:

Village Clerk of the Village
of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____,
20____.)

MEMORANDUM

21
A-6I

TO: Phil Norton, Chief of Police
FROM: Bill Holmer, Deputy Chief of Police *WH*
DATE: February 24, 2012
RE: PARKING ORDINANCE – DUANE/LORRAINE LOT



Background

The Glen Ellyn Public Library approached the Village about permission to use parking spaces (for library use) in the public parking lot located at Duane Street and Lorraine Road. The Village entered into an agreement with library staff which stipulates that 22 spaces on the west end of the parking lot will be "reserved" for library use while displaying the appropriate permit.

Public Works has installed appropriate signage and the library has issued permits to staff.

Action Requested

Attached is an ordinance to amend the Village Code to clarify the stipulations set forth in the agreement between the Village and the library. Essentially, this is "clean up" language in the code that will now reflect the 22 spaces reserved for specially licensed use. I request this amendment be presented to the Village Board for approval.

OK. PGM 2-27-12
I AGREE WITH RECOMMENDATION.

VILLAGE OF GLEN ELLYN

ORDINANCE NO. _____ -VC

AN ORDINANCE TO AMEND SECTION 9-5-14
(SCHEDULE N; PARKING RATE ZONE LOCATIONS)
OF THE VILLAGE CODE OF THE
VILLAGE OF GLEN ELLYN, ILLINOIS
REGARDING PARKING IN THE DUANE AND LORRAINE LOT

ADOPTED BY THE
PRESIDENT AND THE BOARD OF TRUSTEES
OF THE
VILLAGE OF GLEN ELLYN
DUPAGE COUNTY, ILLINOIS
THIS _____ DAY OF _____, 20__.

Published in pamphlet form by the authority
of the President and Board of Trustees of the
Village of Glen Ellyn, DuPage County,
Illinois, this _____ day of
_____, 20__.

ORDINANCE NO. _____ - VC

AN ORDINANCE TO AMEND SECTION 9-5-14
(SCHEDULE N; PARKING RATE ZONE LOCATIONS)
OF THE VILLAGE CODE OF THE
VILLAGE OF GLEN ELLYN, ILLINOIS
REGARDING PARKING IN THE DUANE AND LORRAINE LOT

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GLEN ELLYN, DUPAGE COUNTY, ILLINOIS, in the exercise of its home rule powers, as follows:

SECTION ONE: Section 9-5-14 (SCHEDULE N; PARKING RATE ZONE LOCATIONS) of the Glen Ellyn Village Code is hereby amended by the addition of the following:

Zone	Location	Description
D	Duane and Lorraine lot	Entire lot, except for 22 parking spaces subject to the terms of the IGA between the Village and Glen Ellyn library.

SECTION TWO: Section 9-2-3 (CLASS C VIOLATIONS) of the Glen Ellyn Village Code is hereby amended by the addition of the following:

(P) Miscellaneous Offenses:

6. Parking without proper Glen Ellyn library authorization and/or not displaying a proper library authorization in one of the 22 licensed parking spaces designated in the west section of the Duane and Lorraine lot.

SECTION THREE: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION FOUR: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

PASSED by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20____.

AYES:

NAYS:

ABSENT:

APPROVED by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20____.

Village President of the Village
of Glen Ellyn, Illinois

ATTEST:

Village Clerk of the Village
of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____, 20____.)

MEMORANDUM

A-6J

TO: MARK FRANZ, VILLAGE MANAGER *mf*
FROM: MATT PEKAREK, RECREATION DIRECTOR
DATE: MARCH 3, 2012
RE: TRUCK PURCHASES

Matt Pekarek



Background

The Recreation Department uses a Pick-Up Truck and a Dump Truck to maintain the Village Links golf course and parks. The 1992 Ford Pick-Up Truck and the 1990 Ford Dump Truck with snow plow are both worn beyond their useful life and need to be replaced. We propose to trade-in the worn trucks on the purchase of new trucks. Funds for this purchase are available in the 2011-12 Recreation Department Budget, line item 55-700-580-110.

We identified Ford and Chevrolet model pick-up trucks and dump trucks that would meet our needs. We prepared bid specification packets and mailed them to a dozen local truck dealers. A bid advertisement was published in the February 9, 2012 *Daily Herald*.

Sealed bids were opened on March 1, 2012. Five bids were received on each truck. The bids were straight forward. The low responsive bid for both trucks was submitted by Zimmerman Ford, St. Charles, IL.

Issues

This is routine replacement of worn equipment, funded by golfer user fees.

Recommendation

I recommend the Village Board of Trustees accept the low bids submitted by Zimmerman Ford of St. Charles, IL and approve the purchase of a 2012 Ford Pick-Up Truck at a cost of \$23,499 plus trade-in of a 1992 Ford Pick-Up Truck and the purchase of a 2012 Ford Dump Truck with Snow Plow for \$33,703 plus the trade-in of a 1990 Dump Truck with Snow Plow.

Action Requested

Village Board acceptance of the low bids.

Attachments

Bid Summaries
Bid Advertisement - Certificate of Publication

BID SUMMARIES

Bid-Recap - Pickup Truck	
Bidder	Pickup Truck
Zimmerman Ford	\$ 23,499
Haggerty Chevrolet	\$ 24,098
Sutton Ford	\$ 25,981
Packey-Webb Ford	\$ 26,010
Bill Jacobs	\$ 34,901

Bid-Recap - Dump Truck	
Bidder	Dump Truck
Zimmerman Ford	\$ 33,703
Haggerty Chevrolet	\$ 34,959
Packey-Webb Ford	\$ 35,261
Sutton Ford	\$ 35,286
Bill Jacobs	\$ 36,341

BID ADVERTISEMENT - CERTIFICATE OF PUBLICATION

ADVERTISEMENT FOR BIDS
 2012 Utility Truck with Dump Box and Snow Plow
 2012 Pickup Truck
 Village of Glen Ellyn Recreation Department
 Village Lists of Glen Ellyn
 Glen Ellyn, Illinois
 The Village of Glen Ellyn Recreation Department will accept sealed bids for the following:
 (1) Utility Truck with Dump Box and Snow Plow
 (2) Pickup Truck
 Bids, prepared, marked, sealed (name of item) bids - DO NOT OPEN - must be received at the office of the Village Clerk, Glen Ellyn Civic Center, 120 DuPage St., Glen Ellyn, Illinois 60137, no later than 11:00 a.m. on Tuesday, March 1, 2012. Bids will be opened on that date at 11:00 a.m. in the office of the Village Clerk at the Village of Glen Ellyn Civic Center. The Village is trading in equipment on the Utility Truck with Dump Box and the Pickup Truck.
 Bid and specification packets can be obtained by emailing procurement@villageofglenellyn.org or by calling (630) 429-1177. Bid List Reference Facility, 420 Harding Avenue, Glen Ellyn, Illinois 60137 through 7:00 p.m. between the hours of 7:30 a.m. and 1:00 p.m. Trade-in equipment can also be viewed at this time. For additional information, contact Bill Course, Supervisor, City of Glen Ellyn, 620-429-1177 ext. 2. The Village of Glen Ellyn is an affirmative action equal opportunity employer. Bid Published in Daily Herald Feb. 9, 2012 (4291177)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the DAILY HERALD. That said DAILY HERALD is a secular newspaper and has been circulated daily in the Village(s) of Addison, Bensenville, Bloomingdale, Carol Stream, Glendale Heights, Glen Ellyn, Itasca, Keeneville, Lake Lombard, Medinah, Naperville, Oak Brook, Oakbrook Terrace, Roseville, Villa Park, Warrenville, West Chicago, Wheaton, Winfield, Wood Dale

County(ies) of DuPage and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 7150, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published February 9, 2012 _____ in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
 DAILY HERALD NEWSPAPERS

BY *Danila Baltzman*
 Authorized Agent

Control # 4291177

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Planning and Development Director
 Michele Stegall, Village Planner *MMS*

DATE: March 5, 2012

FOR: March 12, 2012 Village Board Meeting

RE: 0N180 Cumnor Avenue (new address 498 Country Club Lane)
 Annexation, Annexation Agreement and Easement Acceptance

SHW



Background. John Webb is requesting approval of an annexation agreement and the subsequent annexation of property located at 0N180 Cumnor Avenue. Mr. Webb is requesting annexation in order to allow connection to Glen Ellyn water and sanitary sewer services for a new home that he plans to construct on the site. The subject property is located north of Hill Avenue between Cumnor Avenue and Country Club Lane and is contiguous to the Village. The location of the property is shown on the attached maps. Village utilities are located in the adjacent Country Club Lane right-of-way.

In association with the project, the petitioner is also requesting approval of a land transfer with the property to the west known as 520 Country Club Lane. In accordance with the Subdivision Regulations Code, the land transfer is being reviewed administratively and requires no action by the Village Board. However, the associated Plat of Resubdivision grants new 10-foot wide public utility and drainage easements to the Village along the northern, southern and eastern property lines. The Village Board should act on the acceptance of these easements. The Public Works Department has worked with the petitioner on the establishment of these easements and recommends their acceptance as shown on the attached Plat of Resubdivision.

Issues. The property is located adjacent to the Village limits and would be annexed immediately. The associated annexation agreement follows the Village's standard agreement. Some of the terms of the proposed the annexation agreement and Plat of Resubdivision include the following.

1. The petitioner would be allowed to connect the new home to the Village's water and sanitary sewer services in exchange for annexing to the Village.
2. The property is to be zoned R2 Residential zoning district upon annexation. This is the same zoning district applied to the other homes on Country Club Lane.
3. The new home is proposed to front on Country Club Lane and the petitioner has agreed to grant a no access easement along the Cumnor Avenue frontage.
4. The current Zoning Code requires the Cumnor Avenue frontage to be treated as a second front yard. In order to ensure that the petitioner is aware of the building restrictions in this area, a

section is included in the annexation agreement identifying the building restrictions along the Cumnor frontage particularly as they relate to accessory structures.

5. At the request of the Public Works Department, new 10-foot wide public utility and drainage easements are proposed along the northern, southern and eastern property lines.
6. The new address of the property upon annexation will be 498 Country Club Lane.

Although not expressly stated in the annexation agreement, after the property is annexed, it is staff's intent to either remove the property from the Fire SSA or reimburse the petitioner for payments made into this SSA until such time as the SSA boundaries may be amended to remove properties annexed after the date of its establishment.

Recommendation. Village staff recommends that the Village Board approve the proposed annexation and annexation agreement for the property at 0N180 Cumnor Avenue and accept the public utility and drainage easements as shown on the attached Plat of Resubdivision.

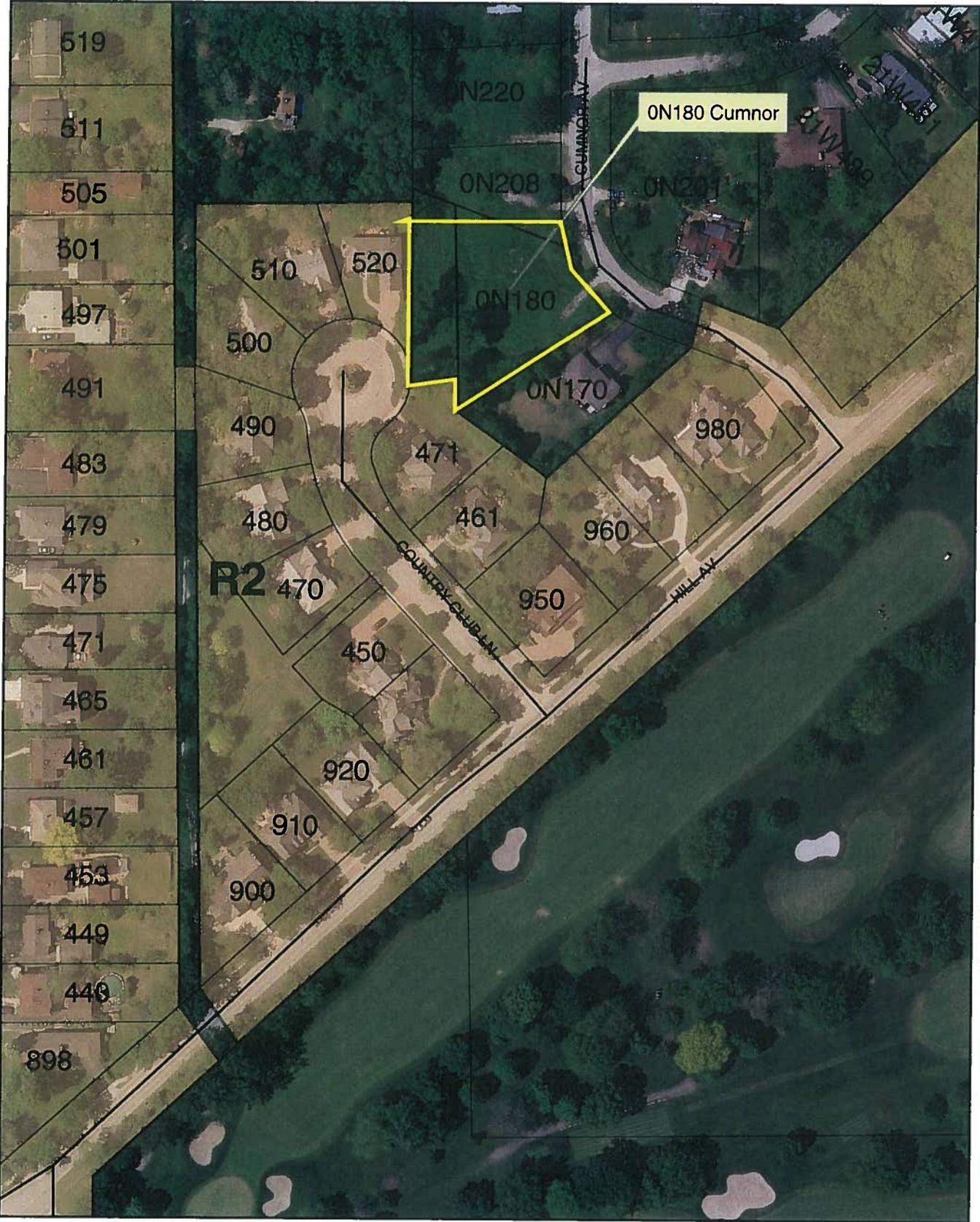
Action Requested. The Village Board should hold a public hearing on the proposed annexation agreement and consider the petitioner's request for approval of the requested annexation, annexation agreement and easement acceptance.

Attachments

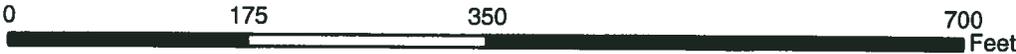
- Aerial Photo Showing Zoning
- Location Map for Public Hearing Notice
- Public Hearing Notice
- Affidavit of Service
- Service List
- Mailing Labels for Public Hearing Notice
- Letter from Genesis Surveying dated December 24, 2012
- Parcel Exchange Exhibit
- Ordinance Approving Annexation Agreement (Proposed Agreement attached)
- Ordinance Approving Annexation (Annexation Petition and Plat of Annexation attached)
- Resolution Accepting Easements (Plat of Resubdivision attached)

cc: Julius Hanson, Public Works Director
Phil Norton, Police Chief
Kevin Wachtel, Finance Director
Bob Minix, Public Works Professional Engineer
Kasey Matthews, Planning Intern
John Webb, Property Owner

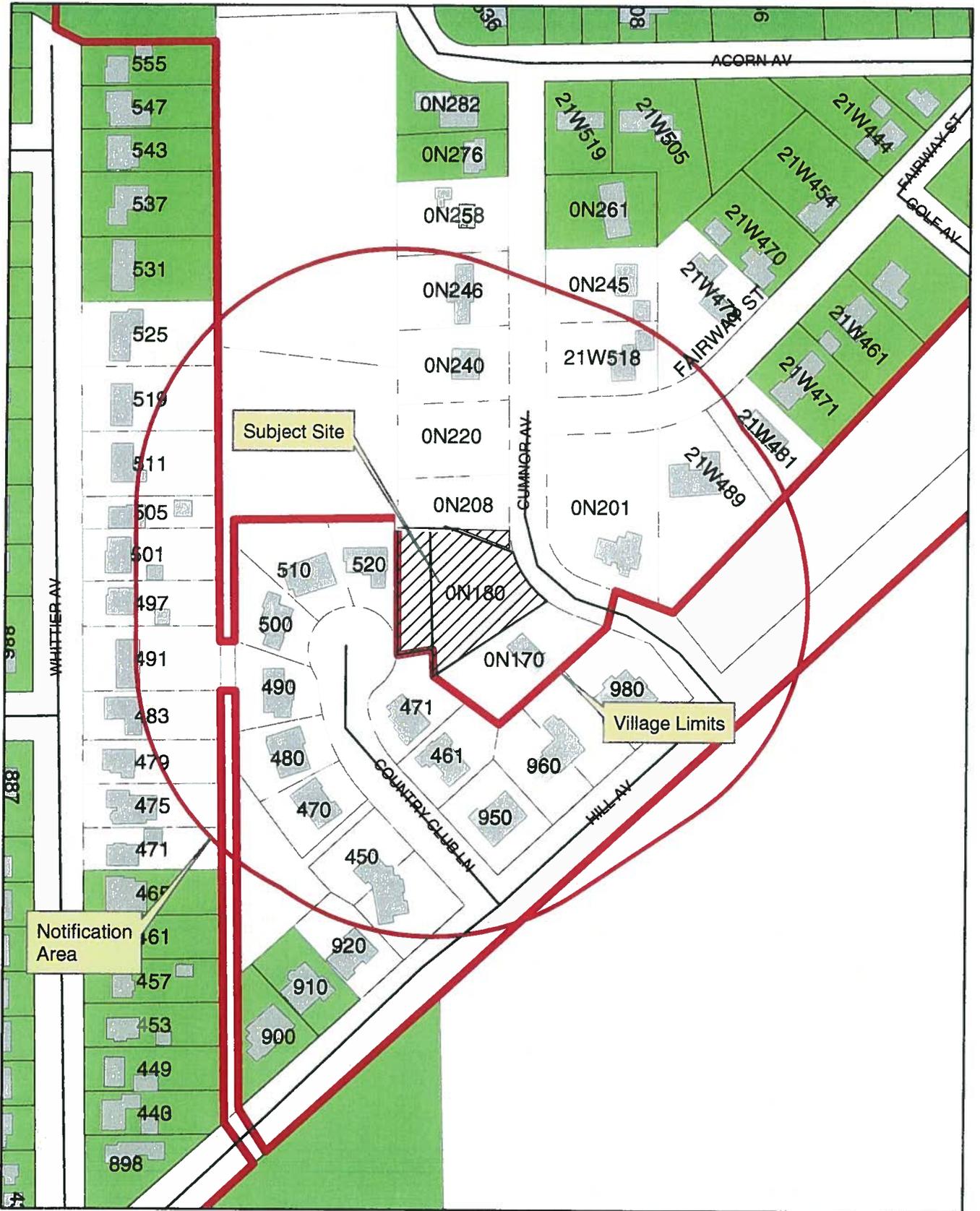
0N180 Cumnor Avenue



Prepared By: Planning and Development
Date: February 17, 2012



0N180 Cumnor Avenue



Prepared By: Planning and Development
Date: February 17, 2012



**NOTICE OF PUBLIC HEARING TO CONSIDER THE PROPOSED
ANNEXATION AND AN ANNEXATION AGREEMENT
WITH THE VILLAGE OF GLEN ELLYN**

In accordance with the Illinois Municipal Code, 65 ILCS 5/11-15.1-3 on **Monday, March 12, 2012 at 8:00 p.m.**, the Glen Ellyn Village Board will conduct a public hearing to consider annexation and an annexation agreement for property located at 0N180 Cumnor Avenue. The Village Board may act on the proposed annexation and annexation agreement this same night following the public hearing.

The subject property is located on the west side of Cumnor Avenue north of Hill Avenue and is contiguous to the Village of Glen Ellyn. The property is legally described as follows:

THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 11 IN GLEN OAK ESTATES SUBDIVISION AS RECORDED BY DOCUMENT NUMBER R1989-088718; THENCE SOUTH 03 DEGREES 38 MINUTES 53 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 11, A DISTANCE OF 7.83 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST LINE OF LOT 11, A DISTANCE OF 176.48 FEET TO THE MOST SOUTHEAST CORNER OF SAID LOT 11 (SAID POINT ALSO LYING ON THE MOST NORTHERLY LINE OF LOT 12 IN THE AFOREMENTIONED GLEN OAK ESTATES SUBDIVISION; THENCE NORTH 79 DEGREES 22 MINUTES 16 SECONDS EAST ALONG THE MOST NORTHERLY LINE OF LOT 12 IN AFOREMENTIONED GLEN OAK ESTATES SUBDIVISION, A DISTANCE OF 45.60 FEET TO THE MOST NORTHEASTERLY CORNER OF SAID LOT 12; THENCE SOUTH 03 DEGREES 31 MINUTES 21 SECONDS EAST ALONG AN EASTERLY LINE OF SAID LOT 12, A DISTANCE OF 36.98 FEET TO AN ANGLE POINT IN THE EASTERLY LINE OF LOT 12 (SAID POINT BEING ALSO THE MOST NORTHWESTERLY CORNER OF LOT 35 IN GLEN OAK SUBDIVISION AS RECORDED BY DOCUMENT NUMBER R1913-110577); THENCE NORTH 49 DEGREES 57 MINUTES 11 SECONDS EAST ALONG THE MOST NORTHWESTERLY LINE OF SAID LOT 35 IN GLEN OAK SUBDIVISION, A DISTANCE OF 181.47 FEET TO THE EASTERLY RIGHT OF WAY LINE OF CUMNOR ROAD); THENCE NORTHWESTERLY ALONG THE WESTERLY RIGHT OF WAY OF CUMNOR ROAD BEING A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 119.00 FEET AND SUBTENDING A CHORD WITH A LENGTH OF 98.88 FEET AND BEARING NORTH 28 DEGREES 11 MINUTES 45 SECONDS WEST, FOR AN ARC DISTANCE OF 101.97 FEET TO A POINT OF TANGENCY; THENCE NORTH 03 DEGREES 38 MINUTES 53 SECONDS WEST ALONG THE LAST MENTIONED EASTERLY RIGHT OF WAY LINE OF CUMNOR ROAD, A DISTANCE OF 12.85 FEET; THENCE SOUTH 85 DEGREES 22 MINUTES 33 SECONDS WEST, A DISTANCE OF 150.19 FEET MORE OR LESS TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-12-313-017

All persons in the Village of Glen Ellyn who are interested are invited to attend the public hearing to listen and be heard. A copy of the annexation agreement is available for public review in the Planning and Development Department of the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Questions related to the proposed annexation agreement should be directed to Michele Stegall, Village Planner 630-547-5249.

Individuals with disabilities who plan to attend the hearing and who require certain accommodations in order to allow them to observe and participate, or who have questions regarding the accessibility of the meeting or facilities, are requested to contact the Village at least 24 hours in advance of the meeting.

Michele Stegall, Village Planner
Village of Glen Ellyn

X:\Plandev\PLANNING\ANNEXATIONS\Cumnor Ave 0N180, Webb Voluntary\Public Hearing Notice
021712.doc

February 20, 2012

Mr. Fred Bucholz
DuPage County Recorder's Office
421 N. County Farm Road
Wheaton, IL 60187

AFFIDAVIT OF SERVICE OF NOTICE

Pursuant to the Illinois Municipal Code, the undersigned, being first duly sworn on oath, deposes and states that a true and correct copy of the NOTICE OF PUBLIC HEARING REGARDING PROPOSED ANNEXATION AND AN ANNEXATION AGREEMENT WITH THE VILLAGE OF GLEN ELLYN for property located at:

Common Address

0N180 Cumnor Avenue

P.I.N.

05-12-313-017

Glen Ellyn, IL, was served upon the parties identified on the attached service list by depositing same in the United States mail at 535 Duane Street, Glen Ellyn, Illinois, 60137, on Feb. 23, 2012, with property postage fully prepaid. If you have any questions, please contact Michele Stegall, Village Planner at 630-547-5249.

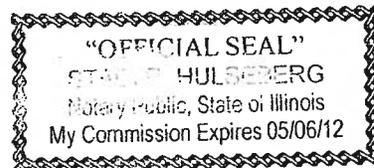
Michele Stegall

Affiant

A map depicting the property under consideration for an Annexation Agreement with the Village of Glen Ellyn is attached.

SUBSCRIBED and SWORN to
Before me this 20th day of
February 20 12

Stacie Hulseberg
Notary Public



Attachments: Service List
Public Hearing Notice
Map of Area

X:\Plandev\PLANNING\ANNEXATIONS\Cumnor Ave 0N180, Webb Voluntary\Public Hearing Notice
021712.doc

SERVICE LIST

The following were recipients of the " NOTICE OF PUBLIC HEARING TO CONSIDER THE PROPOSED ANNEXATION AND AN ANNEXATION AGREEMENT WITH THE VILLAGE OF GLEN ELLYN" (with map) under consideration by the Village of Glen Ellyn on **Monday, March 12, 2012** and published on Thursday, February 23, 2012 for property located at:

Common Address

0N180 Cumnor Avenue

P.I.N.

05-12-313-017

Property Owner(s)

Mark Franz, Glen Ellyn Village Manager, 535 Duane St., Glen Ellyn, IL, 60137

Stewart Diamond, Attorney, Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C., 140 S. Dearborn St., 6th Floor, Chicago, IL, 60603

A. W. McGurr, Village Consulting Engineer, P.O. Box 308, Wheaton, IL, 60187

Suzanne Connors, Village of Glen Ellyn Clerk, 535 Duane St., Glen Ellyn, IL, 60137

Directors of Village of Glen Ellyn Departments, 535 Duane Street, Glen Ellyn, IL 60137

Trustees-Individually, Milton Township, 1492 N. Main St., Wheaton, IL, 60187: James Flickinger, Salvatore Falbo, Christopher Edwards and Marie Jensen; Township Supervisor-Chris Heidorn; Township Clerk-Gail Hinkle

Milton Township Highway Commissioner Gary Muehlfelt, 23W040 Poss St., Glen Ellyn, IL, 60137

Fred Bucholz, DuPage County Recorder, 421 N. County Farm Road, Wheaton, IL, 60187

Gary King, DuPage County Clerk, P.O. Box 1028, Wheaton, IL 60187

Surrounding Property Owners (within 250 feet)

**GENESIS SURVEYING &
ENGINEERING, P.C.**

71 West 61st Street, Westmont, Ill 60559
Ph. 630-271-0930 Fax 630-271-0933
E-mail tstaley@genesis-survey.com

December 24, 2011

Village of Glen Ellyn
535 Duane Street
Glen Ellyn, Ill 60137

Subject: Annexation and Subdivision of Webb parcel

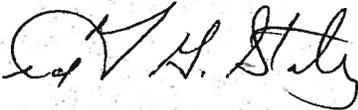
Village Board Members:

Mr. & Mrs. Webb currently own property known as part of lots 33 and 34 in Glen Oaks Subdivision and part of lot 55 in county clerk's assessment division. See attached exhibit. The subject parcel has frontage on Cumnor Road. The Webb's have entered into an agreement with the owner of Lot 11 in Glen Oak Estates Subdivision (address 520 Country Club Lane) to exchange property in order to obtain frontage on Country Club Lane. The Webb's would sell a parcel containing 1,008 square feet to the owner of Lot 11 and the owner of Lot 11 would sell a parcel containing 399 square feet to the Webb's. The final configuration will give the Webb's a parcel which meets village subdivision requirements for frontage on Country Club Lane and will also reconfigure Lot 11 to remain in compliance with village requirements. The final configuration will leave lot 11 with a lot area of 10,509 square feet and will create the Webb's lot containing 26,950 square feet.

All of the above will be accomplished by the request for annexation to the Village of Glen Ellyn and the Plat of Subdivision both of which have been submitted and reviewed by village staff.

Thank you for your indulgence.

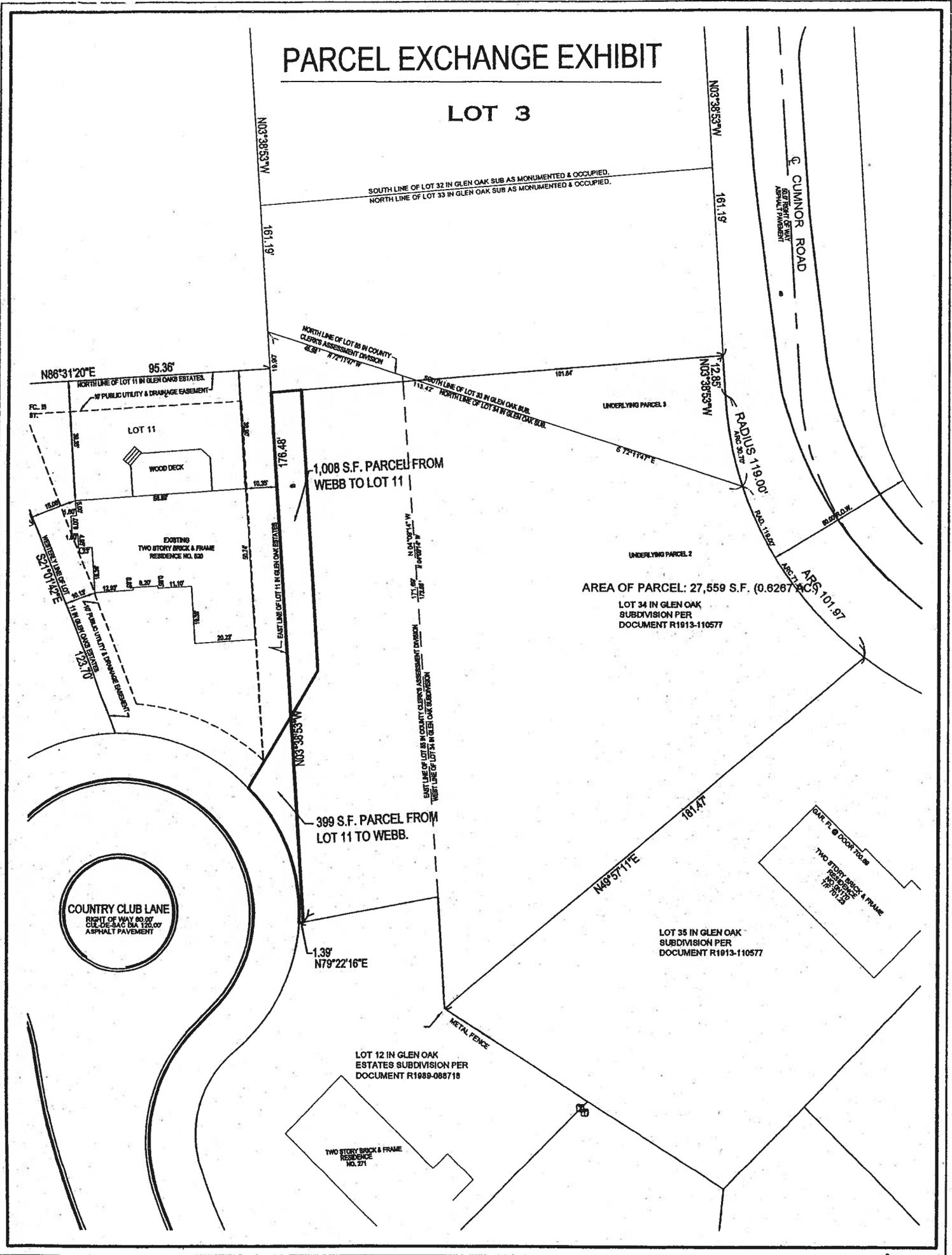
Sincerely,



Ted G. Staley, PLS2348
Registered Agent for Genesis Surveying & Engineering, P.C.

PARCEL EXCHANGE EXHIBIT

LOT 3



Village of Glen Ellyn

Ordinance No. _____

**An Ordinance Approving an Annexation Agreement for Property
Located North of Hill Avenue between Cumnor Avenue and Country Club Lane
Commonly Known as 0N180 Cumnor Avenue
(new address 498 Country Club Lane)
Glen Ellyn, IL**

**Adopted by the
President and Board of Trustees of the
Village of Glen Ellyn,
DuPage County, Illinois
This ____ Day of _____, 2012**

Published in pamphlet form by the authority of the
President and Board of Trustees of the Village of
Glen Ellyn, DuPage County, Illinois, this ____
day of _____, 2012.

Ordinance No. _____

**An Ordinance Approving an Annexation Agreement for Property
Located North of Hill Avenue between Cumnor Avenue and Country Club Lane
Commonly Known as 0N180 Cumnor Avenue
(new address 498 Country Club Lane)
Glen Ellyn, IL**

Whereas, John Webb, owner of property located at 0N180 Cumnor Avenue, has petitioned the President and Board of Trustees of the Village of Glen Ellyn for approval of an annexation agreement in order to accommodate the construction of a new single-family home on the property that would be served by Glen Ellyn water and sanitary sewer; and

Whereas, the property subject to the annexation agreement is legally described as follows:

THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 11 IN GLEN OAK ESTATES SUBDIVISION AS RECORDED BY DOCUMENT NUMBER R1989-088718; THENCE SOUTH 03 DEGREES 38 MINUTES 53 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 11, A DISTANCE OF 7.83 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST LINE OF LOT 11, A DISTANCE OF 176.48 FEET TO THE MOST SOUTHEAST CORNER OF SAID LOT 11 (SAID POINT ALSO LYING ON THE MOST NORTHERLY LINE OF LOT 12 IN THE AFOREMENTIONED GLEN OAK ESTATES SUBDIVISION; THENCE NORTH 79 DEGREES 22 MINUTES 16 SECONDS EAST ALONG THE MOST NORTHERLY LINE OF LOT 12 IN AFOREMENTIONED GLEN OAK ESTATES SUBDIVISION, A DISTANCE OF 45.60 FEET TO THE MOST NORTHEASTERLY CORNER OF SAID LOT 12; THENCE SOUTH 03 DEGREES 31 MINUTES 21 SECONDS EAST ALONG AN EASTERLY LINE OF SAID LOT 12, A DISTANCE OF 36.98 FEET TO AN ANGLE POINT IN THE EASTERLY LINE OF LOT 12 (SAID POINT BEING ALSO THE MOST NORTHWESTERLY CORNER OF LOT 35 IN GLEN OAK SUBDIVISION AS RECORDED BY DOCUMENT NUMBER R1913-110577); THENCE NORTH 49 DEGREES 57 MINUTES 11 SECONDS EAST ALONG THE MOST NORTHWESTERLY LINE OF SAID LOT 35 IN GLEN OAK SUBDIVISION, A DISTANCE OF 181.47 FEET TO THE WESTERLY RIGHT OF WAY LINE OF CUMNOR ROAD); THENCE NORTHWESTERLY ALONG THE WESTERLY RIGHT OF WAY OF CUMNOR ROAD BEING A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 119.00 FEET AND SUBTENDING A CHORD WITH A LENGTH OF 98.88 FEET AND BEARING NORTH 28 DEGREES 11 MINUTES 45 SECONDS WEST, FOR AN ARC DISTANCE OF 101.97 FEET TO A POINT OF TANGENCY; THENCE NORTH 03 DEGREES 38 MINUTES 53 SECONDS WEST ALONG THE LAST

MENTIONED WESTERLY RIGHT OF WAY LINE OF CUMNOR ROAD, A DISTANCE OF 12.85 FEET; THENCE SOUTH 85 DEGREES 22 MINUTES 33 SECONDS WEST, A DISTANCE OF 150.19 FEET MORE OR LESS TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS;

P.I.N: 05-12-313-017; and

Whereas, the Village has issued, delivered and published all statutorily required notices regarding the consideration of the proposed annexation agreement; and

Whereas, John Webb, legal owner of the property, has agreed to the terms of the Annexation Agreement attached hereto and has signed said agreement binding himself and his successors in interest to the terms of the agreement; and

Whereas, in accordance with all statutorily required notices, on March 12, 2012, the Village Board conducted a public hearing on the proposed annexation agreement; and

Whereas, after due consideration and pursuant to the aforesaid public hearing, the President and Board of Trustees deem it in the best interest of the Village of Glen Ellyn to enter into the annexation agreement, attached hereto as Exhibit "A".

Now, Therefore, be it Ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers, as follows:

Section One: The foregoing recitals and the preambles in the annexation agreement attached hereto as Exhibit "A" shall be, and are hereby, incorporated into and made a part of this Ordinance as if fully set forth in this Section One.

Section Two: The Village President and Village Clerk are hereby authorized and directed to execute and attest the annexation agreement for 0N180 Cumnor Avenue, a copy of which is attached hereto as Exhibit "A".

Section Three: The Village Clerk is hereby authorized and directed to cause said annexation agreement to be recorded with the Recorder of Deeds of DuPage County, upon the proper execution

of the same on behalf of all of the parties, together with a certified copy of this Ordinance approving the execution of the annexation agreement on behalf of the Village of Glen Ellyn.

Section Four: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20_____.

Ayes:

Nays:

Absent:

Abstentions:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20_____.

Village President of the
Village of Glen Ellyn, Illinois

Attest:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____)

X:\Plandev\PLANNING\ANNEXATIONS\Cumnor Ave 0N180, Webb Voluntary\Ordinance Approving AA.doc

ANNEXATION AGREEMENT

This Annexation Agreement ("Agreement") is made and entered into this _____ day of _____ 2012, by, between, and among John C. Webb ("Owner"), and the Village of Glen Ellyn ("Village"). The Village and Owner are collectively referred to as ("Parties").

RECITALS

- A. The Owner is the owner of record of a parcel of land commonly known as 0N180 Cumnor Road which is located on the west side of Cumnor Avenue north of Hill Avenue and is contiguous to the Village of Glen Ellyn. The subject property is legally described on *Exhibit "A"* attached hereto, is identified for real estate purposes as P.I.N. 05-12-313-017 ("Property"), and is currently improved with one single family home.
- B. The Village is an Illinois home rule municipal corporation, having its principal office at 535 Duane Street, Glen Ellyn, Illinois.
- C. A public hearing to consider this Agreement was noticed in the *Daily Herald* on _____ and was held by the Village President and Board of Trustees on _____.
- D. The Village has published all notices as required in the Illinois Municipal Code, 65 ILCS 5/11-15.1-3. *et seq.*
- E. The Owner desires to annex the Property to the Village, as soon as reasonably practicable and agrees to do all things necessary to assist in that process when the Village so requests, including the execution and delivery to the Village Clerk of a notarized annexation petition, which petition shall strictly conform to *Exhibit "B"* to this Agreement ("*Annexation Petition*").
- F. The annexation of the Subject Realty shall extend the corporate limits of the Village to the far side of any adjacent highway not heretofore annexed to any other municipality.
- G. The Property is not presently connected to the Village water or sanitary sewer systems and the Owners desire to connect the Property to the Village water and sanitary sewer systems both of which are located in the adjacent Country Club Lane right-of-way in accordance with the terms and conditions set forth herein.
- H. The Owner understands that he is obligated to pay all costs and fees associated with connecting to the Village water and sanitary sewer mains.
- I. The Owner has agreed that the Property will be zoned in accordance with the R2 Residential District regulations as set forth in Section 10-4-8 of the Glen Ellyn Zoning Code, as the same may be amended from time to time ("Zoning Code"), when it is annexed to the Village to allow the Property to be used for a single-family dwelling unit in accordance with the terms and conditions of this Agreement.
- J. All other matters, in addition to those specifically referred to above, which are included by this Agreement, have been considered by the Parties, and the development of the Property for the purposes permitted under the R2 Residential District regulations of the Zoning Code, all in accordance with the terms and conditions of this Agreement, will inure to the benefit and improvement of the

Village by increasing the taxable value of the real property within the Village's corporate limits, extending the corporate limits and jurisdiction of the Village to the limits of the Property, promoting the sound planning and development of the Village, and otherwise enhancing and promoting the general welfare of the Village residents and taxpayers.

NOW THEREFORE, in consideration of the foregoing preambles and mutual covenants and agreements contained herein, the Parties agree as follows:

1. Incorporation of Recitals. The Parties hereby confirm the truth and validity of the representations and recitations set forth in the foregoing recitals. The Parties further acknowledge that the same are material to this Agreement and are hereby incorporated into and made a part of this Agreement and the same shall continue for so long as this Agreement is in full force and effect.

2. Legal Conformance with Law. This Agreement is made pursuant to and in accordance with the provisions of the Glen Ellyn Village Code, and its home rule powers, as established in the Illinois Revised Statutes and the Illinois Constitution.

3. Annexation Ordinance. Immediately after the approval and execution of this Agreement, the Village's Corporate Authorities shall adopt a valid and binding annexation ordinance providing for the annexation of the Property and any adjacent right-of-ways to the Village pursuant to Section 7-1-8 of the Illinois Municipal Code, 65 ILCS 5/7-1-8 ("*Annexation Ordinance*"). The Annexation Ordinance shall not be effective unless and until the Village Clerk receives (a) a fully executed Annexation Petition strictly in the form of *Exhibit "B"* to this Agreement, (b) Owner's proof of ownership of the Property and, (c) a Plat of Annexation, acceptable in form and content to the Village Engineer and Village Attorney. Upon, but not before, the Village Clerk's receipt of the Annexation Petition, the Owner's proof of ownership and approved Plat of Annexation, the Village Clerk shall promptly cause the Annexation Ordinance, Plat of Annexation, and related documents, to be recorded in the Office of the DuPage County Recorder.

Should a court of competent jurisdiction determine that annexation of the Property was defective because of the failure of the Parties to follow a procedural requirement constituting a valid precondition to proper annexation of the Property, the Parties, including the successors and assigns of the Owner, agree to promptly cause the Property to be reannexed to the Village in a manner that satisfies all procedural requirements.

Should a court of competent jurisdiction determine that annexation of the Property by the Village was without lawful authority (i.e., lack of contiguity), the Parties agree that this Agreement shall be deemed a Pre-Annexation Agreement authorized pursuant to 65 ILCS 5/11-15.1-1, as amended, and shall remain in full force and effect to the extent permitted by law. Thereafter, should the Property become contiguous to the Village, the Parties, including the successors and assigns of the Owner, agree to promptly take all necessary steps as may then be provided by law to perfect the annexation of the Property to the Village.

4. Zoning. Contemporaneous with, or immediately following, the adoption of a valid and binding Annexation Ordinance, the Planning and Development Director shall, without further hearing automatically zone the Property R2 Residential District in accordance with Section 10-3-3 of the Glen Ellyn Zoning Code. Any existing use of the Property, upon annexation, that does not comply with the requirements of that zoning category, may continue to be used for its existing purpose subject to the Village's zoning provisions regarding nonconformities. Because the zoning category to be granted to

the Property is that which automatically will be granted pursuant to Section 10-3-3, the process under which this Agreement was entered into did not include a public hearing before the Glen Ellyn Plan Commission. The zoning category to be granted to this Property will therefore be automatically established and the designation will appear in the next version of the Village's zoning map.

5. Rear Yard Restrictions. The rear yard of the Property abuts Cumnor Avenue to the east. In order to maintain the streetscape along Cumnor Avenue and minimize any potential impact on adjacent properties, the required 40 foot rear yard on Lot 2 shall be considered and maintained as a second front yard for the purpose of permitted accessory structures in Section 10-5-5 of the Zoning Code. In addition, no fence shall be permitted in the rear yard of the lot greater than 4 feet in height and any fence installed in the rear yard of the lot shall be at least 50% open.

6. Homeowners Association. The Owner shall inquire about membership with the Glen Oak Homeowners' Association and join if requested by the Homeowner's Association. As a member of the Glen Oak Homeowners' Association, the Owner shall agree to abide by the Association's covenants.

7. Connection to Village Water & Sanitary Sewer Mains. Owner is obligated to connect to the Village's water and sewer mains located in the adjacent Country Club Lane right-of-way when a residence is constructed on the property. The Owner shall meet all applicable ordinance requirements pertaining to such connections, including upgrades and other necessities.

The Owner agrees to hire a contractor and to pay all costs and all charges associated with the construction of the private water service line to connect the residence on the property to the Village's water main. Any water service connection shall be inspected by Village Staff to ensure that it is constructed in accordance with Village standards.

Existing water wells must be either closed in accordance with Village and County requirements, or converted to landscape and other non-potable water uses as allowed by Village Code and the DuPage County Public Health Department. After connection to the Village water main, a property owner who wishes to maintain a landscape well must totally disconnect it from the potable water supply for the home. At the homeowner's expense, an annual plumbing inspection is required for a landscape/non-potable water well to verify that it is not connected in any way to a home potable water system.

The Owner agrees to hire a contractor and to pay all costs and all charges associated with the construction of the private sanitary sewer service line to connect the residence on the property to the Village's sanitary sewer main and to close the septic system. Any sanitary sewer connection shall be inspected by Village Staff to ensure that it is constructed in accordance with Village standards.

8. Village Codes. While the Property remains in unincorporated DuPage County, it shall be developed pursuant to the building and zoning regulations of DuPage County, except as otherwise provided herein. From and after the date of annexation of the Property to the Village, the Property shall be used and maintained in accordance with and pursuant to the Village Code of Glen Ellyn, including the building, subdivision, and zoning regulations contained therein.

9. Park District. Owner shall also, within thirty (30) days after the annexation of the Property, submit an accurate map of the Property to the Glen Ellyn Park District, along with such other documentation requested by the Park District, in order to annex the Property to said Park District.

10. Village Address. Upon annexation to the Village the Property address will be *498 Country Club Lane*.

11. Annexation Fee. The Owner has paid the required annexation fee for the Property.

12. Term. The term of this Agreement will be 20 years from the date of execution hereof, which will be deemed to become effective on the date hereof.

13. Annexation Agreement Extension. At the option of the Village, the Village may extend this Annexation Agreement, at its conclusion, for an additional period of up to 20 years for a portion or all of the Property. If the Village wishes to exercise this option, it shall do so in writing not earlier than two years before the expiration of the Annexation Agreement, nor later than three months prior to this Agreement's initial termination date. Notice shall be sent in writing to (i) that entity that has paid the real estate property taxes during one of the last two years for the Property or that portion of the Property for which the Village wishes to extend this Agreement or (ii) to the record title holder of the Property or that portion of the Property for which the Village wishes to extend this Agreement. If the Village decides in its sole and absolute opinion to extend the term of this Agreement, the Village may do so whether or not the Property, or any portion of the Property, has been annexed to the Village. The Village may only extend the term of this Agreement once. In the event that the Village has not exercised the option to extend the term of this Agreement pursuant to this Section, and if the property has not been annexed to the Village at this Agreement's initial termination date, the Village and the Owner may enter into a new Annexation Agreement in the manner provided by law. If the Village has been providing utility services to the non-annexed Property or any non-annexed portions of the Property pursuant to this Agreement, it may terminate such utility service at the conclusion of this Agreement; provided, however, that the Village provides not less than one year prior written notice of such termination to (i) that entity that has paid the real estate property taxes during one of the last two years for the Property or that portion of the Property for which the Village desires to terminate any such utility service or (ii) to the record title holder of the Property or any portion of the Property for which the Village desires to terminate any such utility service.

14. General Provisions.

A. Severability. In the event that any portion of this Annexation Agreement will be found to be invalid by any court of competent jurisdiction, such finding of invalidity as to that portion will not affect the validity or enforceability of the balance of this Agreement.

B. Remedies. In addition to all rights and remedies specified in this Agreement, the Village will have the authority to pursue any and all rights and remedies, at law or in equity, to which it is entitled in order to enforce the terms of this Agreement. In the event that the Owner fails to comply, the Village may institute an action for specific performance along with other civil and quasi-criminal actions as permitted by law, and the Village may disconnect the water and sanitary sewer services. The Owner will be further liable for any attorney fees, court costs and other costs incurred by the Village as a consequence of the Village's enforcement of this provision.

C. Amendment. This Agreement may be amended from time to time with the consent of the parties, pursuant to Statute.

D. Conflict Regulations. The provisions of this Agreement shall supersede the provision of any Village Codes and Ordinances that may be in conflict with the provisions of this Agreement.

E. Enforcement. This Agreement shall be enforceable in any court of competent jurisdiction by either the Owner or the Village, and their respective successors and assigns, by

an appropriate action at law or in equity, to secure the performance of the promises, obligations, and covenants in this Agreement, including the specific performance of this Agreement. The laws of the State of Illinois shall govern this Agreement. Any lawsuit enforcement filed against the Village of Glen Ellyn, or its officers, employees or independent contractors may only seek injunction, mandamus or specific performance for the enforcement of the agreement and may not seek damages.

F. Successors and Assigns. This Agreement shall inure to the benefit of and be binding upon the Owner and Village and their respective successors and assigns. No conveyance, transfer or assignment of fee title in the Property or of this Agreement shall serve to release the Owner of his duties and obligations already undertaken under this Agreement.

G. Application of Ordinances. Upon annexation, the Property and its use will be subject to all Village ordinances generally applicable throughout the Village except as herein set forth.

H. Recording. The Village Clerk is hereby directed to cause this Agreement to be recorded with the Recorder of Deeds of DuPage County, following its execution and approval by the Village Board.

I. No Disconnection. Once the Property subject to this Annexation Agreement has been annexed to the Village, the Owner shall not petition the Circuit Court to take any other action to cause the Property to be disconnected from the Village during the term of this Annexation Agreement or any extension to that term. In addition, the Owner may not during the term of this Annexation Agreement petition any other municipality or a court to permit annexation to another municipality.

J. Recitals and Exhibits. The recitals set forth in the beginning of this Agreement, and the exhibits attached hereto, are incorporated herein by this reference and shall constitute substantive provisions to this Agreement.

K. Captions and Paragraph Headings. The captions and paragraph headings used herein are for convenience only and shall not be used in construing any term or provision of this Agreement.

15. Notice. Any notice or communication required or permitted to be given under this Agreement shall be in writing and shall be delivered (i) personally, (ii) by a reputable overnight courier, (iii) by certified mail, return receipt requested, and deposited in the U.S. Mail, postage prepaid, (iv) by facsimile, or (v) by electronic internet mail ("*e-mail*"). Facsimile notices shall be deemed valid only to the extent that they are (a) actually received by the individual to whom addressed and (b) followed by delivery of actual notice in the manner described in either (i), (ii), or (iii) above within three business days thereafter at the appropriate address set forth below. E-mail notices shall be deemed valid only to the extent that they are (a) opened by the recipient on a business day at the address set forth below, and (b) followed by delivery of actual notice in the manner described in either (i), (ii), or (iii) above within three business days thereafter at the appropriate address set forth below. Unless otherwise provided in this Agreement, notices shall be deemed received after the first to occur of (a) the date of actual receipt; or (b) the date that is one business day after deposit with an overnight courier as evidenced by a receipt of deposit; or (c) the date that is three business days after deposit in the U.S. mail, as evidenced by a return receipt. By notice complying with the requirements of this

Section each party to this Agreement shall have the right to change the address or the addressee, or both, for all future notices and communications to them, but no notice of a change of addressee or address shall be effective until actually received.

Notices and communications to the Village shall be addressed to, and delivered at, the following address:

Village of Glen Ellyn
535 Duane Street
Glen Ellyn, Illinois 60137
Attn: Planning and Development Director

Notices and communications to the Owner shall be addressed to, and delivered at, the following address:

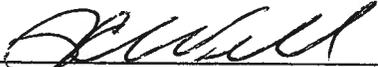
JOHN WEBB
980 Hill Ave
GLEN ELLYN
IL. 60137

IN WITNESS WHEREOF, the parties have caused this Annexation Agreement to be executed by their duly authorized officers or individually, as the case may be, on _____, 2012.

VILLAGE OF GLEN ELLYN
A Municipal Corporation:

Village of Glen Ellyn
535 Duane Street

OWNER:



John C. Webb



BY: _____
Village President

ATTEST:

BY: _____
Suzanne Connors, Village Clerk

BY: _____

SUBSCRIBED AND SWORN to
before me this _____ day of
_____, 2012.

Notary Public

EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY

Owner: John C. Webb

Address: 0N180 Cumnor Avenue (*upon annexation the address will be 498 Country Club Lane*)

P.I.N.: 05-12-313-017

Legal Description:

THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 11 IN GLEN OAK ESTATES SUBDIVISION AS RECORDED BY DOCUMENT NUMBER R1989-088718; THENCE SOUTH 03 DEGREES 38 MINUTES 53 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 11, A DISTANCE OF 7.83 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST LINE OF LOT 11, A DISTANCE OF 176.48 FEET TO THE MOST SOUTHEAST CORNER OF SAID LOT 11 (SAID POINT ALSO LYING ON THE MOST NORTHERLY LINE OF LOT 12 IN THE AFOREMENTIONED GLEN OAK ESTATES SUBDIVISION; THENCE NORTH 79 DEGREES 22 MINUTES 16 SECONDS EAST ALONG THE MOST NORTHERLY LINE OF LOT 12 IN AFOREMENTIONED GLEN OAK ESTATES SUBDIVISION, A DISTANCE OF 45.60 FEET TO THE MOST NORTHEASTERLY CORNER OF SAID LOT 12; THENCE SOUTH 03 DEGREES 31 MINUTES 21 SECONDS EAST ALONG AN EASTERLY LINE OF SAID LOT 12, A DISTANCE OF 36.98 FEET TO AN ANGLE POINT IN THE EASTERLY LINE OF LOT 12 (SAID POINT BEING ALSO THE MOST NORTHWESTERLY CORNER OF LOT 35 IN GLEN OAK SUBDIVISION AS RECORDED BY DOCUMENT NUMBER R1913-110577); THENCE NORTH 49 DEGREES 57 MINUTES 11 SECONDS EAST ALONG THE MOST NORTHWESTERLY LINE OF SAID LOT 35 IN GLEN OAK SUBDIVISION, A DISTANCE OF 181.47 FEET TO THE WESTERLY RIGHT OF WAY LINE OF CUMNOR ROAD); THENCE NORTHWESTERLY ALONG THE WESTERLY RIGHT OF WAY OF CUMNOR ROAD BEING A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 119.00 FEET AND SUBTENDING A CHORD WITH A LENGTH OF 98.88 FEET AND BEARING NORTH 28 DEGREES 11 MINUTES 45 SECONDS WEST, FOR AN ARC DISTANCE OF 101.97 FEET TO A POINT OF TANGENCY; THENCE NORTH 03 DEGREES 38 MINUTES 53 SECONDS WEST ALONG THE LAST MENTIONED WESTERLY RIGHT OF WAY LINE OF CUMNOR ROAD, A DISTANCE OF 12.85 FEET; THENCE SOUTH 85 DEGREES 22 MINUTES 33 SECONDS WEST, A DISTANCE OF 150.19 FEET MORE OR LESS TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

EXHIBIT "B"
PETITION FOR ANNEXATION
VILLAGE OF GLEN ELLYN, ILLINOIS

TO THE GLEN ELLYN VILLAGE BOARD:

Petitioners on oath state as follows:

1. That the undersigned is the sole owner of record of all of the property described in *Exhibit "A"* and commonly known as 0N180 Cumnor Avenue and P.I.N. 05-12-313-017 (Subject Realty).
2. That this petition is executed by the owner of record of the Subject Realty.
3. That no electors reside on the Subject Realty or, in the alternative, at least fifty-one percent (51%) of the electors residing on the Subject Realty have executed this petition.
4. That no portion of the property is within the corporate limits of any municipality.
5. That the Subject Property is either contiguous to the Village of Glen Ellyn, will be at the time of annexation, or may be contiguous when combined with other property annexing to the Village of Glen Ellyn.
6. That the property which the Petitioner desires to have annexed to the Village of Glen Ellyn is the property that is described in *Exhibit "A"* attached hereto and made a part hereof.
7. That this Petition shall be in full force and effect from and after the date hereof and until the property is annexed to the Village of Glen Ellyn in agreement with State Law.

WHEREFORE, the applicant's petition that the property be annexed by ordinance to the Village of Glen Ellyn, Illinois, is in accordance with the appropriate statutes.

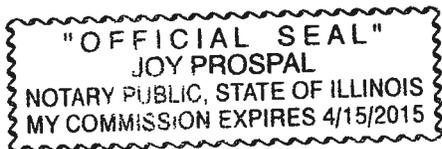
The undersigned, on oath, state that the undersigned have read the foregoing Petition for Annexation, have knowledge of the allegations contained therein, and that said allegations are true and correct to the best of the Petitioner's knowledge.

Owner of Record of Subject Property:

Signature: _____
 Print Name: JOHN WEBB
 Date: 2-20-12

Subscribed and sworn to before me this
20th day of February, 2012

 NOTARY PUBLIC



Village of Glen Ellyn

Ordinance No. _____

**An Ordinance Annexing and Zoning Property Located North of Hill Avenue
between Cumnor Avenue and Country Club Lane Commonly Known as
0N180 Cumnor Avenue (new address 498 Country Club Lane)
Glen Ellyn, IL 60137**

**Adopted by the
President and the Board of Trustees
of the Village Of Glen Ellyn
DuPage County, Illinois
this ____ day of _____, 2012**

Published in pamphlet form by the authority of the
President and Board of Trustees of the Village of
Glen Ellyn, DuPage County, Illinois, this ____
day of _____, 2012

Ordinance No. _____

**An Ordinance Annexing and Zoning Property Located North of Hill Avenue
between Cumnor Avenue and Country Club Lane Commonly Known as
0N180 Cumnor Avenue (new address 498 Country Club Lane)
Glen Ellyn, IL 60137**

Whereas, the property commonly known as 0N180 Cumnor Avenue, located north of Hill Avenue between Cumnor Avenue and Country Club Lane, is not currently located within the corporate limits of any municipality and is adjacent and contiguous to the corporate limits of the Village of Glen Ellyn; and

Whereas, John Webb, owner of the property at 0N180 Cumnor Avenue, has submitted to the Village Clerk, pursuant to and in accordance with Section 7-1-8 of the Illinois Municipal Code, 65 ILCS 5/7-1-8, a Petition for Annexation in the prescribed form, which Petition for Annexation is attached hereto as "Exhibit A"; and

Whereas, the owner of the property at 0N180 Cumnor Avenue has expressed a desire to annex said property to the Village of Glen Ellyn at this time in order to accommodate the construction of a new home on the property which would be served by Village water and sanitary sewer; and

Whereas, the President and Board of Trustees of the Village of Glen Ellyn considered the request at a regular Village Board meeting on March 12, 2012; and

Whereas, the Village has issued, delivered, and published all statutorily required notices of the pending annexation of the subject property and has conducted all statutorily required public hearings in connection with the pending annexation of the property; and

Whereas, the petitioner has heretofore entered into a valid and binding annexation agreement for the property, and said annexation agreement was approved by the President

and Board of Trustees by Ordinance No. _____ on March 12, 2012; and

Whereas, it is deemed to be in the best interest of the Village of Glen Ellyn that the subject property be annexed; and

Whereas, the Village has determined that the R2 Residential zoning district is the best suited zoning classification for the property and, in accordance with Section 10-3-3 of the Village Zoning Code, the property is to be automatically zoned R2 Residential zoning district upon annexation; and

Now, Therefore, be it Ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers, as follows:

Section One: The foregoing recitals shall be, and are hereby, incorporated into and made a part of this Ordinance as if fully set forth in this Section One.

Section Two: Pursuant to Section 7-1-8 of the Illinois Municipal Code, 65 ILCS 5/7-1-8, the subject property, legally described below, and the adjacent Cumnor Avenue right-of-way are hereby annexed to the Village of Glen Ellyn, DuPage County, Illinois

THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LTO 11 IN GLEN OAK ESTATES SUBDIVISION AS RECORDED BY DOCUMENT NUMBER R1989-088718; THENCE SOUTH 03 DEGREES 38 MINUTES 53 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 11 A DISTANCE OF 7.83 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST LINE OF LOT 11, A DISTANCE OF 176.48 FEET TO THE MOST SOUTHEAST CORNER OF SAID LOT 11 (SAID POINT ALSO LYING ON THE MOST NORTHERLY LINE OF LOT 12 IN THE AFOREMENTIONED GLEN OAK ESTATES SUBDIVISION; THENCE NORTH 79 DEGREES 22 MINUTES 16 SECONDS EAST ALONG THE MOST NORTHERLY LINE OF LOT 12 IN AFOREMENTIOEND GLEN OAK ESTATES SUBDIVISION, A DISTANCE OF 45.60 FEET TO THE MOST NORTHEASTERLY CORNER OF SAID LOT 12; THENCE SOUTH 03 DEGREES 31 MINUTES 21 SECONDS EAST ALONG AN EASTERLY LINE OF

SAID LOT 12, A DISTANCE OF 36.98 FEET TO AN ANGLE POINT IN THE EASTERLY LINE OF LOT 12 (SAID POINT BEING ALSO THE MOST NORTHWAESTERLY CORNER OF LOT 35 IN GLEN OAK SUBDIVISION AS RECORDED BY DOCUMENT NUBER r1913-110577); THENCE NORTH 49 DEGREES 57 MINUTES 11 SECONDS EASAT ALONG THE MOST NORTHWESTERLY LINE OF SAID LOT 35 AND THE EASTERLY EXTENSION THEREOF IN GLEN OAK SUBDIVISION, A DISTANCE OF 233.71 FEET TO THE EASTERLY RIGH OF WAY LINE OF CUMNOR AVENUE; THENCE NORTHWESTERLY ALONG THE EASTERLY RIGHT OF WAY OF CUMNOR AVENUE BEING A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 69.00 FEET AND SUBTENDING A CHORD WITH A LENGTH OF 67.61 FEET AND BEARING NORTH 28 DEGREES 09 MINUTES 43 SECONDS WEST, FOR AN ARC DISTANCE OF 70.66 FEET TO APOINT OF TANGENCY; THENCE NORTH 03 DEGREES 53 SECONDS WEST ALONG THE LAST MENTIONED EASTERLY RIGHT OF WAY LINE OF CUMNOR AVENUE, A DISTANCE OF 13.70 FEET; THENCE SOUTH 85 DEGREES 22 MINUTES 33 SECONDS WEST, A DISTANCE OF 200.20 FEET MORE OR LESS TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

Section Three: The Village President and Village Clerk are hereby authorized to execute the Plat of Annexation for 0N180 Cumnor Avenue, a reduced copy of which is attached hereto as Exhibit "B".

Section Four: The Village of Glen Ellyn Zoning Map shall be and is hereby amended to show the subject property as incorporated within the Village limits and the zoning classification of the property as R2 Residential zoning district.

Section Five: The Village Clerk shall be and is hereby authorized and directed to cause a certified copy of this Ordinance and the Plat of Annexation to be recorded in the Office of the DuPage County Recorder.

Section Six: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form, each in the manner provided by law.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois,
this ____ day of _____, 2012.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this ____
day of _____, 2012.

Village President of the
Village of Glen Ellyn, Illinois

Attest:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the ____ day of _____)

X:\Plandev\PLANNING\ANNEXATIONS\Cumnor Ave 0N180, Webb Voluntary\Ordinance
Annexation.doc

PLAT OF ANNEXATION

INTO THE VILLAGE OF GLEN ELLYN, ILLINOIS

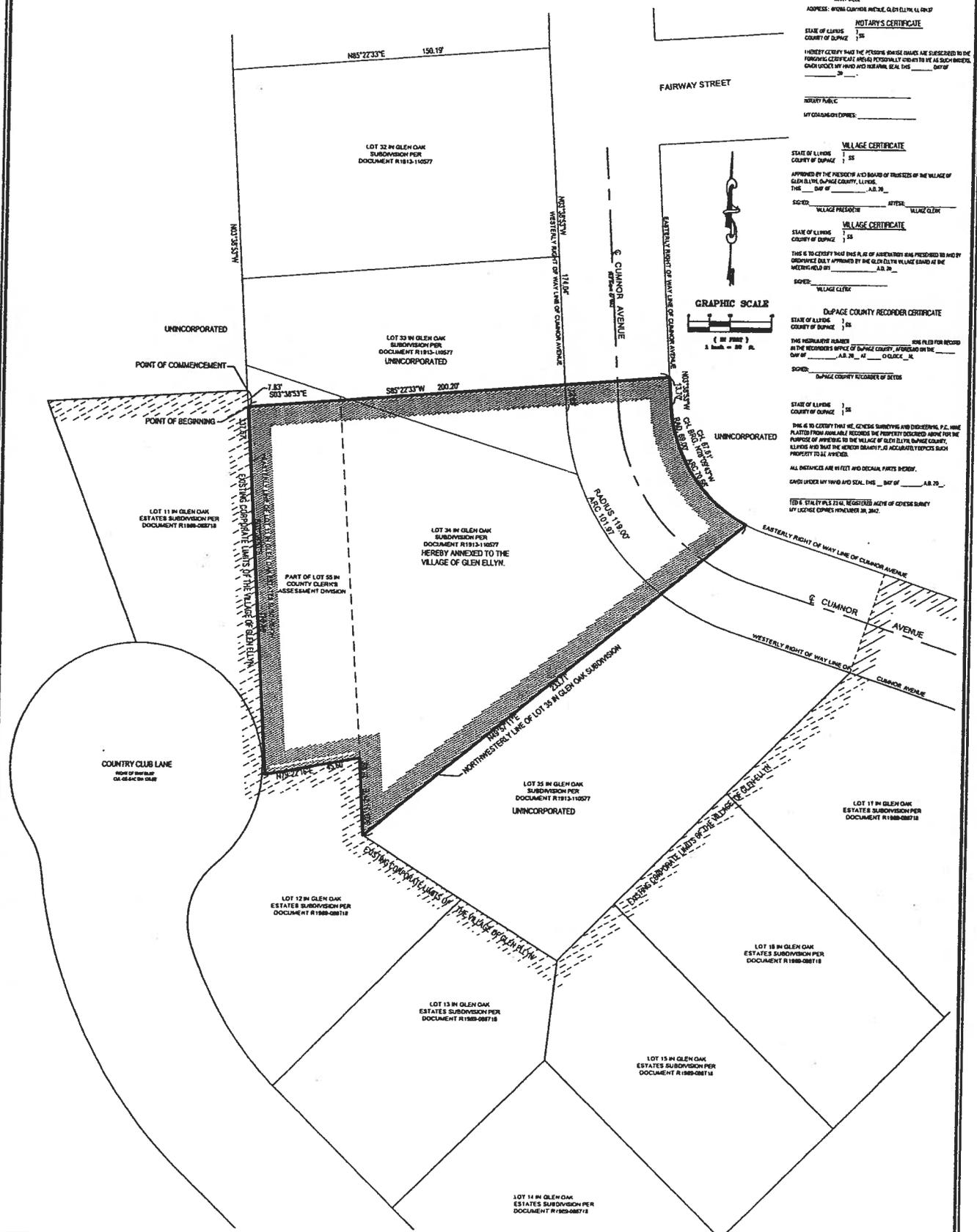
THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 18 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 11 IN GLEN OAK ESTATES SUBDIVISION AS RECORDED BY DOCUMENT NUMBER R 1889-088718; THENCE SOUTH 83 DEGREES 38 MINUTES 53 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 11, A DISTANCE OF 2.65 FEET TO THE POINT OF BEGINNING; THENCE COMPASSING ALONG SAID EAST LINE OF LOT 11, A DISTANCE OF 178.48 FEET TO THE MOST SOUTHEAST CORNER OF SAID LOT 11; SAID POINT ALSO LIES ON THE MOST NORTHERLY LINE OF LOT 12 IN THE ABOVE MENTIONED GLEN OAK ESTATES SUBDIVISION; THENCE NORTH 79 DEGREES 22 MINUTES 14 SECONDS EAST ALONG THE MOST NORTHERLY LINE OF LOT 12 IN SAID GLEN OAK ESTATES SUBDIVISION, A DISTANCE OF 44.00 FEET TO THE MOST NORTHEAST CORNER OF SAID LOT 12; THENCE SOUTH 83 MINUTES 53 SECONDS EAST ALONG THE MOST NORTHERLY LINE OF SAID LOT 12, A DISTANCE OF 36.98 FEET TO AN ANGLE POINT IN THE EASTERN LINE OF LOT 12 (SAID POINT BEING ALSO THE MOST NORTHEAST CORNER OF LOT 11 IN GLEN OAK SUBDIVISION AS RECORDED BY DOCUMENT NUMBER R 1813-110577); THENCE NORTH 49 DEGREES 27 MINUTES 11 SECONDS EAST ALONG THE MOST NORTHEAST LINE OF SAID LOT 12 AND THE EASTERN CURBLINE BEING A CURVE CONVEX TO THE NORTHEAST, HAVING A RADIUS OF 89.00 FEET AND SUBTENDING A CHORD WITH AN ALIGNMENT OF 67.61 FEET AND BEARING NORTH 28 DEGREES 07 MINUTES 43 SECONDS WEST, FOR AN ARC DISTANCE OF 70.86 FEET TO A POINT OF TANGENCY; THENCE NORTH 83 DEGREES 38 MINUTES 53 SECONDS EAST ALONG THE EASTERN LINE OF SAID LOT 12, A DISTANCE OF 15.70 FEET; THENCE SOUTH 83 DEGREES 38 MINUTES 53 SECONDS WEST, A DISTANCE OF 280.20 FEET MORE OR LESS TO THE POINT OF BEGINNING, ALL PLATFACE COUNTY, ILLINOIS.

OWNER'S CERTIFICATE
 STATE OF ILLINOIS)
 COUNTY OF DUPAGE)
 I, _____, OWNER OF THE ABOVE DESCRIBED REAL ESTATE, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED REAL ESTATE IS THE LEGAL AND ENTIRE INTEREST OF THE SAID OWNER AND THAT THE SAID REAL ESTATE IS NOT SUBJECT TO ANY MORTGAGE, DEED OF TRUST, EASEMENT, OR OTHER INTEREST OF ANY KIND, AND THAT THE SAID REAL ESTATE IS NOT SUBJECT TO ANY OTHER CLAIM OR INTEREST OF ANY KIND, AND THAT THE SAID REAL ESTATE IS NOT SUBJECT TO ANY OTHER CLAIM OR INTEREST OF ANY KIND, AND THAT THE SAID REAL ESTATE IS NOT SUBJECT TO ANY OTHER CLAIM OR INTEREST OF ANY KIND.

MAYOR'S CERTIFICATE
 STATE OF ILLINOIS)
 COUNTY OF DUPAGE)
 I, _____, MAYOR OF THE VILLAGE OF GLEN ELLYN, ILLINOIS, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED REAL ESTATE IS THE LEGAL AND ENTIRE INTEREST OF THE SAID OWNER AND THAT THE SAID REAL ESTATE IS NOT SUBJECT TO ANY MORTGAGE, DEED OF TRUST, EASEMENT, OR OTHER INTEREST OF ANY KIND, AND THAT THE SAID REAL ESTATE IS NOT SUBJECT TO ANY OTHER CLAIM OR INTEREST OF ANY KIND, AND THAT THE SAID REAL ESTATE IS NOT SUBJECT TO ANY OTHER CLAIM OR INTEREST OF ANY KIND.

VILLAGE CERTIFICATE
 STATE OF ILLINOIS)
 COUNTY OF DUPAGE)
 I, _____, PRESIDENT OF THE BOARD OF TRUSTEES OF THE VILLAGE OF GLEN ELLYN, ILLINOIS, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED REAL ESTATE IS THE LEGAL AND ENTIRE INTEREST OF THE SAID OWNER AND THAT THE SAID REAL ESTATE IS NOT SUBJECT TO ANY MORTGAGE, DEED OF TRUST, EASEMENT, OR OTHER INTEREST OF ANY KIND, AND THAT THE SAID REAL ESTATE IS NOT SUBJECT TO ANY OTHER CLAIM OR INTEREST OF ANY KIND, AND THAT THE SAID REAL ESTATE IS NOT SUBJECT TO ANY OTHER CLAIM OR INTEREST OF ANY KIND.

DUPAGE COUNTY RECORDER CERTIFICATE
 STATE OF ILLINOIS)
 COUNTY OF DUPAGE)
 I, _____, RECORDER OF DEEDS FOR THE COUNTY OF DUPAGE, ILLINOIS, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED REAL ESTATE IS THE LEGAL AND ENTIRE INTEREST OF THE SAID OWNER AND THAT THE SAID REAL ESTATE IS NOT SUBJECT TO ANY MORTGAGE, DEED OF TRUST, EASEMENT, OR OTHER INTEREST OF ANY KIND, AND THAT THE SAID REAL ESTATE IS NOT SUBJECT TO ANY OTHER CLAIM OR INTEREST OF ANY KIND, AND THAT THE SAID REAL ESTATE IS NOT SUBJECT TO ANY OTHER CLAIM OR INTEREST OF ANY KIND.



Genesis Surveying and Engineering, PC
 PROFESSIONAL DESIGN FIRM No. 164-002922
 71 W. 41st STREET
 WILMETT, ILLINOIS 60091
 PH: (630) 271-0500 FAX: (630) 271-1120

PLAT OF ANNEXATION TO
 THE VILLAGE OF GLEN ELLYN
 DUPAGE COUNTY, ILLINOIS

PLANS PREPARED FOR:
 MR. JOHN C. WEBB
 980 HILL STREET
 GLEN ELLYN, IL 60137
 DATE OF FIELD WORK COMPLETION: 07/28/2011

NO.	DATE	BY	DESCRIPTION
1	02-16-2011	TCS	VILLAGE COMMENTS DATED 01-16-2011
2			
3			
4			
5			

GENESIS JOB NO.
11-072
 ANNEXATION
 SHEET 1 OF 3

Exhibit "B"

PETITION FOR ANNEXATION VILLAGE OF GLEN ELLYN, ILLINOIS

TO THE GLEN ELLYN VILLAGE BOARD:

Petitioners on oath state as follows:

1. That the undersigned are the sole owners of record of all of the property described in Attachment A and commonly known as 0N180 Cumnoz Avenue and P.I.N. 05-12-313-017 (Subject Realty).
2. That this petition is executed by all of the owner(s) of record of the Subject Realty.
3. That no electors reside on the Subject Realty or, in the alternative, at least fifty-one percent (51%) of the electors residing on the Subject Realty have executed this petition.
4. That no portion of the property is within the corporate limits of any municipality.
5. That the Subject Property is either contiguous to the Village of Glen Ellyn, will be at the time of annexation, or may be contiguous when combined with other property annexing to the Village of Glen Ellyn.
6. That the property which the Petitioners desire to have annexed to the Village of Glen Ellyn is the property that is described in Attachment A attached hereto and made a part hereof.
7. That this Petition shall be in full force and effect from and after the date hereof and until the property is annexed to the Village of Glen Ellyn in agreement with State Law.

WHEREFORE, the applicants' petition that the property be annexed by ordinance to the Village of Glen Ellyn, Illinois, is in accordance with the appropriate statutes.

The undersigned, on oath, state that the undersigned have read the foregoing Petition for Annexation, have knowledge of the allegations contained therein, and that said allegations are true and correct to the best of the petitioners' knowledge.

Owners of Record of Subject Property:

Signature: [Signature]
Print Name: John Webb
Date: 8-31-11

Subscribed and sworn to before me this 31st day of August, 2011
[Signature]
NOTARY PUBLIC



Signature: _____
Print Name: _____
Date: _____

Subscribed and sworn to before me this _____ day of _____, 20____

NOTARY PUBLIC

Signature: _____
Print Name: _____
Date: _____

Subscribed and sworn to before me this _____ day of _____, 20____

NOTARY PUBLIC

Resolution No. _____

**Resolution Accepting a Public Utility and Drainage Easement
on Property Located at 498 Country Club Lane**

Whereas, John Webb, owner of the property located at 498 Country Club Lane (hereinafter “Property”), plans to construct a new single-family home on the site; and

Whereas, in order to accommodate the construction of a home on the Property, the owner has agreed to grant the Village and those utility companies with franchise agreements with the Village, public utility and drainage easements along the northern, southern and eastern property lines of the Property; and

Whereas, the petitioner has prepared a Plat of Resubdivision for 498 Country Club Lane which dedicates the aforementioned public utility and drainage easements to the Village, a copy of which Plat is attached hereto as Exhibit “A”; and

Whereas, the aforementioned easements dedicated on the Plat of Resubdivision grant the Village, and utility companies with franchise agreements with the Village, the right to access the Property to construct, repair and maintain utilities on the site; and

Whereas, the Village of Glen Ellyn finds that it is in the interest of the Village to accept the public utility and drainage easements as shown on the attached Plat of Resubdivision.

Now, Therefore, be it Ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers, as follows:

Section One: Based on the findings and conclusions set forth in the above preambles, the Village of Glen Ellyn hereby accepts the public utility and drainage easements as shown on the Plat of Resubdivision for 498 Country Club Lane prepared by Genesis Surveying and Engineering, PC revised February 20, 2012, a copy of which is attached hereto as Exhibit “A”.

Section Two: The Village Clerk shall cause this Resolution and the Plat of Resubdivision to be recorded with the DuPage County Recorder of Deeds.

Section Three: This Resolution shall be in full force and effect from and after the passage and approval.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this ____ day of _____, 2012.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this ____ day of _____, 20 ____.

Village President of the Village
of Glen Ellyn, Illinois

Attest:

Village Clerk of the Village of
Glen Ellyn, Illinois

(Published in pamphlet form and posted on the ____ day of _____, 20 ____.)

X:\Plandev\PLANNING\ANNEXATIONS\Cumnor Ave 0N180, Webb Voluntary\Resolution Accepting Easements.doc

WEBB'S GLEN OAK RESUBDIVISION

OF PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 39
NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

BEARINGS SHOWN HEREON ARE SHOWN FOR
REFERENCE AND ARE TO BE USED FOR
DETERMINATION OF INTERIOR ANGLES ONLY.

PUBLIC UTILITIES AND DRAINAGE EASEMENT PROVISIONS

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF GLEN ELLYN, ILLINOIS AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE VILLAGE OF GLEN ELLYN, INCLUDING, BUT NOT LIMITED TO COMMERCIAL HEALTH EDISON COMPANY, A.T. & T. NORTHERN ILLINOIS GAS COMPANY AND THEIR SUCCESSORS AND ASSIGNS, OVER ALL OF THE AREAS MARKED "PUBLIC UTILITIES AND DRAINAGE EASEMENT" OR "P.U.D.E." ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO SURVEY, CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE YARDWIDE UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS, COMMUNITY ANTENNA TELEVISION SYSTEMS AND INCLUDING WATER MAIN, STORM AND/OR SANITARY SEWERS, TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CATCH BASINS, CONNECTIONS, APPLIANCES AND OTHER STRUCTURES AND APPLIANCES AS MAY BE DEEMED NECESSARY BY SAID CITY, OVER, UPON, UNDER AND THROUGH SAID INDICATED EASEMENTS TOGETHER WITH RIGHT OF ACCESS ACROSS THE GRANTORS PROPERTY FOR NECESSARY MEN AND EQUIPMENT TO DO ANY OF THE ABOVE WORK.

THE RIGHT IS ALSO GRANTED TO TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENTS THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES AND PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID UTILITIES OR RIGHTS. WHERE AN EASEMENT IS USED BOTH FOR WATER MAINS OR SEWERS AND OTHER UTILITIES, THE OTHER UTILITY INSTALLATION SHALL BE SUBJECT TO THE ORDINANCES OF THE VILLAGE OF GLEN ELLYN.

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF GLEN ELLYN AND OTHER GOVERNMENTAL AUTHORITIES HAVING JURISDICTION OF THE LAND SUBDIVIDED HEREON, OVER THE ENTIRE EASEMENT AREA FOR INGRESS, EGRESS AND THE PERFORMANCE OF MUNICIPAL AND OTHER GOVERNMENTAL SERVICES, INCLUDING WATER, STORM AND SANITARY SEWER SERVICE AND MAINTENANCE.

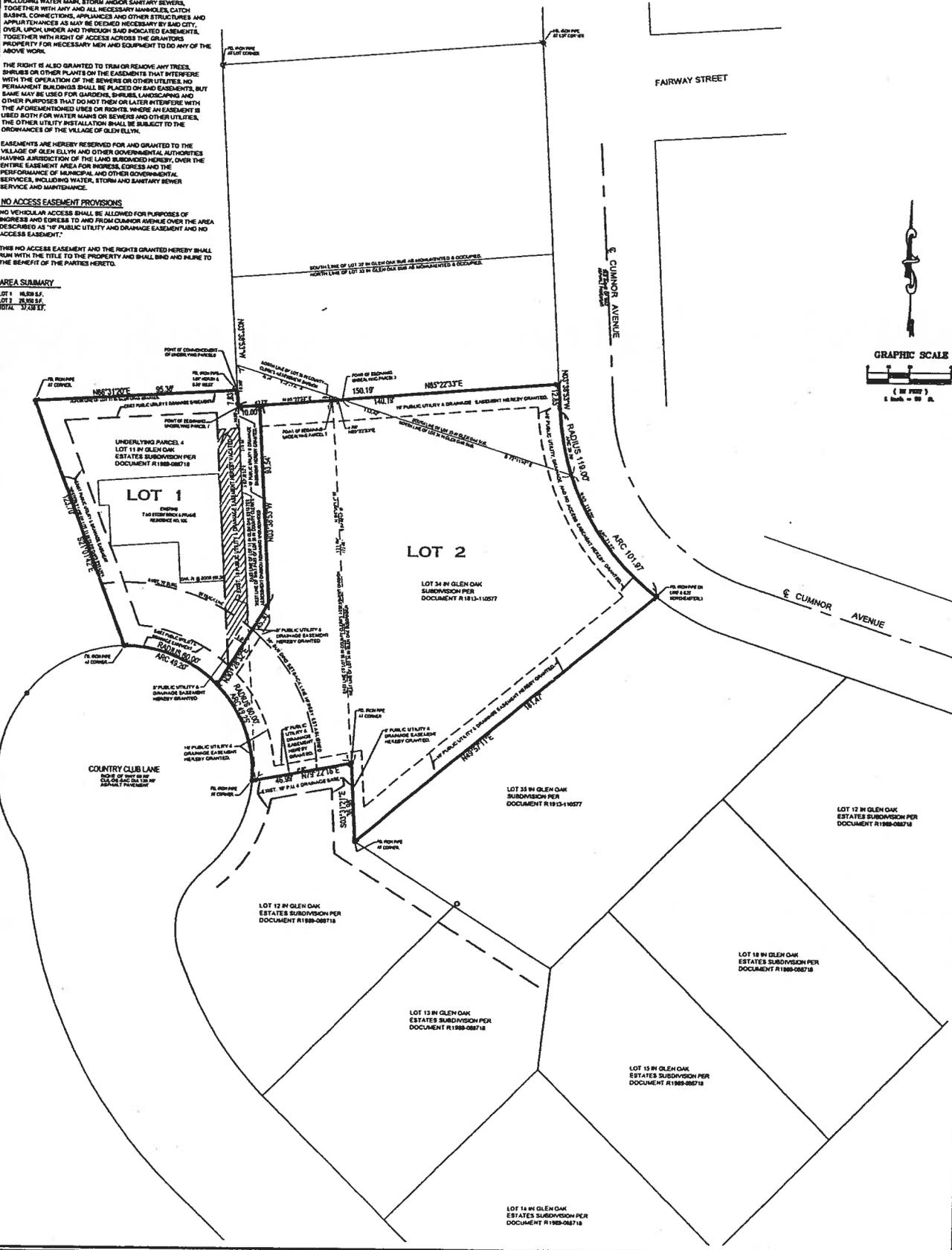
NO ACCESS EASEMENT PROVISIONS

NO VEHICULAR ACCESS SHALL BE ALLOWED FOR PURPOSES OF INGRESS AND EGRESS TO AND FROM CUMNOR AVENUE OVER THE AREA DESCRIBED AS "IF PUBLIC UTILITY AND DRAINAGE EASEMENT AND NO ACCESS EASEMENT".

THIS NO ACCESS EASEMENT AND THE RIGHTS GRANTED HEREBY SHALL RUN WITH THE TITLE TO THE PROPERTY AND SHALL BIND AND INURE TO THE BENEFIT OF THE PARTIES HERETO.

AREA SUMMARY

LOT 1 10,800 SF.
LOT 2 30,000 SF.
TOTAL 40,800 SF.



Genesis Surveying and Engineering, PC
PROFESSIONAL DESIGN FIRM No. 154-002922
1721 FOUNTAIN VILLAGE, DEERFIELD, ILLINOIS 60015
PH: 847-271-9630 FAX: 847-271-6620

**WEBB'S GLEN OAK
RESUBDIVISION**
DUPAGE COUNTY, ILLINOIS

PLANS PREPARED FOR
MR. JOHN C. WEBB
960 HILL STREET
GLEN ELLYN, IL 60137
DATE OF FIELD WORK COMPLETION: 07-28-2011

NO.	DATE	BY	DESCRIPTION
1	11-28-2011	TCS	VILLAGE COMMENTS DATED 11-28-2011
2	03-26-11	TCS	VILLAGE COMMENTS DATED 03-16-2011

GENESIS JOB NO.
11-072
PLAT OF SUB
SHEET 1 OF 2

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Director Planning & Development
 Joe Kvapil, Building and Zoning Official

DATE: March 5, 2012

RE: March 12, 2012 Village Board Meeting
 Zoning Variation Request for 567 Lake Road




Background

The property owners, Tom and Katherine Condon, are requesting approval of seven variation from the Glen Ellyn Zoning Code to allow the construction of an addition, alterations, a raised patio and two driveway approaches to the existing home as follows:

1. Section 10-4-1(N)1 to construct two new dormer additions which have front yard setbacks of 8 feet and 22 feet in lieu of the minimum required front yard setback of 25 feet.
2. Section 10-5-5(B)4 Table item 4 to construct three new balconies which have front yard setbacks of 5 feet, 13 feet and 21 feet in lieu of the minimum required front yard setback of 30 feet.
3. Section 10-5-5(B)4 Table item 8 to construct a new fireplace chimney which has a front yard setback of 9 feet in lieu of the minimum required front yard setback of 28 feet.
4. Section 10-5-5(B)4 Table item 29 to construct an outdoor fireplace which has a front yard setback of 22 feet in lieu of the minimum required front yard setback of 30 feet.
5. Section 10-5-5(B)4 Table item 33 to construct an exterior stair 4 feet 6 inches in height in lieu of the maximum permitted height of 4 feet in a corner side yard setback.
6. Section 10-5-5(B)4 Table item 36 to construct a raised patio averaging over 3 feet above the adjacent grade in lieu of the maximum permitted height averaging less than 3 feet above grade.
7. Section 10-5-11(B)2 to construct two driveway approaches in lieu of one driveway approach permitted on intersecting streets on a through corner lot.

The subject property is a corner through lot located on the north side of Crescent Boulevard in the R2 Residential District. Notice of the public hearing was published in the Daily Herald on February 1, 2012. The Zoning Board of Appeals conducted a public hearing on the requested variation on Thursday, February 16, 2012. At the meeting, one person spoke in favor of and no persons spoke in opposition to the variation request.

Issues

These variations are associated with a significant addition and other alterations to the existing house that comply with the Zoning regulations. This is an unusual corner through lot with front and corner side yard setbacks applicable on the three sides that front on the adjacent streets. A

through lot has no rear yard and the yards fronting on Lake Road and Crescent Boulevard are both considered front yards. In addition, this corner through lot is existing nonconforming since it does not meet the minimum required lot width or front yard setback on Lake Road. Also, the lot slopes steeply down to the northwest and the home is positioned closer to the north end of the lot. These unique conditions result in the requested variations to complete the proposed additions and alterations to this property.

The Zoning Board of Appeals was in favor of the variations for the additions and alterations because they felt that there are practical difficulties or particular hardships in the application of the Zoning Code regulations to the unique characteristics of the lot and the position of the home on the lot. The Zoning Board of Appeals was in favor of the variation for the second driveway approach because they felt that there are practical difficulties and traffic and pedestrian safety considerations with only one driveway approach from either Crescent Boulevard or Lake Road since significant Glenbard West High School vehicle traffic, pedestrian traffic and special events impact these roads in this immediate area.

Recommendation

The Zoning Board of Appeals voted on two motions, one relating to the variation requests for the additions and alteration work on the home and a second motion relating to the variation request for a second driveway approach. The Zoning Board of Appeals recommended approval of variation requests 1 through 6 which carried with six (6) “yes” votes and one (1) “no” vote. The Zoning Board of Appeals recommended approval of variation request 7 which carried with four (4) “yes” votes and three (3) “no” votes. In accordance with this recommendation staff has prepared an ordinance to **approve** the requested variations.

Action Requested

It is requested that the Village Board consider the petitioners' request, the recommendation offered by the Zoning Board of Appeals, and any further evidence or testimony presented at the Village Board Meeting and grant, deny or amend the variation request.

Attachments

- Minutes of ZBA meeting dated February 16, 2012
- Photo of the Subject Property
- Location Map
- Ordinance
- Notice of Public Hearing
- List of Addresses
- Petitioners' Application packet
- Petition signatures in support of the variation request dated 2/15/12
- Letter in support of the variation request dated 2/3/12

CC: Tom and Katherine Condon

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DRAFT
ZONING BOARD OF APPEALS
MINUTES
FEBRUARY 16, 2012

The meeting was called to order by Chairman Richard Garrity at 7:32 p.m. Board Members Gregory Constantino, Gary Fasules, Barbara Fried, Edward Kolar, Mary Ozog, Dale Siligmuller and Piotr Szczesniewski were present. Also present were Trustee Liaison Peter Cooper, Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Chairman Garrity described the proceedings of the Zoning Board of Appeals. He also introduced new ZBA member Piotr Szczesniewski who is a College of DuPage student.

Board Member Fried moved, seconded by Board Member Kolar, to approve the minutes of the January 10, 2012 Zoning Board of Appeals meeting. The motion carried unanimously by voice vote.

One public hearing was on the agenda for the property at 567 Lake Road.

PUBLIC HEARING – 567 LAKE ROAD

A REQUEST FOR APPROVAL OF A SEVEN (7) VARIATIONS FROM THE GLEN ELLYN ZONING CODE AS FOLLOWS: 1. SECTION 10-4-1(N)1 TO CONSTRUCT TWO NEW DORMER ADDITIONS WHICH HAVE FRONT YARD SETBACKS OF 8 FEET AND 22 FEET IN LIEU OF THE MINIMUM REQUIRED FRONT YARD SETBACK OF 25 FEET. 2. SECTION 10-5-5(B)4, TABLE ITEM 4, TO CONSTRUCT THREE NEW BALCONIES WHICH HAVE FRONT YARD SETBACKS OF 5 FEET, 13 FEET AND 21 FEET IN LIEU OF THE MINIMUM REQUIRED FRONT YARD SETBACK OF 30 FEET. 3. SECTION 10-5-5(B)4, TABLE ITEM 8, TO CONSTRUCT A NEW FIREPLACE CHIMNEY WHICH HAS A FRONT YARD SETBACK OF 9 FEET IN LIEU OF THE MINIMUM REQUIRED FRONT YARD SETBACK OF 28 FEET. 4. SECTION 10-5-5(B)4, TABLE ITEM 29, TO CONSTRUCT AN OUTDOOR FIREPLACE WHICH HAS A FRONT YARD SETBACK OF 22 FEET IN LIEU OF THE MINIMUM REQUIRED FRONT YARD SETBACK OF 30 FEET. 5. SECTION 10-5-5(B)4, TABLE ITEM 33, TO CONSTRUCT AN EXTERIOR STAIR 4 FEET 6 INCHES IN HEIGHT IN LIEU OF THE MAXIMUM PERMITTED HEIGHT OF 4 FEET IN A CORNER SIDE YARD SETBACK. 6. SECTION 10-5-5(B)4, TABLE ITEM 36, TO CONSTRUCT A RAISED PATIO AVERAGEING OVER 3 FEET ABOVE THE ADJACENT GRADE IN LIEU OF THE MAXIMUM PERMITTED HEIGHT AVERAGEING LESS THAN 3 FEET ABOVE GRADE. 7. SECTION 10-5-11(B)2 TO CONSTRUCT TWO DRIVEWAY APPROACHES IN LIEU OF ONE DRIVEWAY APPROACH PERMITTED ON INTERSECTING STREETS ON A THROUGH CORNER LOT.

Staff Report

Building and Zoning Official Joe Kvapil stated that Tom and Katherine Condon, the owners of 567 Lake Road, are requesting seven (7) variations from the Glen Ellyn Zoning Code and he displayed a photo of the subject property. Mr. Kvapil also displayed an existing site plan of the existing house.

Mr. Kvapil stated that the requested variations include front yard setback requirements for dormers, balconies, a fireplace chimney and an outdoor fireplace, a maximum height requirement variation for the exterior stair and a raised patio, and a variation request for two street approaches to the subject lot. He stated that the subject property is in the R2 zoning district. The property is defined as a corner through lot on the north side of Crescent Boulevard and the zoning and land use to the north and south are Conservation Recreation including Lake Ellyn Park. R2 Residential zoning is located to the east and west and includes Glenbard West High School. Mr. Kvapil stated that the subject lot is unusual because it is a through lot and a corner lot. He explained that the through lot has two front property lines and no rear lot. He added that both ends of the lot are considered front yards and must comply with the front yard requirements in the zoning code.

Mr. Kvapil stated that a letter in support of the subject variation requests was received by the owners of 682 Crescent Boulevard and a home at 680 Crescent Boulevard is currently under construction.

Mr. Kvapil stated that no zoning variations have been granted for the subject property in the past and that two additions have been granted on the subject house. He stated that the existing house is two stories with an attached garage and a detached garage. He added that there are several raised deck balconies and patios around the exterior of the home and he showed various photographs of these amenities at the house. Mr. Kvapil stated that the owners are proposing to construct two additions to the subject home—one in the northwest corner and a second addition to the south. The existing attic space is also proposed to be improved with third floor living space and alterations will be made to the patios, steps and balconies on the exterior of the home. Mr. Kvapil stated that the additions apply to all the current zoning setbacks, the home is in compliance with the maximum permitted lot coverage area and the variations are associated with the patios, balconies and dormer improvements that are proposed for the home.

Mr. Kvapil displayed drawings of the subject site regarding variations being requested by the petitioners. He stated that a variation is being requested to Section 10-4-1(N)1 to construct two new dormer additions which have front yard setbacks of 8 feet and 22 feet in lieu of the minimum required front yard setback of 25 feet. A variation is being requested to Section 10-5-5(B)4, Table Item 4, to construct three new balconies that have front yard setbacks of 5 feet, 13 feet and 21 feet in lieu of the minimum required front yard setback of 30 feet. A variation is also being requested to Section 10-5-5(B)4, Table Item 8, to construct a new fireplace chimney which has a front yard setback of 9 feet in lieu of the minimum required front yard setback of 28 feet. A variation is being requested to Section 10-5-5(B)4, Table Item 29, to construct an outdoor fireplace which

has a front yard setback of 22 feet in lieu of the minimum required front yard setback of 30 feet. A variation to Section 10-5-5(B)4, Table Item 33, to construct an exterior stair 4 feet 6 inches in height in lieu of the maximum permitted height of 4 feet in a corner side yard setback. Mr. Kvapil explained that according to the elevations that are indicated in the plan, the actual height of the top of the stair from the existing grade is approximately 4 feet 6 inches and exceeds the maximum height by 6 inches. A variation to Section 10-5-5(B)4, Table Item 36, to construct a raised patio averaging over 3 feet above the adjacent grade in lieu of the maximum permitted height averaging less than 3 feet above grade. Mr. Kvapil responded to Board Member Fried that the patio will be 7-1/2 feet above the grade at the highest point. A variation to Section 10-5-11(B)2 to construct two driveway approaches in lieu of one driveway approach permitted on intersecting streets on a through corner lot. Mr. Kvapil added that the existing driveway approach is accessed off of Crescent Boulevard and the proposed second approach is off of Lake Road. A minimum lot width of 132 feet is required for two driveway approaches and the lot width of the subject property is 70 feet.

Petitioners' Presentation

Tom and Katherine Condon of 567 Lake Road and Daniel J. (Jamie) Simoneit, Architect, Z + O Architects, 504 Hillside Avenue, Glen Ellyn, Illinois were present to speak on behalf of the variation requests.

Mr. Simoneit displayed photographs of the subject home which he believes was built in the 1920's or 1930's before the code was written. He indicated an addition built in the 1960's which changed the style of the home. Mr. Simoneit stated that the petitioners now would like to restore and rehab the subject home and he described the proposed improvements. Mr. Simoneit stated that the square footage of the home will be doubled as the original design was a 2-car garage.

Mr. Simoneit stated that three variations being requested relate to modification of existing nonconforming structures and that no square footage is being added to the nonconforming portion with the exception of the chimney footprint. Mr. Simoneit displayed a 3D model and described some of the proposed improvements. He added that the house has no attached garage, however, a 3-car attached garage is proposed. Mr. Simoneit pointed out the grade on the site which dramatically falls off down the hill. A rear porch will be removed and three balconies will be added off the family room area. Mr. Simoneit added that they would like to return the hill to its natural slope. Mr. Simoneit added that an additional driveway apron is being requested because of the traffic on Crescent Boulevard which makes it difficult to back out onto Crescent Boulevard. Mr. Simoneit added that only one tree will be removed during the construction process.

Mr. Condon stated he grew up in Glen Ellyn and loves the location of their home near the high school and Lake Ellyn. Ms. Condon added that she would like to make her home special.

ZBA Member Kolar asked what the hardships were regarding the fire pit and the driveway. Mr. Simoneit responded that the hardship regarding the fire pit is that there is no rear yard in which it can be located. He added that the driveway is necessary for safety reasons because students often walk along Lake Road. Mr. Simoneit responded to ZBA Member Kolar that the paved area for the 3-car garage plus the passway is 42 feet wide. Mr. Kvapil stated that a stormwater permit is required for the subject project.

Ms. Condon distributed a petition signed by 11 of their neighbors who are in support of this project.

Responses to Questions from the ZBA

ZBA Member Constantino asked if the average height that exceeds 3 feet over the adjacent grade occurs because of the severe slope of the lot, and Mr. Kvapil responded that the lot has a significant slope toward the northwest and there is an 8-foot difference in elevation of the grade from the base of a raised patio to the curb. Mr. Kvapil responded to ZBA Member Constantino that the height would generally be the same as currently exists. Mr. Kvapil added that the slope continues to the east on the subject lot, and the proposed plans accommodate the slope on the lot. Mr. Kvapil responded to ZBA Member Fried that the stormwater run-off and drainage patterns will be the same as they previously were and, in fact, may be improved as the plans were reviewed by a stormwater engineer for compliance with the DuPage County Stormwater Ordinance. Mr. Kvapil responded to ZBA Member Siligmuller that the corner property between the lot line and the street that is not part of the subject property is owned by the Village. Mr. Kvapil added that he was unable to locate information as to why the street and property lines do not correspond at that location. Mr. Kvapil added that Village Engineer Bob Minix has stated there are some unusual conditions on Lake Road and the Village has no plans currently to correct that intersection. Mr. Kvapil responded to ZBA Member Kolar that no lot coverage or impervious surface variations are required for the subject site.

Mr. Kvapil responded to ZBA Member Fried that a condition added to the subject request allowing any other zoning relief necessary for the subject project has been added to avoid possible re-publication. Mr. Kvapil also responded to ZBA Member Kolar that the subject project is not being coordinated with the high school.

Persons in Favor of or in Opposition to the Petition

Thomas L. Whalls, 680 Crescent Boulevard and 949 Oxford, was very much in favor of the subject variation requests. He stated he and Jamie Simoneit have worked with the petitioners and Village employees to improve both of their sites regarding drainage and sanitary sewer issues.

Comments from the ZBA

ZBA Member Constantino was in favor of all of the zoning variations regarding the subject property. He noted that practical difficulties and hardships related to the site

include the severe slope of the lot, the lot size, the through lot that creates two front yards and two setbacks, and the unique traffic pattern involving Crescent Boulevard and the high school activities. ZBA Member Constantino added that the homeowners are addressing repairs and upgrades to a house that is very old and deteriorated. He also was supportive of a second driveway apron on Lake Road as requested by the petitioners. ZBA Member Constantino added that the subject site will be highly visible and a great improvement near the school in town. ZBA Member Siligmuller was supportive of the variation requests with the exception of the request for construction of a second driveway as he felt no hardship or practical difficulty existed. Board Member Fasules supported the first six variations as he felt hardships existed but did not feel hardships existed regarding a second driveway on the site. Board Member Fried supported all of the variation requests and felt that not having a second driveway is a safety issue. Board Member Kolar had no problem with Variations 1, 2, 5 and 6 but did not feel a fire pit was necessary. He was also opposed to two driveways on the nonconforming site. He added that the size of a family is not a zoning issue. ZBA Member Ozog was in favor of all of the variation requests and felt that two driveways was acceptable because of the number of school children in the area. ZBA Member Szczesniewski was supportive of the variation requests. Chairman Garrity also was supportive of the variation requests, including the driveway turnaround.

Motion

Two motions were made—one motion on Variations 1 through 6 and one motion on Variation 7.

ZBA Member Fried moved, seconded by ZBA Member Fasules, to recommend approval of variations 1 through 6. She stated that there are a number of unique circumstances at the site, the lot is a through lot with no back yard, there are two front yards and no back yard for a fireplace, and the location of the home on the lot is a hardship.

The motion carried with six (6) “yes” votes and one (1) “no” vote as follows: ZBA Members Fried, Fasules, Constantino, Ozog, Siligmuller and Chairman Garrity voted yes; ZBA Member Kolar voted no.

ZBA Member Fried moved, seconded by ZBA Member Ozog, to recommend approval of variation 7 to construct two driveway approaches in lieu of one allowed as a safety issue exists.

The motion carried with four (4) “yes” votes and three (3) “no” votes as follows: ZBA Members Fried, Ozog, Constantino and Chairman Garrity voted yes; ZBA Members Fasules, Kolar and Siligmuller voted no.

ZBA Member Report

ZBA Member Ozog resigned from the ZBA and read a statement to that effect.

Trustee Report

Trustee Cooper updated the ZBA regarding Memorial Field and the downtown TIF District. Trustee Cooper also stated that the Village has reached an agreement with College of DuPage which included keeping COD in the Village but have the County regulate the projects.

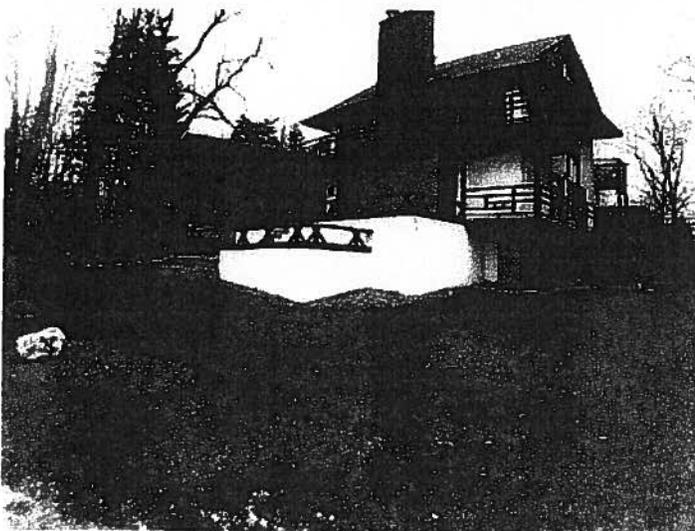
Staff Report

Mr. Kvpil updated the ZBA members regarding the next meeting and stated that the March 13, 2012 meeting will be cancelled.

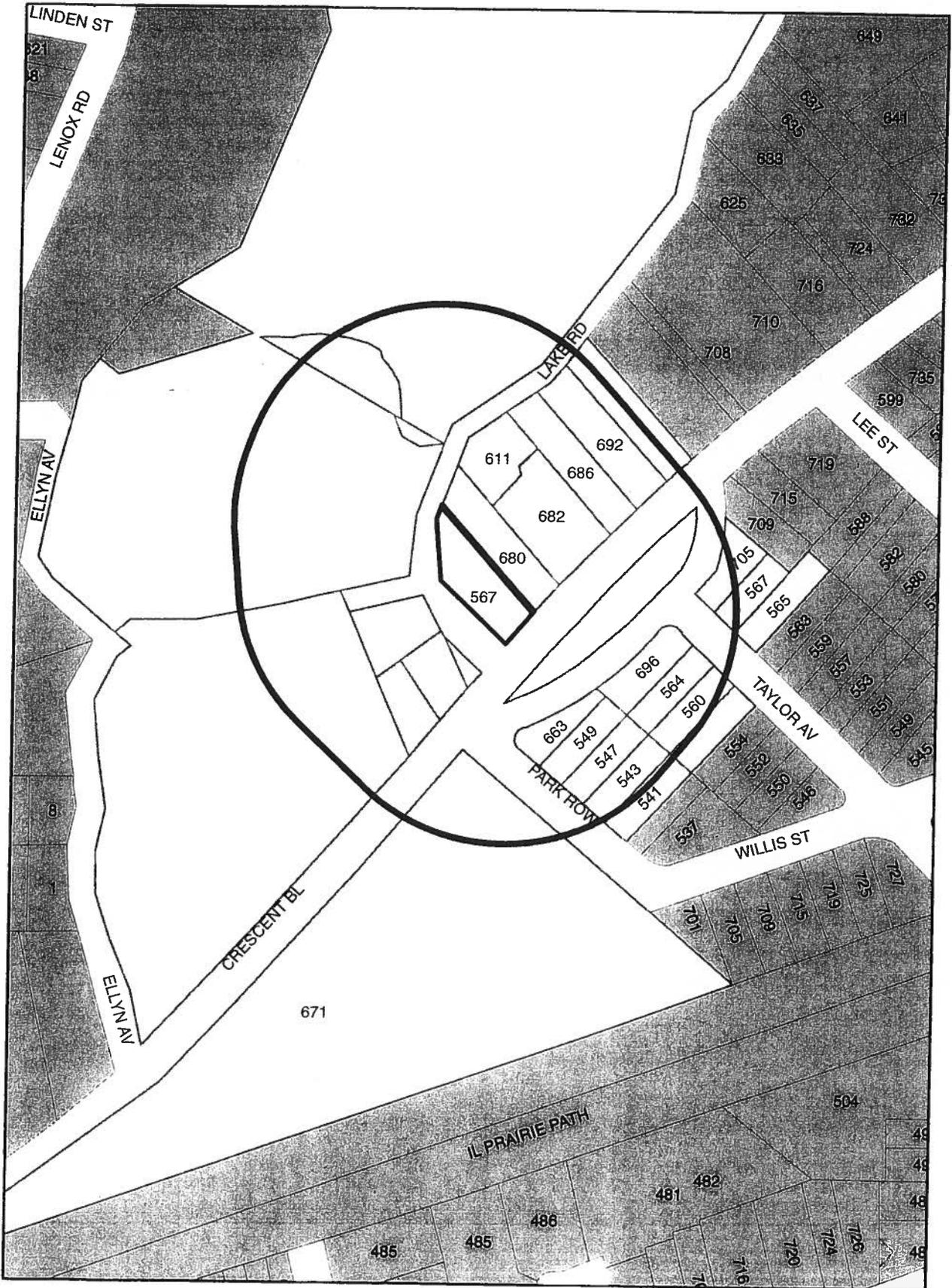
There being no further business before the Zoning Board of Appeals, the meeting was adjourned at 9:13 p.m.

Submitted by:
Barbara Utterback
Recording Secretary

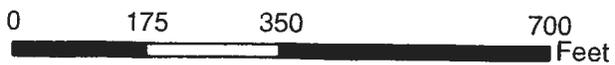
Reviewed by:
Joe Kvpil
Building & Zoning Official



567 Lake Road



Prepared By: Planning and Development
Date Prepared: January 19, 2012



Village of Glen Ellyn

Ordinance No. _____

**An Ordinance Approving Seven Variations from the
Front Yard Setback, Accessory Structure Height and
Driveway Approach Requirements of the Zoning Code
To Allow Additions, Alterations and a Second Driveway Approach for
Property at 567 Lake Road
Glen Ellyn, IL 60137**

**Adopted by the
President and Board of Trustees
Of the Village of Glen Ellyn
DuPage County, Illinois
this _____ day of _____, 20_____.**

Published in pamphlet form by the authority of the
President and Board of Trustees of the Village of
Glen Ellyn, DuPage County, Illinois, this _____
day of _____, 20_____.

Ordinance No. _____

**An Ordinance Approving Seven Variations from the
Front Yard Setback, Accessory Structure Height and
Driveway Approach Requirements of the Zoning Code
To Allow Additions, Alterations and a Second Driveway Approach for
Property at 567 Lake Road
Glen Ellyn, IL 60137**

Whereas, Tom and Katherine Condon, owners of the property at 5567 Lake Road, Glen Ellyn, Illinois, which is legally described as follows:

Lot 1 and the westerly 2.55 feet of Lot 2 in Lorac Builder's Resubdivision of part of Lots 10 and 11 in John A. Brown's Addition to Glen Ellyn, being a subdivision in the east half of Section 11, Township 39 North, Range 10 east of the Third Principal Meridian, according to the Plat of said Lorac Builder's Resubdivision recorded July 2, 1962 as document R62-21315 and certificate of correction recorded September 15, 1964 as document R64-34498, in DuPage County, Illinois.

P.I.N.: 05-11-404-002

have petitioned the President and Board of Trustees of the Village of Glen Ellyn for variations from the Glen Ellyn Zoning Code as follows:

1. Section 10-4-1(N)1 to construct two new dormer additions which have front yard setbacks of 8 feet and 22 feet in lieu of the minimum required front yard setback of 25 feet.
2. Section 10-5-5(B)4 Table item 4 to construct three new balconies which have front yard setbacks of 5 feet, 13 feet and 21 feet in lieu of the minimum required front yard setback of 30 feet.
3. Section 10-5-5(B)4 Table item 8 to construct a new fireplace chimney which has a front yard setback of 9 feet in lieu of the minimum required front yard setback of 28 feet.
4. Section 10-5-5(B)4 Table item 29 to construct an outdoor fireplace which has a front yard setback of 22 feet in lieu of the minimum required front yard setback of 30 feet.
5. Section 10-5-5(B)4 Table item 33 to construct an exterior stair 4 feet 6 inches in

height in lieu of the maximum permitted height of 4 feet in a corner side yard setback.

6. Section 10-5-5(B)4 Table item 36 to construct a raised patio averaging over 3 feet above the adjacent grade in lieu of the maximum permitted height averaging less than 3 feet above grade.

7. Section 10-5-11(B)2 to construct two driveway approaches in lieu of one driveway approach permitted on intersecting streets.

Whereas, following due notice by publication in the Daily Herald not less than fifteen (15) nor more than thirty (30) days prior thereto, and by mailing notice to all property owners within 250 feet of the subject property at least ten (10) days prior thereto, and following the placement of a placard on the subject property not less than fifteen (15) days prior thereto, the Glen Ellyn Zoning Board of Appeals conducted a public hearing on February 16, 2012, at which the petitioners presented evidence, testimony, and exhibits in support of the variation requests and one person appeared in favor of the variations and no persons appeared in opposition thereto; and

Whereas, based upon the evidence, testimony, and exhibits presented at the public hearing on February 16, 2012, the Zoning Board of Appeals adopted findings of fact and voted on two motions as follows:

1. A motion to approve the Variation to Section 10-4-1(N)1 to construct two new dormer additions which have front yard setbacks of 8 feet and 22 feet in lieu of the minimum required front yard setback of 25 feet, and Section 10-5-5(B)4 Table item 4 to construct three new balconies which have front yard setbacks of 5 feet, 13 feet and 21 feet in lieu of the minimum required front yard setback of 30 feet, and Section 10-5-5(B)4 Table item 8 to construct a new fireplace chimney which has a front yard setback of 9 feet in lieu of the minimum required front yard setback of 28 feet, and Section 10-5-5(B)4 Table item 29 to construct an outdoor fireplace which has a front yard setback of 22 feet in lieu of the minimum required front yard setback of 30 feet, and Section 10-5-5(B)4 Table item 33 to construct an exterior stair 4 feet 6 inches in height in lieu of the maximum permitted height of 4 feet in a corner side yard setback, and Section 10-5-5(B)4 Table item 36 to construct a raised patio averaging over 3 feet above the adjacent grade in lieu of the maximum permitted height averaging less than 3 feet above grade.

which carried by a vote of six (6) “yes” and one (1) “no,” resulting in a recommendation for approval as set forth in its draft Minutes dated February 16, 2012, appended hereto as Exhibit "A"; and

2. A motion to approve the Variation to Section 10-5-11(B)2 to construct two driveway approaches in lieu of one driveway approach permitted on intersecting streets on a corner through lot.

which carried by a vote of four (4) “yes” and three (3) “no,” resulting in a recommendation for approval as set forth in its draft Minutes dated February 16, 2012, appended hereto as Exhibit "A"; and

Whereas, the President and Board of Trustees have reviewed the exhibits and evidence presented at the aforementioned public hearing and have considered the findings of fact and recommendations of the Zoning Board of Appeals; and

Whereas, the President and Board of Trustees make the following findings of fact:

A. That the plight of the owner is due to unique circumstances since this is an unusual corner through lot with front and corner side yard setbacks applicable on the three sides that front on the adjacent streets. A through lot has no rear yard, and the yards fronting on Lake Road and Crescent Boulevard are both considered front yards with more restrictive provisions than rear yards. In addition, this corner through lot is existing nonconforming since it does not meet the minimum required lot width or front yard setback on Lake Road. Also, the lot slopes steeply down to the northwest and the home is positioned closer to the north end of the lot;

B. That the variations, if granted, will not alter the essential character of the locality since these variations are typical residential improvements and have been architecturally integrated into the proposed significant additions and alterations to the existing home;

C. That the particular physical surroundings, shape or topographical condition of the specific property involved would bring practical difficulty or particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out since there are traffic and pedestrian safety considerations with only one driveway approach from either Crescent Boulevard or Lake Road resulting from significant Glenbard West High School vehicle traffic, pedestrian traffic and special events impacting these roads in this immediate area;

D. That the conditions upon which the variations are based would not be applicable generally to other property within the same zoning district since a corner through lot, nonconforming lot width, position of the home on the lot, and steeply sloping lot are unusual and unique characteristics of this property;

E. That the purpose of the variations is not based exclusively upon a desire to make more money out of the property since the owners do not intend to move from or sell the property in the near future;

F. That the practical difficulty or particular hardship has not been created by any persons presently having an interest in the property since the unusual and unique property conditions have existed since the property was originally subdivided and the home was constructed;

G. That the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located since the variations, required to be constructed under the building codes, pose no risk or threat to others;

H. That the variations will not diminish or impair property values within the neighborhood since the property is being significantly improved and the property value will likely increase;

I. That the variations will not unduly increase traffic congestion in the public streets and highways since a second driveway approach will allow a vehicle to enter the property and forward exit from the property to the road with the least traffic and greatest safety;

J. That the variations are the minimum Variations that will make possible the reasonable use of the land, building or structure: and

Whereas, the President and Board of Trustees, based on the aforementioned findings of fact, find it appropriate to grant the variations presented to the Zoning Board of Appeals.

Now, Therefore, be it Ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in exercise of its home rule powers, as follows:

Section One: The draft Minutes of the February 16, 2012 Glen Ellyn Zoning Board of Appeals meeting, Exhibit "A" appended hereto, are hereby accepted, and the findings of fact and conclusions set forth in the preambles above are hereby adopted as the findings of fact and conclusions of the corporate authorities of the Village of Glen Ellyn.

Section Two: Based upon the above findings of fact, the President and Board of Trustees hereby approve the variations from the Glen Ellyn Zoning Code as follows:

1. Section 10-4-1(N)1 to construct two new dormer additions which have front yard setbacks of 8 feet and 22 feet in lieu of the minimum required front yard setback of 25 feet.
2. Section 10-5-5(B)4 Table item 4 to construct three new balconies which have front yard setbacks of 5 feet, 13 feet and 21 feet in lieu of the minimum required front yard setback of 30 feet.
3. Section 10-5-5(B)4 Table item 8 to construct a new fireplace chimney which has a front yard setback of 9 feet in lieu of the minimum required front yard setback of 28 feet.
4. Section 10-5-5(B)4 Table item 29 to construct an outdoor fireplace which has a front yard setback of 22 feet in lieu of the minimum required front yard setback of 30 feet.
5. Section 10-5-5(B)4 Table item 33 to construct an exterior stair 4 feet 6 inches in height in lieu of the maximum permitted height of 4 feet in a corner side yard setback.
6. Section 10-5-5(B)4 Table item 36 to construct a raised patio averaging over 3 feet

above the adjacent grade in lieu of the maximum permitted height averaging less than 3 feet above grade.

7. Section 10-5-11(B)2 to construct two driveway approaches in lieu of one driveway approach permitted on intersecting streets.

to allow the construction of additions, alterations and a second driveway approach at 567 Lake Road Avenue, Glen Ellyn, Illinois, which is legally described as follows:

Lot 1 and the westerly 2.55 feet of Lot 2 in Lorac Builder's Resubdivision of part of Lots 10 and 11 in John A. Brown's Addition to Glen Ellyn, being a subdivision in the east half of Section 11, Township 39 North, Range 10 east of the Third Principal Meridian, according to the Plat of said Lorac Builder's Resubdivision recorded July 2, 1962 as document R62-21315 and certificate of correction recorded September 15, 1964 as document R64-34498, in DuPage County, Illinois.

P.I.N.: 05-11-404-002

Section Three: This grant of variations to construct additions, alterations and a second driveway approach is conditioned upon the construction being completed in substantial conformance with the plans and the Application for Variation received by the Planning & Development Department and signed on December 16, 2011 and the testimony and exhibits provided at the February 16, 2012 Zoning Board of Appeals public hearing.

Section Four: The Building and Zoning Official is hereby authorized and directed to issue building permits for the subject property, consistent with the variations granted herein, provided that all conditions set forth hereinabove have been met and that the proposed construction is in compliance with all other applicable laws and ordinances. This grant of variations shall expire and become null and void twenty-four (24) months from the date of passage of this Ordinance unless a building permit to begin construction in reliance on these variations is applied for within said twenty-four (24) month time period and construction is continuously and vigorously pursued provided,

however, the Village Board, by motion, may extend the period during which permit application, construction, and completion shall take place.

Section Five: The Village Clerk is hereby authorized and directed to cause a copy of this Ordinance approving the variations to be recorded with the DuPage County Recorder of Deeds.

Section Six: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

Section Seven: Failure of the owner or other party in interest or a subsequent owner or other party in interest to comply with the terms of this Ordinance, after execution of said Ordinance, shall subject the owner or party in interest to the penalties set forth in Section 10-10-18 "A" and "B" of the Village of Glen Ellyn Zoning Code.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this ____ day of _____, 2012.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this ____ day of _____, 20____.

Village President of the
Village of Glen Ellyn, Illinois

Attest:

Village Clerk of the
Village of Glen Ellyn, Illinois
(Published in pamphlet form and posted on the ____ day of _____).



NOTICE OF PUBLIC HEARING

Tom and Katherine Condon, owners of the property at 567 Lake Road, are requesting a public hearing for seven variations in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code. The owners would like to modify the existing home by constructing additions, a raised patio and two driveway approaches to the existing home. The Zoning Code does not allow structures to be less than the minimum required setback from the property line or higher than the maximum permitted height, or allow more than one driveway approach. The Glen Ellyn Zoning Board of Appeals will conduct a public hearing to consider these Variations on **February 16, 2012** at 7:30 p.m. on the third floor in the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Anyone is welcome to attend.

The property owners are requesting approval of seven variations from the Glen Ellyn Zoning Code as follows:

1. Section 10-4-1(N)1 to construct two new dormer additions which have front yard setbacks of 8 feet and 22 feet in lieu of the minimum required front yard setback of 25 feet.
2. Section 10-5-5(B)4 Table item 4 to construct three new balconies which have front yard setbacks of 5 feet, 13 feet and 21 feet in lieu of the minimum required front yard setback of 30 feet.
3. Section 10-5-5(B)4 Table item 8 to construct a new fireplace chimney which has a front yard setback of 9 feet in lieu of the minimum required front yard setback of 28 feet.
4. Section 10-5-5(B)4 Table item 29 to construct an outdoor fireplace which has a front yard setback of 22 feet in lieu of the minimum required front yard setback of 30 feet.
5. Section 10-5-5(B)4 Table item 33 to construct an exterior stair 4 feet 6 inches in height in lieu of the maximum permitted height of 4 feet in a corner side yard setback.
6. Section 10-5-5(B)4 Table item 36 to construct a raised patio averaging over 3 feet above the adjacent grade in lieu of the maximum permitted height averaging less than 3 feet above grade.
7. Section 10-5-11(B)2 to construct two driveway approaches in lieu of one driveway approach permitted on intersecting streets on a through corner lot.
8. Any other zoning relief necessary to construct the project as depicted on the plans presented or revised at the public hearing or at a public meeting of the Village Board.

The property is zoned R2, Residential District, and is legally described as follows:

Lot 1 and the westerly 2.55 feet of Lot 2 in Lorac Builder's Resubdivision of part of Lots 10 and 11 in John A. Brown's Addition to Glen Ellyn, being a subdivision in the east half of Section 11, Township 39 North, Range 10 east of the Third Principal Meridian, according to the Plat of said Lorac Builder's Resubdivision recorded July 2, 1962 as document R62-21315 and certificate of correction recorded September 15, 1964 as document R64-34498, in DuPage County, Illinois.

P.I.N.: 05-11-404-002

CIVIC CENTER 535 DUANE STREET GLEN ELLYN, IL 60137 630.469.5000 FAX 630.469.8849



Plans related to the proposed project are available for public review in the Planning and Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois. If you have questions, please contact Joe Kvapil, Building & Zoning Official, at (630) 547-5244. For individuals with disabilities who have questions regarding the accessibility of the meeting or facilities, contact Harold Kolze, ADA Coordinator, at (630) 547-5209.

(Published in the Daily Herald on Wednesday, February 1, 2012)

X:\PlanDev\BUILDING\ZBA\PUBLIC NOTICE\LAKE567-front,approach.doc

Condon Residence 567 Lake Road, Glen Ellyn IL. 60137

submittal.01: 2011-12.11
submittal.02: 2011-01.18



VILLAGE OF GLEN ELLYN

Zoning Variation Request Packet

Planning & Development Department
535 Duane Street – Glen Ellyn, IL 60137 – Telephone 630.547.5250 – Fax 630.547.5370

VILLAGE OF GLEN ELLYN
535 Duane Street
Glen Ellyn, Illinois 60137
(630) 547-5250

APPLICATION FOR VARIATION

Note to the Applicant: This application should be filed with, and any questions regarding it, should be directed to the Director of the Village Planning and Development Department.

The undersigned hereby petitions the Village of Glen Ellyn, Illinois, for one or more variations from the Glen Ellyn Zoning Code (Ordinance No. 3617-Z, as amended), as described in this application.

I. APPLICANT INFORMATION:

(Note: The applicant must comply with Section 10-10-10(B) of the Zoning Code).

Name: Jamie Simoneit of Z+O/ai inc. for owners Tom & Katherine Condon

Address: 567 Lake Road, Glen Ellyn, IL 60137

Phone No.: office: 630.858.5888 cell: 630.341.5888

Fax No.: 630.858.5828

E-mail: zplusoai@wowway.com

Ownership Interest in the Property in Question: architect for property owners

II. INFORMATION REQUIRED BY SECTION 10-10-10(B) OF THE ZONING CODE, IF APPLICABLE:

NOTE: All parties, whether petitioner, agent, attorney, representative and or organization et al. must be fully disclosed by true name and address in compliance with Section 10-10-10(B) of the Zoning Code. Disclosure forms are attached for your convenience.

Name and address of the legal owner of the property (if other than the applicant):
Tom + Katherine Condon 567 Lake Road, Glen Ellyn, IL 60137

Name and address of the person or entity for whom the applicant is acting (if the applicant is acting in a representative capacity):
Tom + Katherine Condon 567 Lake Road, Glen Ellyn, IL. 60137

Is the property in question subject to a contract or other arrangement for sale with the fee owner? (Circle "Yes" or "No")

YES

NO

If YES, the contract purchaser must provide a copy of the contract to the Village and must either be a co-petitioner to this application or submit the attached Affidavit of Authorization with the application packet.

Is the property in question the subject of a land trust agreement? (Circle "Yes" or "No")

YES

NO

If YES, (1) either the trustee must be a co-petitioner or submit the attached Affidavit of Authorization from the trustee to represent the holders of the beneficial interests in the trust and (2) the applicant must provide a trust disclosure in compliance with "An Act to Require Disclosure of All Beneficial Interests", Chapter 148, Section 71 et seq., Illinois Revised Statutes, signed by the trustee.

III. PROPERTY INFORMATION:

Common address: 567 Lake Road, Glen Ellyn, IL 60137

Permanent tax index number: PIN: 05-11-404-002

Legal description: LOT 1 AND THE WESTERLY 2.55 FEET OF LOT 2 IN LORAC BUILDERS RESUBDIVISION OF PART OF LOTS 10 AND 11 IN JOHN A. BROWN'S ADDITION TO GLEN ELLYN, BEING SUBDIVISION IN THE EAST HALF OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID LORAC BUILDERS RESUBDIVISION RECORDED JULY 2, 1962 AS DOCUMENT R62-21315 AND CERTIFICATE OF CORRECTION RECORDED SEPTEMBER 15, 1964 AS DOCUMENT R-64-34498, IN DUPAGE COUNTY, ILLINOIS.

Zoning classification: _____

Lot size: 66.00 ft. x 248.13 ft. Area: 15,928 sq. ft.

Present use: single family private residence with detached garage + shed

IV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

Description of the variation(s) requested (including identification of the Zoning Code provisions from which variation is sought) and proposed use(s):

Please refer to attachment titled - VARIATION(S) REQUESTED - on Page 10 of this application

Estimated date to begin construction: asap

Names and addresses of any experts (e.g., planner, architect, engineer, attorney, etc.):

Architect: Jamie Simoneit of Z+O Architecture + Interiors

Civil Engineer: Matt Broley of Koziol Engineering

Surveyor: Stacy Ferguson of Ferguson Land Surveying, Inc.

V. EVIDENCE RELATING TO ZONING CODE STANDARDS FOR A VARIATION:

The following items are intended to elicit information to support conclusions by the ZBA or PC and the Village Board that the required findings/standards for a variation under the Zoning Code have been established and met. Therefore, please complete these items carefully.

III. PROPERTY INFORMATION:

Common address: 567 Lake Road, Glen Ellyn, IL 60137

Permanent tax index number: PIN: 05-11-404-002

Legal description: LOT 1 AND THE WESTERLY 2.55 FEET OF LOT 2 IN LORAC BUILDERS RESUBDIVISION OF PART OF LOTS 10 AND 11 IN JOHN A. BROWN'S ADDITION TO GLEN ELLYN, BEING SUBDIVISION IN THE EAST HALF OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID LORAC BUILDERS RESUBDIVISION RECORDED JULY 2, 1962 AS DOCUMENT R62-21315 AND CERTIFICATE OF CORRECTION RECORDED SEPTEMBER 15, 1964 AS DOCUMENT R-64-34498, IN DUPAGE COUNTY, ILLINOIS.

Zoning classification: _____

Lot size: 66.00 ft. x 248.13 ft. Area: 15,928 sq. ft.

Present use: single family private residence with detached garage + shed

IV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

Description of the variation(s) requested (including identification of the Zoning Code provisions from which variation is sought) and proposed use(s):

Please refer to attachment titled - VARIATION(S) REQUESTED - on Page 11 of this application

Estimated date to begin construction: asap

Names and addresses of any experts (e.g., planner, architect, engineer, attorney, etc.):
Architect: Jamie Simoneit of Z+O Architecture + Interiors
Civil Engineer: Matt Broley of Koziol Engineering
Surveyor: Stacy Ferguson of Ferguson Land Surveying, Inc.

V. EVIDENCE RELATING TO ZONING CODE STANDARDS FOR A VARIATION:

The following items are intended to elicit information to support conclusions by the ZBA or PC and the Village Board that the required findings/standards for a variation under the Zoning Code have been established and met. Therefore, please complete these items carefully.

A. Standards Applicable to All Variations Requested:

1. Provide evidence that due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code:
 1. The existing home was constructed prior to the adoption of the current zoning code
 2. The existing porches and terraces are not per code/unsafe and in need of repair/replacement
 3. The lot is irregular in shape with the a-typical designation of a "Through Lot" with (2) front yards/setbacks
 4. The lot does not conform to the minimum required corner lot width of 80 feet.
 5. Crescent Boulevard is heavily trafficked and difficult to back out of - especially during Village events and High School start + end hours hours

2. a. Provide evidence that the property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code (i.e., without one or more variations):
 1. The home is almost 100 years old and in need of repairs/updates/upgrades

OR

- b. Provide evidence that the plight of the applicant/owner is due to unique circumstances relating to the property in question:
 1. All conditions causing need for variation are due to unique lot and age of home
 2. The conditions causing need for variation were not caused/created by the current owners
 3. The home does not currently have a functioning garage
 4. the existing detached 1 car garage and yard shed are non-conforming and unsightly
3. Provide evidence that the requested variation(s), if granted, will not alter the essential character of the locality of the property in question:

The proposed improvements will not alter but enhance the essential character of the local vernacular.

The design intent is to remove the unsightly elements from previous additions/modifications and return the home to a vintage Prairie Style influenced Craftsman to sit harmoniously along side the other handsome Lake Ellyn homes of the same period.

B. For the purpose of supplementing the above standards, the ZBA or PC, in making its recommendation that there are practical difficulties or particular hardships, shall also take into consideration the extent to which the evidence establishes or fails to establish the following facts favorably to the applicant:

1. Provide evidence that the particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the applicant/owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out:

All three site conditions/characteristics cause/bring hardship:

 1. Surroundings - immediate adjacency to Glenbard West High School and its athletic fields
 2. Shape - irregular lot on an a-typical "Through Lot" fronting two streets
 3. Topographical condition - property grade drops +/- 15'0" from south to north

2. Provide evidence that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district:

1. The uniqueness of the site - location/surroundings/shape/topography are not repeat in the Village
 2. The proposed scope of work is truly unique - one of a kind - custom by nature.
-
-

3. Provide evidence that the purpose of the variation is not based exclusively upon a desire to make more money out of the property in question:

The homeowners, both Tom + Katherine Condon were born and raised in Glen Ellyn and are graduates of Glenbard West. Their desire is to renovate the home and raise their (4) children in it and to see them (their youngest is 8) also graduate from West. It is their intent to stay in the home for many years to come. The modifications and repairs to the home are necessary to create a safe comfortable home for their growing family of six.

4. Provide evidence that the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property in question or by the applicant.

The difficulty/hardships were not caused/created by the current owners. The conditions that have forced the Condon's to request a variance/s were created by the adoption of the current zoning code +/- 90 years post construction of the home's original structure and +/- 60 years after it's later additions.

5. Provide evidence that the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located

The Condon's have been working in unison with Tom + Jean Whalls - the owners of the only adjoining property located to the immediate east. They are using the same design team (section IV) as their future neighbor to ensure a mutually agreeable solution benefitting both parties/families. All work is being performed by licensed professionals to ensure the welfare of the neighborhood.

6. Provide evidence that the proposed variation will not:

a. Impair an adequate supply of light and air to adjacent property;

The proposed project does not max out the buildable area and or the lot coverage allotment

b. Substantially increase the hazard from fire or other dangers to the property in question or adjacent property;

The majority of the home's exterior finishes are to be completed in non-combustable finishes such as stucco and cementious (Hardi-plank) shingles + aluminum cladding.

c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village;

The design objective is to be the complete opposite of this statement. It is our hope that the Planning & Development staff and the ZBA will agree.

- d. Diminish or impair property values within the neighborhood;
It is my belief that the proposed project will not diminish or impair - but do the exact opposite by improving/increasing neighborhood/adjacent property values.

- e. Unduly increase traffic congestion in the public streets and highway;
The Condon's currently own only (2) vehicles. The third garage bay is intended to store their children's bikes and athletic equipment and yard maintenance tools. The proposed Lake Road drive access will reduce congestion on Crescent Boulevard.

- f. Create a nuisance; or
None expected/imagined at this time.

- g. Results in an increase in public expenditures.
None expected/imagined at this time.

- 7. Provide evidence that the variation is the minimum variation that will make possible the reasonable use of the land, building or structure.
As the owner's architect - I prefer not to request variances but desire to create conforming solutions.
I do not believe we are seeking variations that are egregious - but variations that are necessitated by pre-existing challenging conditions to which there are no alternative but a variance. It is my belief that the amount of change allowed by the variance requests is minor in nature - having no significant impact on the existing neighbors and/or street scape.

- 8. Please add any comments which may assist the Zoning Board of Appeals of Appeals in reviewing this application.
Please know that it is the Condon's desire to "grow old and gray" in their new location and to continue in the "care-taking" of one of Glen Ellyn's most viewed properties. It is my desire to design a home that meets my clients needs and a home that is copacetic/fit's in with the scale and vernacular of the neighborhood.

VI. EVIDENCE RELATING TO FLOOD HAZARD VARIATION REQUESTS

The following items must be completed only if the requested variation is from Chapter 6 of the Zoning Code (relating to Flood Hazard Land Use Regulations.) If no such variation is being requested, the applicant should skip this section and complete Section VII below.

- A. Items applicable only to variation requested from the requirements of Chapter 6 of the Zoning Code (relating to Flood Hazard Land Use Regulations) that, if granted, would result in a structure not being protected to the elevation of the base flood.

- 1. Provide evidence that the structure is to be located on a lot contiguous to and surrounded by lots with existing structures constructed below the base flood level.

none - not applicable

- 2. Provide evidence that the applicant has acknowledged that (a) such construction below the base flood level will increase the risk to life and property and that the applicant proceeds with knowledge of these risks; and (b) any variation is contingent upon the applicant obtaining approval from other agencies having jurisdiction when the variance violates the requirements of such agencies.

none - not applicable

B. Items applicable only to variations requested from the requirements in Chapter 6 of the Zoning Code (relating to Flood Hazard Land Use Regulations) that, if granted, would significantly impede or increase the flow and passage of floodwaters.

- 1. Provide evidence that the use will not result in an increased flood height greater than 0.1 feet within the designated regulatory floodway.

none - not applicable

- 2. Provide evidence that the resulting increase in the base flood elevations will not affect any existing structures or utilities.

none - not applicable

- 3. Provide evidence that the owners of the properties affected by the increased base flood elevation are compensated for the resulting effect on property values, and they give their written agreement to granting the variation.

none - not applicable

- 4. Provide evidence that the resulting increased flood elevations will not affect any flood protection structures.

none - not applicable

VII. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

I (We) certify that all of the statements and documents submitted as part of this application are true and complete to the best of my (our) knowledge and belief.

I (We) consent to the entry in or upon the premises described in the application by any authorized official of the Village of Glen Ellyn.

I (We) certify that I (we) have carefully reviewed the Glen Ellyn Zoning Variation Request Package and applicable provisions of the Glen Ellyn Zoning Code.

I (We) consent to accept and pay the cost to publish a notice of Public Hearing as submitted on an invoice from the publishing newspaper. I (we) understand that our request will not be scheduled for a Village Board agenda until and unless this invoice is paid.





Signature of Applicant(s)



Date filed

MATERIALS INCLUDED:

<u>ITEM</u>	<u>CODE REFERENCE</u>	
1. Properly completed application	10-10-10(A)1 10-10-12(A)5	<u>X</u> _____
2. Fee Paid	Ord. No. 1904-Z	<u>X</u>
3. Escrow (for Plan Commission cases)	VC – 4-1-4 (H)	_____
4. Proof of ownership	10-10-10(B)	<u>X</u>
5. Current Plat of Survey + floodplain determination (in writing)	10-10-12(E) 10-6-3	<u>X</u> _____
6. Legal description of property (may be included in No. 4)	10-10-12(A)2	<u>(on POS)</u>
7. A description of the proposed use and/or Variation, on a dimensioned site plan or plat, with the outline of the building(s). The site plan or plat need not be prepared by an architect or engineer. (Elevations [drawings or exterior walls] are requested).	10-10-12(A)4	<u>X</u> (1) site plan (1) topo plan (1) DW site analysis (8) photo's of existing home (13) architect's issue for permit plans & elevations
8. Petition signed by neighbors (all within 250 feet)	Optional	<u>to be submitted at hearing</u>
9. Reimbursement of Fees Agreement (for Plan Commission cases)	VC – 4-1-4 (H)	_____

AFFIDAVIT OF AUTHORIZATION

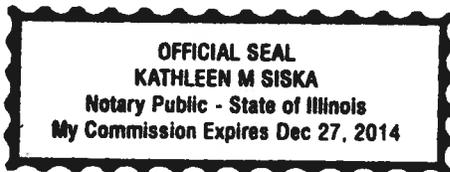
I, Tom + Katherine Condon owner of the property described as

567 LINDA ROAD GLEN ELYN IL. 60137

verify that Daniel J. Simoneit (Jamie) of Z+O/ai inc. architecture + interiors is duly authorized to apply and represent my interests before the Glen Ellyn Architectural Review Commission, Plan Commission, Zoning Board of Appeals and/or Village Board. Owner acknowledges that any notice given applicant is actual notice to owner.

Katherine Condon
OWNER

Kathleen Miska 12/15/11
NOTARY



VARIATION(S) REQUESTED

IV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

- 1 10-4-1(N)1: two new dormer additions which are not permitted within the minimum required front yard setback of 25 feet.
- 2 10-5-5(B)4 Table item 4: three new balconies which are not permitted in the required front yard.
- 3 10-5-5(B)4 Table item 8: a new fireplace chimney which is not permitted within the minimum required front yard setback of 28 feet.
- 4 10-5-11(B)2: Two driveway approaches which are not permitted on a through lot unless they are on parallel streets.

Note:

It is the desire of the owners to have the following (2) variations rendered unnecessary by adjusting the adjacent grades as required to be made compliant - pending approval of the Village of Glen Ellyn Public Work's Department.

- 5 10-5-5(B)4 Table item 33: new exterior stairs, over 4 feet in height, which are not permitted in the required front or corner side yard.
- 6 10-5-5(B)4 Table item 36: new raised patio, averaging over 3 feet above the adjacent grade which is not permitted in the required front yard.

WARRANTY DEED

THIS INDENTURE WITNESSETH,

That the Grantors,

SHAWN P. MURPHY, divorced and not since remarried, and **MATTHEW J. DESCH**, a married man

of the Village of Glen Ellyn, County of DuPage, State of Illinois



FRED BUCHOLZ
DUPAGE COUNTY RECORDER
SEP. 02, 2011 RHSP 10:38 AM
DEED 05-11-404-001
002 PAGES R2011-103405

THE ABOVE SPACE FOR RECORDER'S USE ONLY

for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, CONVEY and WARRANT to

Grantees,

THOMAS P. CONDON and KATHERINE E. CONDON, husband and wife, as tenants by the entirety with the right of survivorship and not as joint tenants and not as tenants in common

whose address is: 399 Hill Avenue, Glen Ellyn, Illinois 60137

the following described real estate, to wit:

LOT 1 AND THE WESTERLY 2.55 FEET OF LOT 2 IN LORAC BUILDERS RESUBDIVISION OF PART OF LOTS 10 AND 11 IN JOHN A. BROWN'S ADDITION TO GLEN ELLYN, IN THE EAST 1/2 OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF RESUBDIVISION RECORDED JULY 2, 1962, AS DOCUMENT R62-21315, IN DU PAGE COUNTY, ILLINOIS

P.I.N. 05-11-404-001 and 05-11-404-002

Commonly known as: 567 Lake Road, Glen Ellyn, Illinois 60137

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Dated this 13 day of August, 2011.

	Village of Glen Ellyn Real Estate Transfer Tax
	014735
Sale \$	<u> </u>
Tax \$	<u> </u>
Date	<u>8-17-11</u> Initials <u>DES</u>

X Shawn P. Murphy
SHAWN P. MURPHY

X Matthew J. Desch
MATTHEW J. DESCH

This property is not the homestead property of the grantor Matthew J. Desch

MIDWEST TITLE SERVICES, LLC
proof of ownership

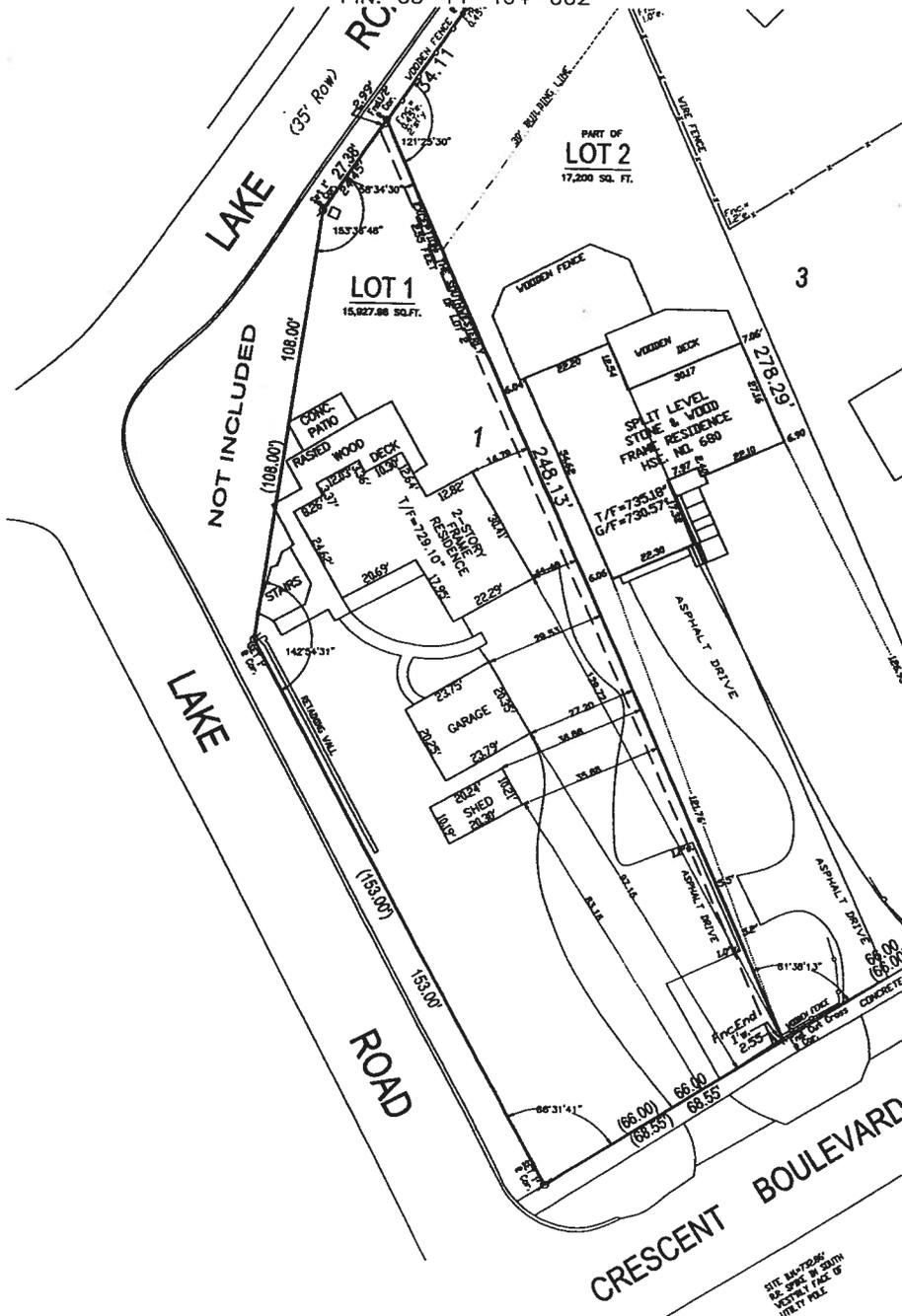
PROOF OF OWNERSHIP (12 TOTAL)

PLAT OF SURVEY

LOT 1 AND THE WESTERLY 2.55 FEET OF LOT 2 IN LORAC BUILDERS RESUBDIVISION OF PART OF LOTS 10 AND 11 IN JOHN A. BROWN'S ADDITION TO GLEN ELLYN, BEING A SUBDIVISION IN THE EAST HALF OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID LORAC BUILDERS RESUBDIVISION RECORDED JULY 2, 1962 AS DOCUMENT R62-21315 AND CERTIFICATE OF CORRECTION RECORDED SEPTEMBER 15, 1964 AS DOCUMENT R64-34498, IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-11-404-002

Mag. North



RECORD ANGLES, BEARINGS, EASEMENTS AND BUILDING LINES ARE SHOWN ONLY WHERE THEY ARE SO RECORDED ON THE SUB. PLAT.

STATE OF ILLINOIS) J.S.
COUNTY OF KANE)

I, STACY L. FERGUSON, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED UNDER MY DIRECTION AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION THEREOF. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMALS THEREOF.

DATED THIS 15TH DAY OF AUGUST, A.D. 2011

Stacy Ferguson



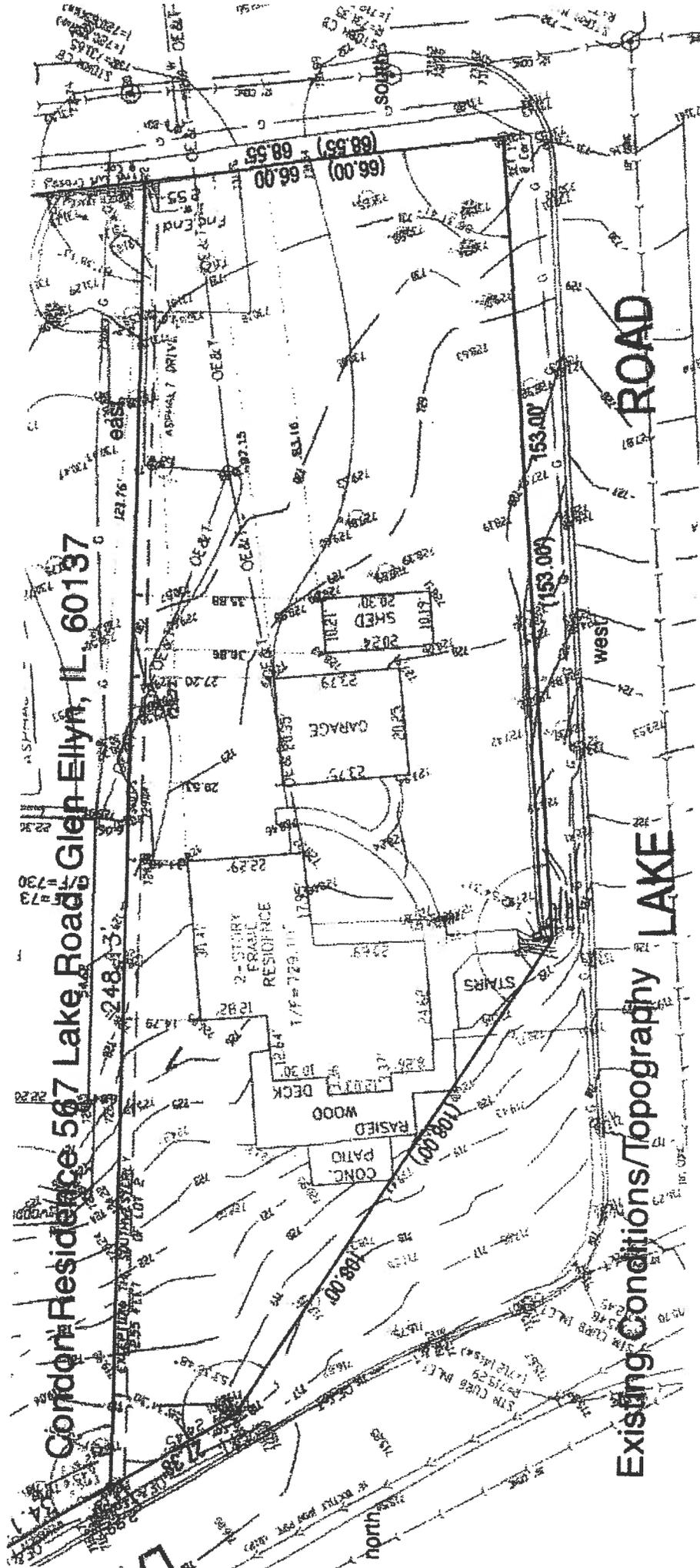
SEE JOB #
11-5146 FOR
DWG/CPLUS

LEGEND	
EASEMENT ABBREVIATIONS	
CE = CITY EASEMENT	EX = EXISTING GRADE
DE = DRAINAGE EASEMENT	PG = PROPOSED GRADE CHANGE
VE = VILLAGE EASEMENT	EC = EXISTING CONTOUR
PU = PUBLIC UTILITY EASEMENT	PC = PROPOSED CONTOUR
PU&D = PUBLIC UTILITY AND DRAINAGE EASEMENT	CF = CHAIN LINK FENCE
FI = FOUND IRON PIPE	CO = CONCRETE
FD = FOUND IRON ROD	
FS = FOUND IRON SPIKE	
FM = FOUND IRON MAIL	
SI = SET IRON PIPE	
CO = COLOR MEASURED	
ME = MEASURED	
CONC. = CONCRETE	
	WO = WOOD FENCE

Mortgage	1-09-11		
Type of Survey	Survey Date	Date Drawn	Revision Date
Common Address : 567 LAKE ROAD			
Builder/Client : BROMANN, SCOTT			
Job No. :	11-5203	Scale :	1"=30'
STACY FERGUSON LAND SURVEYING, INC.			
SURVEYING, CONSTRUCTION, DESIGN, DRAFTING, MAPPING, LAYOUT AND CONSULTING			
230 E. WILSON STREET BATAVIA, ILLINOIS PHONE # (630) 670-0158			

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-002952 EXP. 11/30/12
ILLINOIS PROFESSIONAL DESIGN FIRM - LAND SURVEYING CORP. NO. 184-003154 EXP. 4/30/13
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY

Condon Residence 567 Lake Road Glen Ellyn, IL 60137

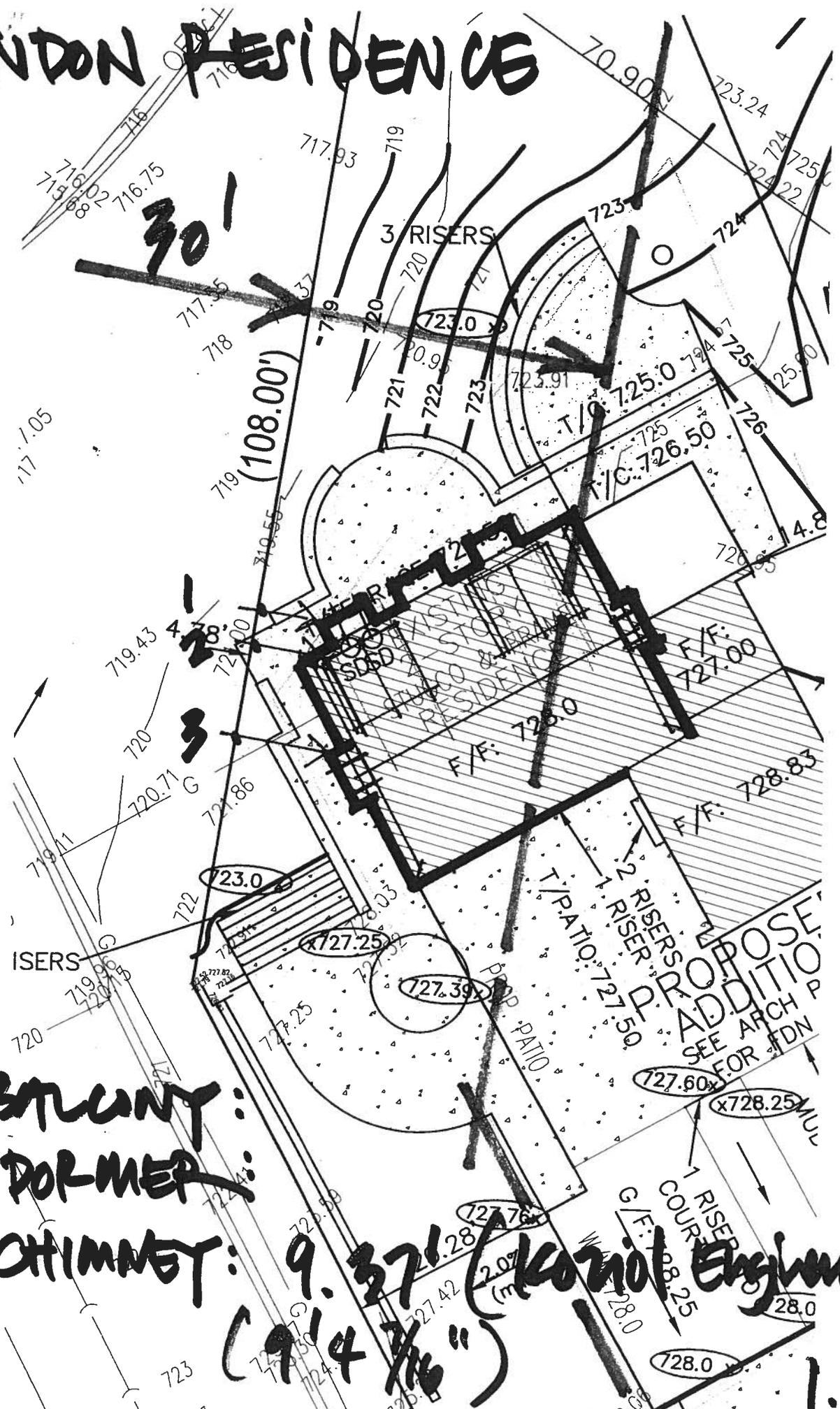


ROAD

Existing Conditions/Topography LAKE

north

CONDON RESIDENCE



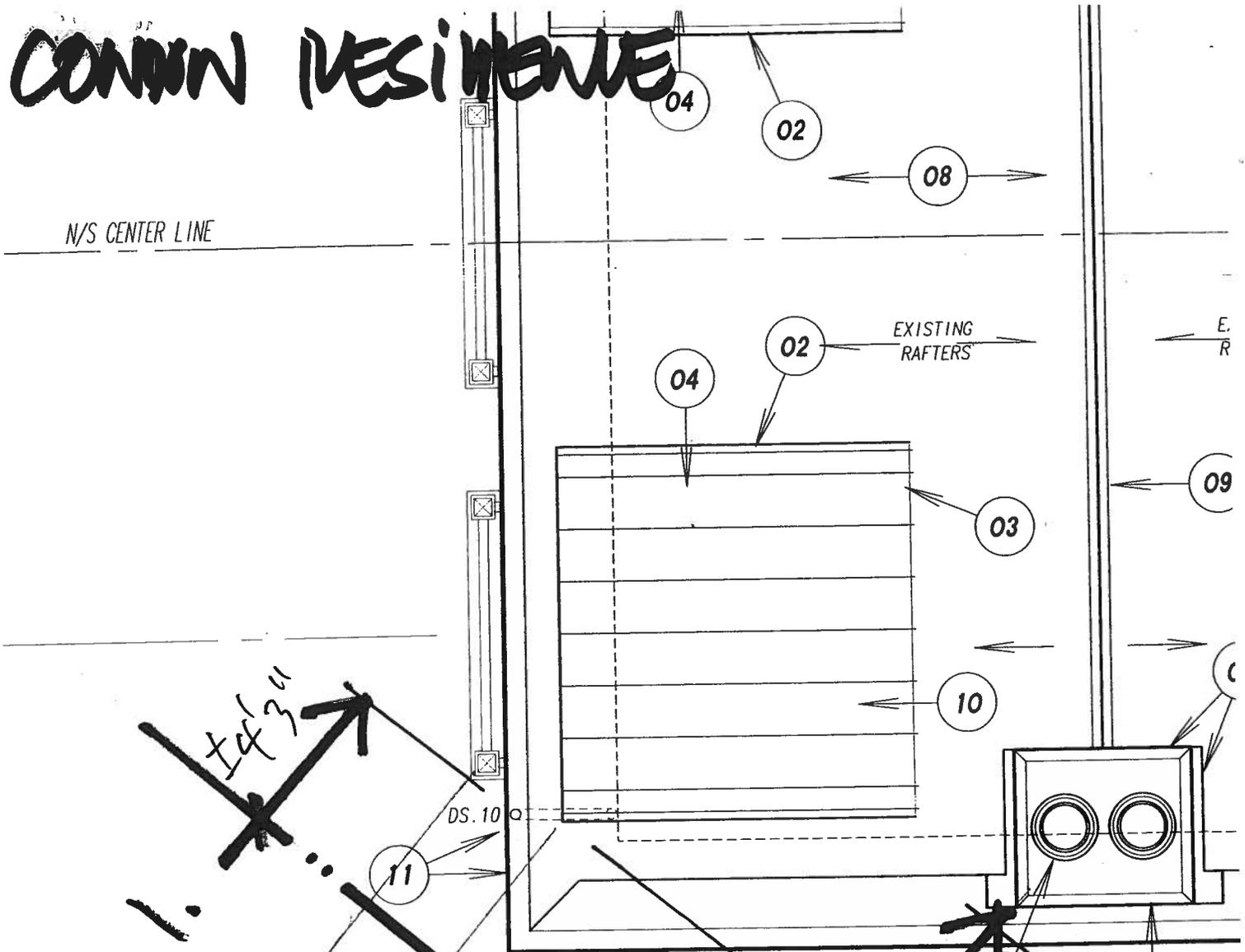
1. BALCONY:
2. DORMER:
3. CHIMNEY:

9.37' (2.87m)
 (9'4 7/16")

(Kozniot Engineering)

1.2

COMMON RESISTANCE



1. 14' 3"

2. 5' 0"

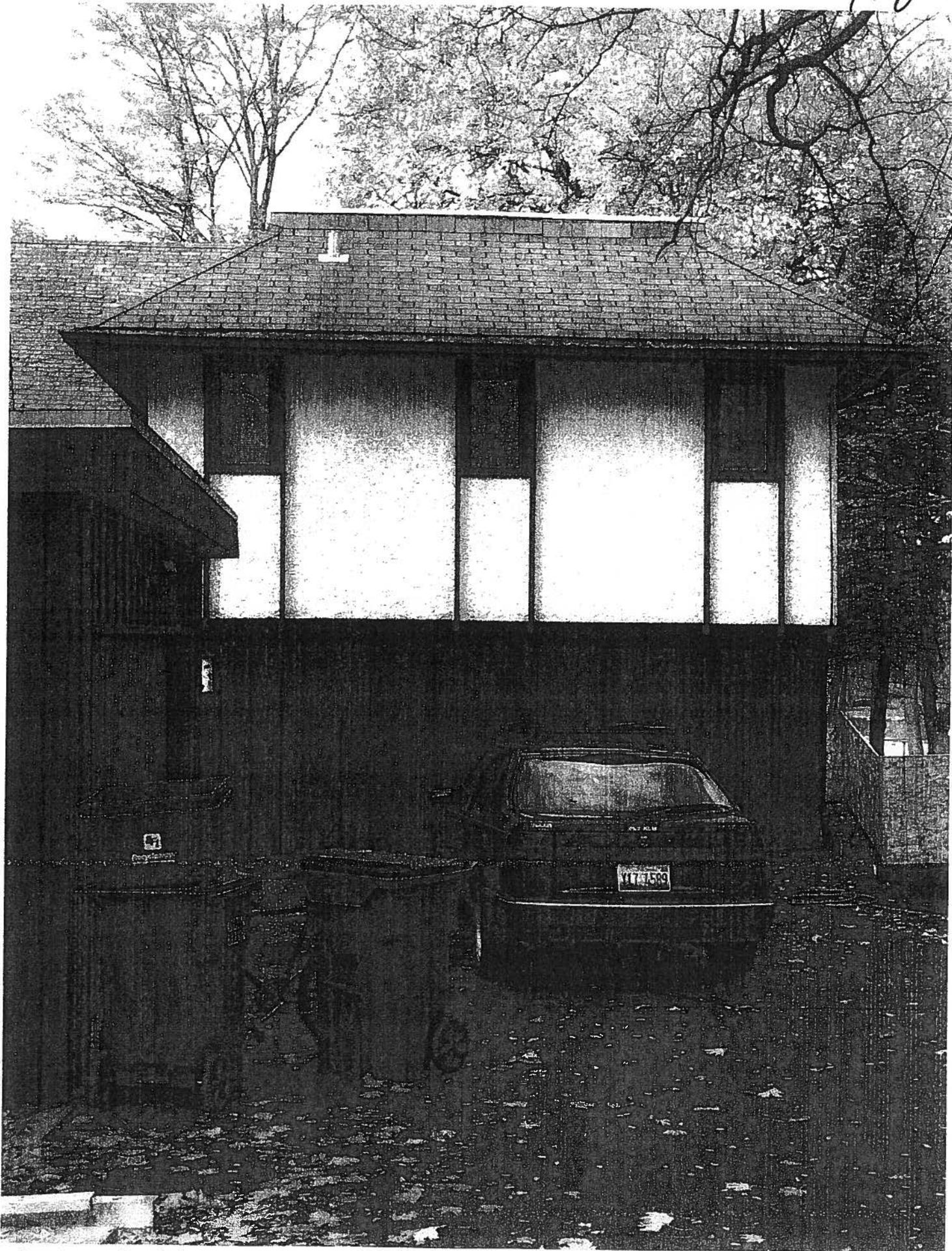
3. 9' 4 7/8"

DOWNER 2

CHIMNEY 3

2.2

1.00



CONDON 567 LAUCE ROAD

SOUTH

2.00



COWDON 567 LAJUE ROAD

SOUTH

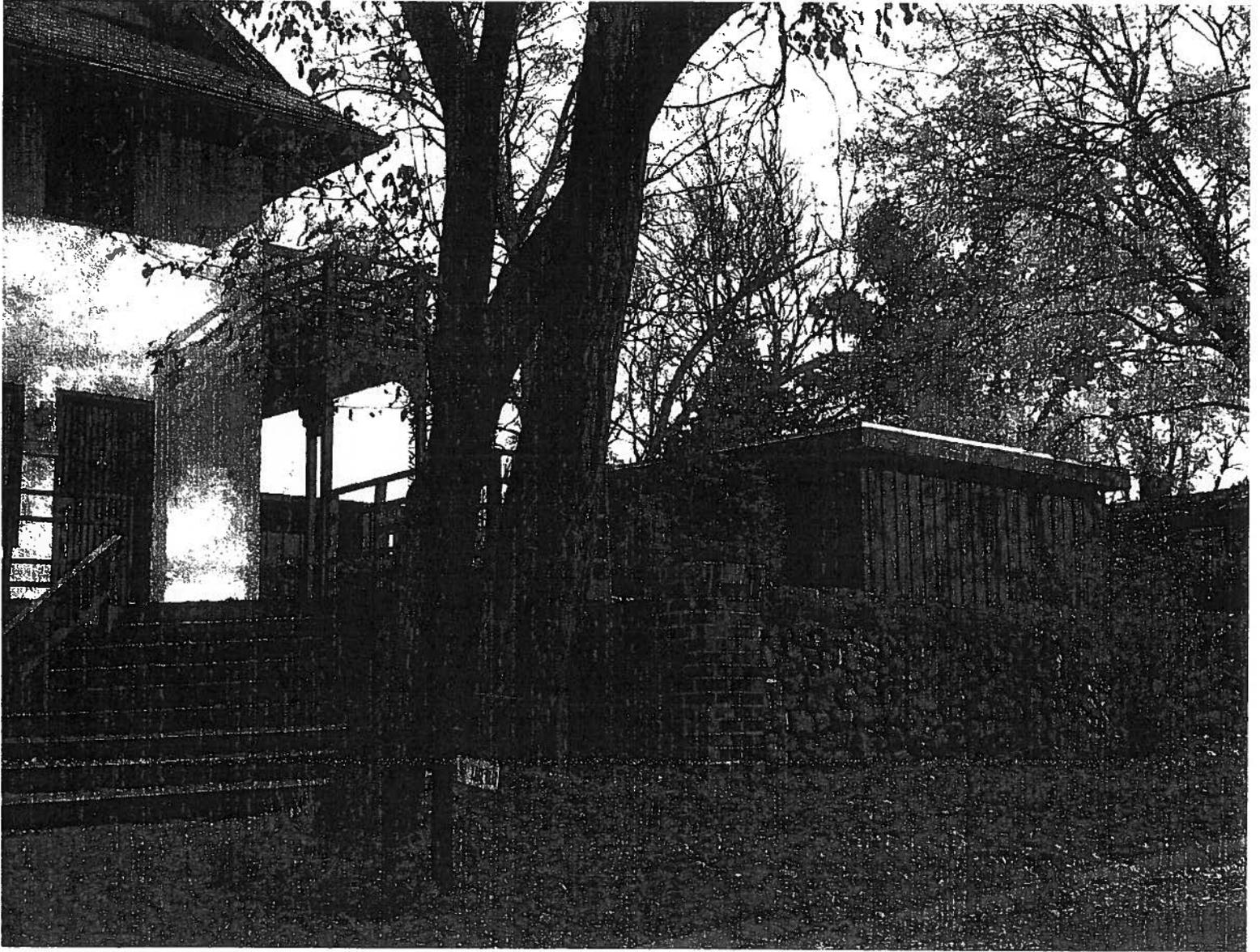
3.00



COWDON 567 CHAVE ROAD

WEST.

4.00



CONDON 567 CAUCE ROAD

WEST

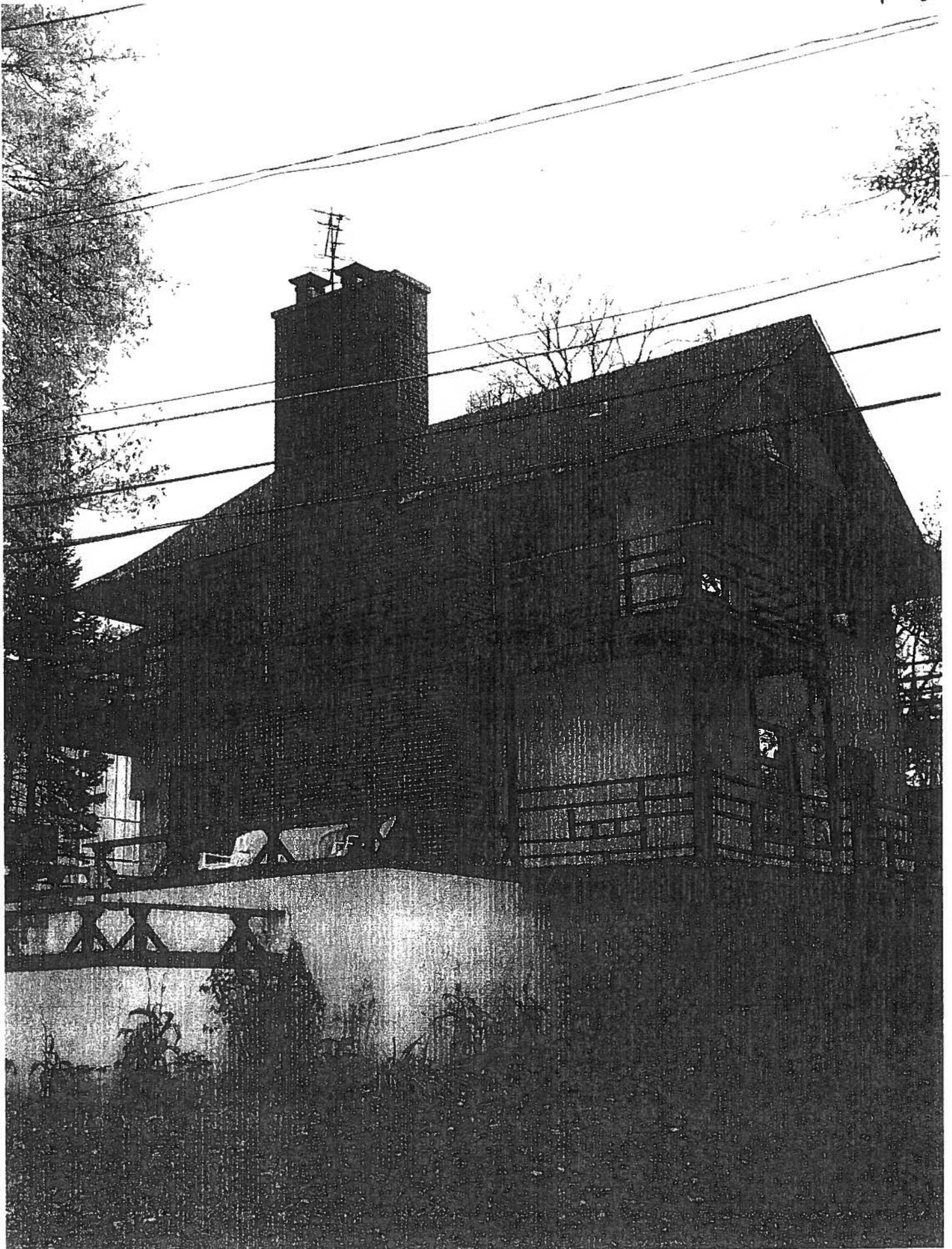
5.8



CONDON 567 CAULE ROAD

WEST

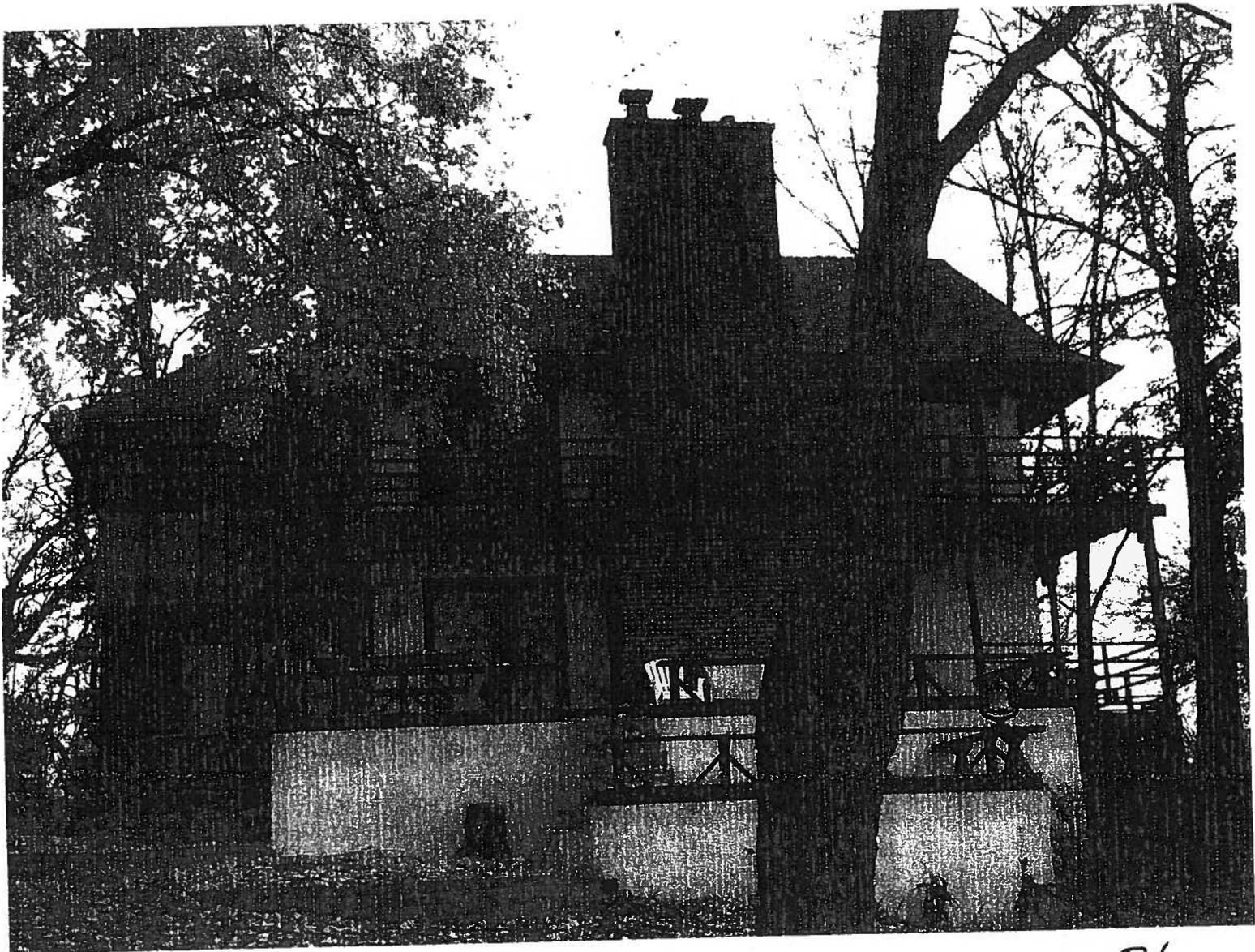
6-90



COWDON 567 CHAPEL ROAD

NORTH

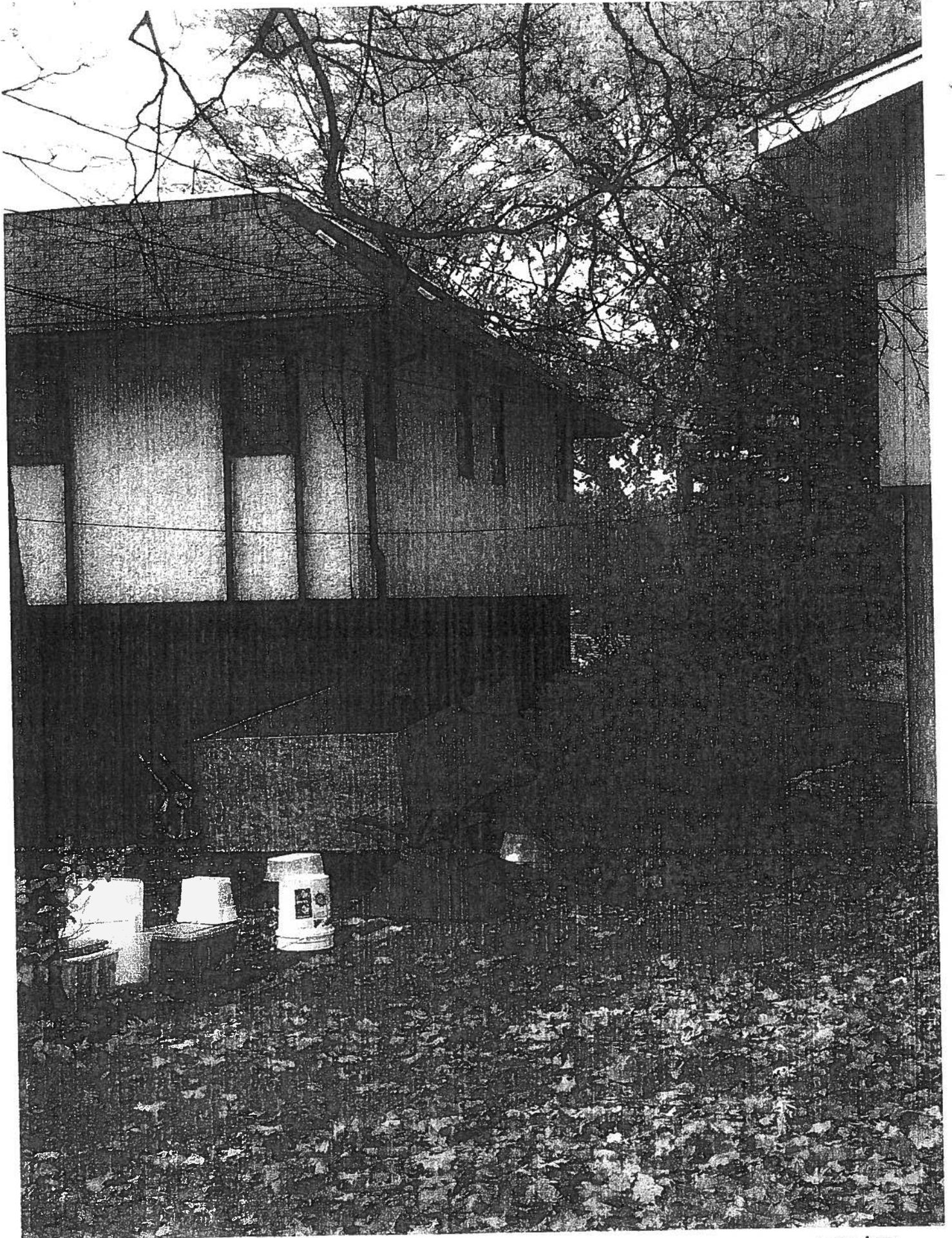
7.90



CONDON 567 LAKE ROAD

NORTH

8.8



CONCRETE (707) (AICE ROAD

EST.

Condon Residence
 567 Lake Road
 Glen Ellyn, Illinois
 2-15-12

I the undersigned, have been made aware of the Condon's plans to improve and change their home located at 567 Lake Road. It is our belief that their proposed plans will have no negative impact on the public welfare not will it be injurious to other property or improvements in the neighborhood in which it is locaed. The proposed plan will not impair an adequate supply of light and air to adjacent property. It will not substantially increase the hazard from fire or other dangers tothe property in question or adjacent property. It will not diminish or impair property values within the neighborhood. The plans will not unduly increase traffic congestion in the public streets, create a nuisance or result in public expenditures to the best of my knowledge.

We support the Condon's proposed plans.

name address signature date

MARY ELLEN MAZZA	586 Crescent	<i>Mary Ellen Mazza</i>	
Candace J. Roo	682 Crescent	<i>Candace J. Roo</i>	
<i>John J. McDevitt</i>	750 Crescent	<i>John J. McDevitt</i>	
<i>Tom Whalls</i>	680 "	<i>Tom Whalls</i>	
JEAN WHALLS	680 CRESCENT	<i>Jean A. Whalls</i>	
<i>Donald G. Rypp</i>	687 Crescent	<i>Donald G. Rypp</i>	
<i>Judith Jimie</i>	663 Crescent Ct	<i>Judith Jimie</i>	Glen Ellyn
<i>Richard Sims</i>	663 Crescent	<i>Richard Sims</i>	Glen Ellyn Il.
<i>Donna Hale</i>	611 Lake Rd	<i>Donna Hale</i>	Glen Ellyn
<i>Pauline Hale</i>	611 Lake Rd	<i>Pauline Hale</i>	Glen Ellyn
<i>Anna Ball</i>	708 Crescent	<i>Anna Ball</i>	G. Glen Ellyn

Donald G Pydo
682 Crescent Blvd.
Glen Ellyn, IL 60137
dpdo@aol.com
630-858-2829



February 3, 2012

Glen Ellyn Zoning Board of Appeals
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137

RE: Variation Requests, 567 Lake Road, Glen Ellyn

Board Members:

I am in receipt of the variation request to modify the existing home at 567 Lake.

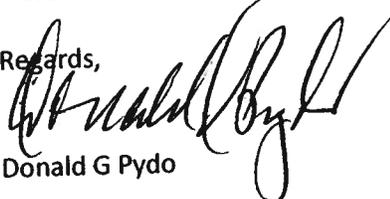
I have been a neighbor of that property since 1983. It is an old structure (~1906) that has had many owners. As the structure is very unique in architecture and its location on the property, it is understandable that variations will be required to enhance its usefulness and beautification.

The Condon's planned modifications will enhance the entire area. It seems highly unlikely that anyone could be adversely affected by said modifications, as the property is adjacent to only one house, 680 Crescent Blvd. (currently under construction) and the campus of Glenbard West High School. Investment such as this, particularly in these economic times, is a huge benefit to the charm and historic significance of the area.

My wife, Candace and I are in full support of all seven (7) stated variations requested by Tom and Katherine Condon.

Please feel free to call with any questions.

Regards,


Donald G Pydo

Cc Village President Pfefferman
Tom & Katherine Condon

MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Planning & Development Director *SH*
 Michele Stegall, Village Planner *MS*
 Kasey Matthews, Planning Intern *KM*

DATE: March 5, 2012

RE: 556 Lowden Avenue Special Use Permit and Zoning Variation Requests



Background. University Bible Fellowship, owner of property located at 556 Lowden Avenue, is requesting approval of a Special Use Permit in accordance with Section 10-4-8(B)3 of the Zoning Code and Zoning Variations to allow a church to operate on the site. The requested Zoning Variations include:

- 1) A variation from Section 10-4-8(H)2 to allow a total of 4 parking spaces on the property in lieu of the 5 required for the church;
- 2) A variation from Section 10-5-8(F) to allow 2 of the 4 parking stalls to be 15.85 feet long instead of the minimum 19 feet required; and
- 3) A variation from Section 10-5-8(I) to allow the absence of a drive aisle behind the proposed parking spaces in lieu of minimum drive aisle width of 24 feet required.

University Bible Fellowship purchased the property in 1998 and has been using it as a church since that time. The petitioner is requesting to continue operating the church in the same manner as it has been since purchasing the property. Typical church activities include informal worship services on Sundays, Friday group prayer meetings, small group bible studies and individual quiet study for student members. No one currently resides at the property; however, a church leader has lived in the home from time to time in the past. This individual was responsible for maintaining the property and organizing worship activities. There are currently three (3) "Stewards of the House" who know the key-code and are responsible for opening and closing the building daily.

The subject property is located at the northwest corner of Lowden Avenue and Parkside Avenue, west of Park Boulevard in the R2 Residential District. A single-family home and detached garage currently exist on the site. The surrounding properties also consist of single-family homes.

Issues. The church use came to the attention of Village staff in February 2011 when a building inspector visited the property for an unrelated building permit inspection. The property owner was informed that continued use of the property as a church would require approval of a special use permit and zoning variations. Upon notification, University Bible Fellowship was cooperative and promptly submitted for the appropriate permits and variations.

Prior to the distribution of the public notice, no complaints regarding the use of 556 Lowden Avenue as a church had been documented by the Planning and Development Department or the Police Department. After neighbors received the notice, several phone inquiries were received by the Planning and Development Department, as well as two (2) letters and an email inquiry.

Prior to the Plan Commission meeting, questions were raised regarding how DuPage County regulated religious institutions in residential districts, as well as the recent changes the County made to its Zoning Code. From 1985 until October 2011, conditional use approval was required for religious institutions to operate in residential districts. During that time, the County estimated that approximately 50 conditional uses were approved for religious institutions in residential districts, 10 or less of which were for operations within single-family homes. In October 2011, DuPage County passed Ordinance T-2-11, changing the requirements for certain places of assembly, which include religious institutions. Certain places of assembly, including religious institutions, are now allowed by right in all zoning districts provided they meet certain criteria. The four major requirements are: 1) the site must be located along an arterial road, 2) the property must be connected to public water and sewer, 3) the use cannot be located within a single-family home, and 4) minimum lot size is 100,000 square feet for the first 100 occupants.

Recommendation. The Plan Commission considered the requests at public hearings on January 26, 2012 and February 9, 2012. A total of thirteen (13) residents spoke in opposition to the requests during the public hearing and raised concerns about such things as traffic, parking, neighborhood character and impact on property values. On February 9, 2012 the Commission recommended denial of the requests by a unanimous vote of 9-0. It was the general consensus of the Commission that the hardship was self-created and approval would result in continued traffic and parking congestion and levels of activity that are atypical of a single-family home. The Commission encouraged the petitioner to pursue a more suitable location within the Village that can accommodate the space and parking needs of the church.

Should the Village Board vote to deny the petitioner's requests, staff suggests University Bible Fellowship be given a reasonable length of time to discontinue church activities at the property and look into relocating. Staff originally intended to suggest three (3) months for the church to transition out of its current location. However, Anne Koday, Attorney for the petitioner, has requested her client be provided at least nine (9) months to secure a new location and transition its religious activities. In consideration of the petitioner's request, staff recommends granting University Bible Fellowship six (6) months to transition the church to a new location and cease church activities at 556 Lowden Avenue. The draft ordinance attached includes the staff recommendation for six (6) months.

Action Requested. The Village Board may approve, approve with conditions or deny the petitioner's request for approval of a Special Use Permit and Zoning Variations. In accordance with the Plan Commission's recommendation, an Ordinance denying the requests has been prepared for consideration at the March 12, 2012 Village Board meeting.

Attachments

- Location Map
- Public Hearing Notice

- Address Labels for Public Hearing Notice
- Pictures of Property (3 pages)
- Letter from Nancy Barbeau, dated January 3, 2012
- Email from Laura Baloun, dated January 5, 2012
- Email from Laura Baloun, dated January 6, 2012
- Email and attachment from Laura Baloun, dated January 19, 2012
- Exhibits presented at the January 26, 2012 and February 9, 2012 Plan Commission Meetings
- Letter from Anne E. Koday, dated February 24, 2012
- Draft Ordinance
- Draft Minutes from January 26, 2012 Plan Commission Meeting
- Draft Minutes from February 9, 2012 Plan Commission Meeting
- Petitioner's Application Packet

cc: Anne E. Koday, Attorney for the Petitioner

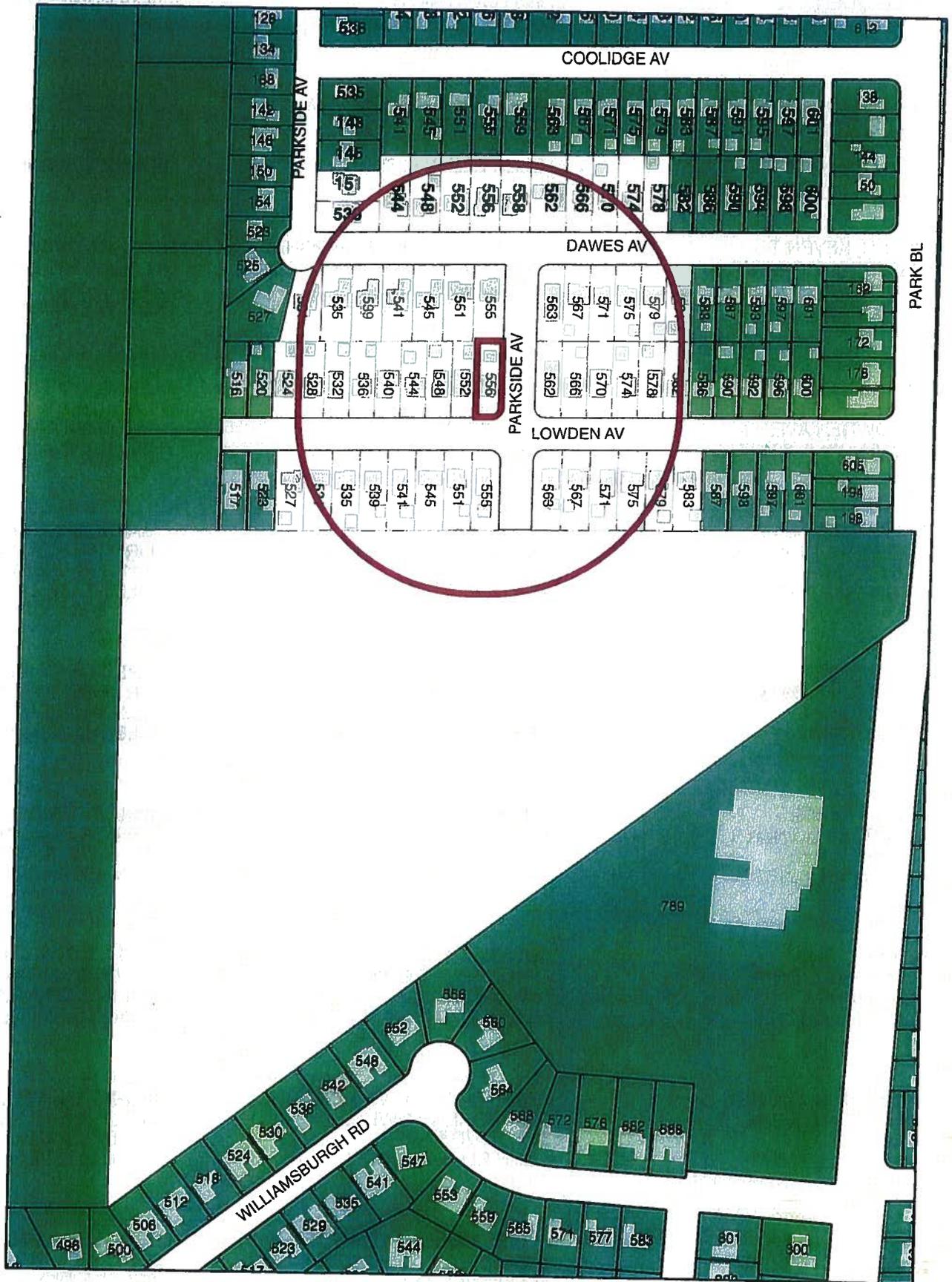
Location & Zoning Map 556 Lowden Avenue



Prepared by: Kasey Matthews
Date: December 12, 2011



556 Lowden Avenue



Prepared By: Kasey Matthews
Date Prepared: December 15, 2011



NOTICE OF PUBLIC HEARING

Anne E. Koday, representative for University Bible Fellowship, Chicago Chapter, is requesting approval of a Special Use Permit and Zoning Variations in accordance with Sections 10-10-12 and 10-10-14 of the Glen Ellyn Zoning Code for property located at 556 Lowden Avenue. The subject property is located at the northwest corner of Lowden Avenue and Parkside Avenue in the R2 Residential District.

Before the Glen Ellyn Village Board can consider the requests, the Plan Commission must conduct a public hearing. The Plan Commission will conduct a public hearing to consider the aforementioned requests on **Thursday, January 26, 2012 at 7:30 p.m.** in a meeting room on the third floor of the Glen Ellyn Civic Center, 535 Duane Street, Glen Ellyn, Illinois.

The petitioner is requesting the following:

1. Approval of a Special Use Permit in accordance with Section 10-4-8(B)3 of the Glen Ellyn Zoning Code to allow a church to be located on the property.
2. Variations from the following Sections of the Glen Ellyn Zoning Code:
 - a. Section 10-4-8(H)2 to allow a total of 4 parking stalls on the property in lieu of the required minimum number of 5 parking stalls.
 - b. Section 10-5-8(F) to allow 2 of the 4 parking stalls to be 15.85 feet long instead of the minimum length of 19 feet required.
 - c. Section 10-5-8(I) to allow the absence of a drive aisle behind the proposed parking spaces in lieu of minimum drive aisle width of 24 feet required.

The subject property is legally described as follows:

LOT 28 BLOCK 11 IN GLEN PARK SUBDIVISION, BEING A RESUBDIVISION IN GLEN ACRES SUBDIVISION, BEING A SUBDIVISION IN SECTION 23, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID GLEN PARK SUBDIVISION RECORDED MARCH 3, 1926 AS DOCUMENT 208829, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-23-122-020

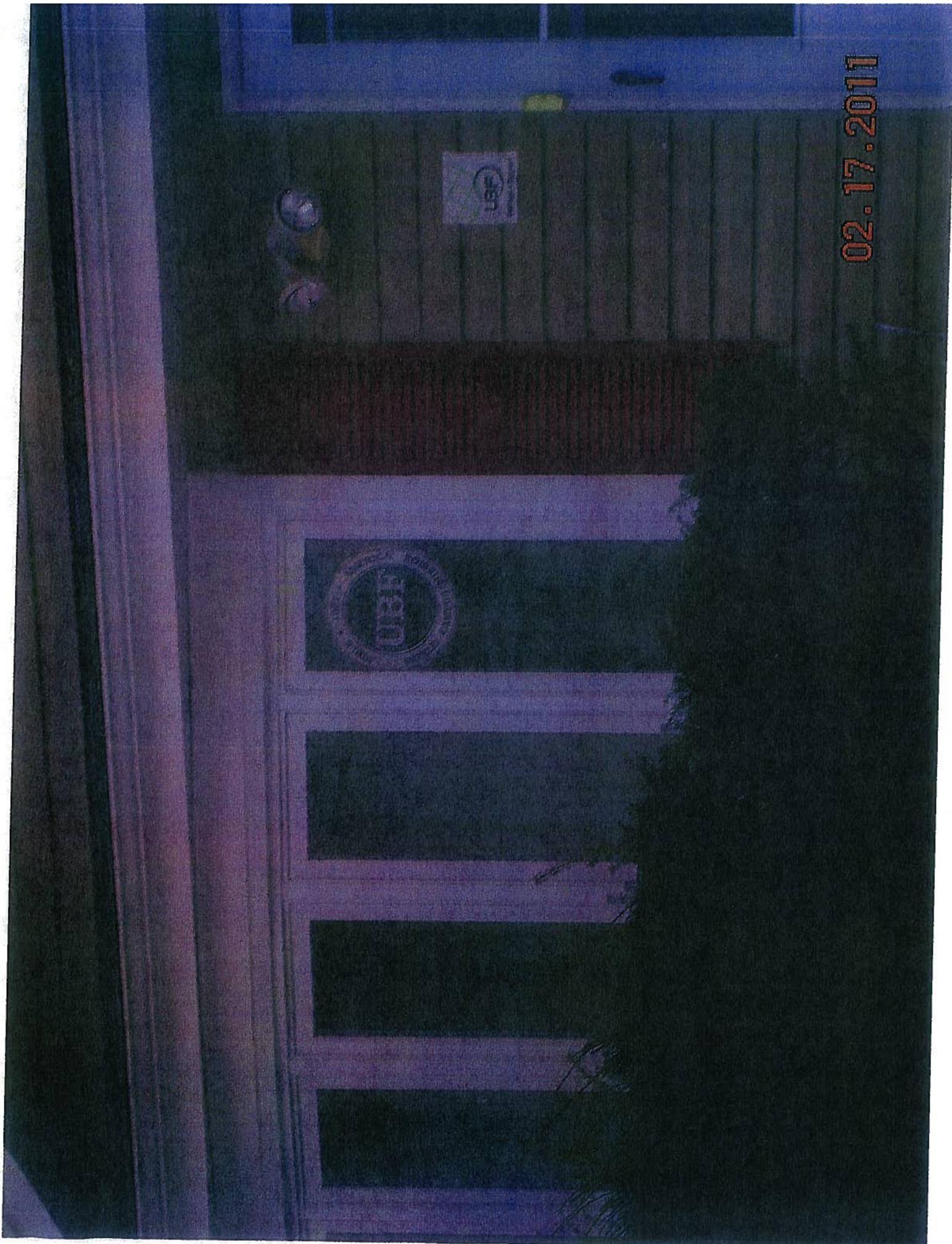
All persons in the Village of Glen Ellyn who are interested are invited to attend the public hearing to listen and be heard. Information related to the request is available for public review in the Planning and Development Department of the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Questions related to the request should be directed to Kasey Matthews, Planning Intern, (630) 547-5246.

Individuals with disabilities who plan to attend the hearing and who require certain accommodations in order to allow them to observe and participate, or who have questions regarding the accessibility of the meeting or facilities, are requested to contact the Village 24 hours in advance of the meeting.

Kasey Matthews
Planning Intern

(Published in The Daily Herald on Tuesday, January 10, 2012)



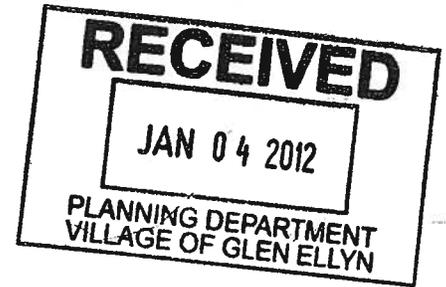


02.17.2011



02.17.2011

January 3, 2012



Glen Ellyn Planning Commission

RE: 556 Lowden Glen Ellyn Becoming a Church

Commission Members

I strongly object to the home becoming a Church as it will cause parking problems, traffic problems and can hurt the tax base. There are enough empty stores in Glen Ellyn for the person to rent with parking and wider streets and ones with more access. Lowden is a 2 block long street the home in question sits on a corner of Parkside and Lowden with access to Dawes. This means the people who attend the Church will be parking on the street. When they have meetings other than Sunday Services with all the young children in the neighborhood I see a potential problem. They have to come in off Park Blvd. and the congestion would be a hazard. If you grant them a zoning request then the next request would be to be taken off the tax rolls. In this economy this is rather fool hardy. If this passes than as excellent cook you won't object to me opening a restaurant in my home .

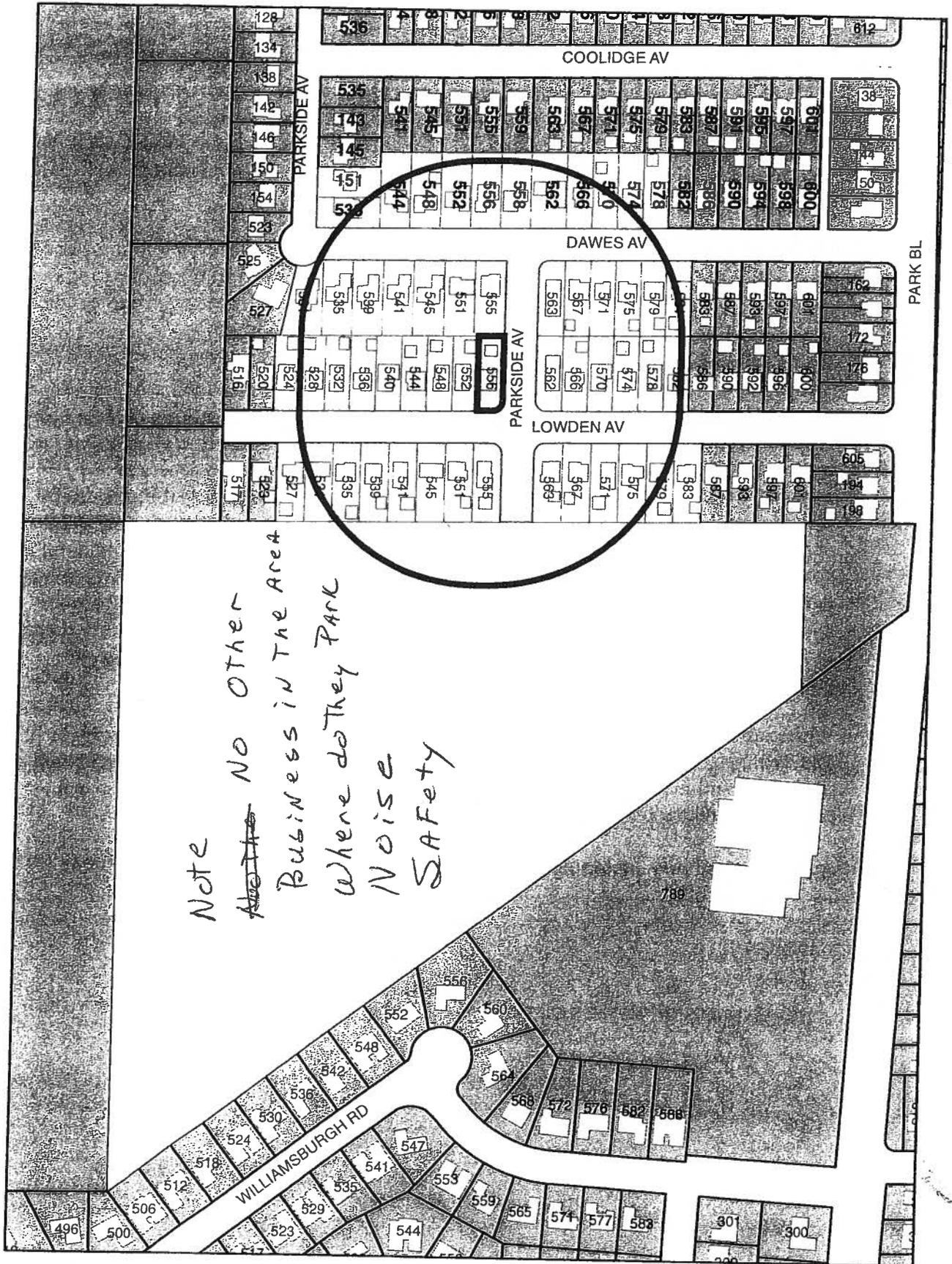
While Freedom of Religion is granted in the Constitution. Building Churches or establishing Churches in residential neighborhoods that can not handle the traffic is not a right. With all the vacant stores in the Village why can they not rent until they can buy property zoned for this use.

Again I strongly object to this zoning change.

*Nancy Barbano
571 Dawe
Glen Ellyn, Ill. 60137*

*I am doing this in writing as I am deaf
AS A BANKER CHURCHES HAVE TONS OF MONEY!*

556 Lowden Avenue



Note
~~Attn~~ NO OTHER
 Business in The Area
 Where do They Park
 NOISE
 SAFETY

Prepared By: Kasey Matthews
 Date Prepared: December 15, 2011



Kasey Matthews

From: Staci Hulseberg
Sent: Friday, January 06, 2012 9:38 AM
To: Michele Stegall; Kasey Matthews
Subject: FW: 556 Lowden Ave - Official request to operate the University Bible Fellowship church

Follow Up Flag: Follow up
Flag Status: Flagged

Please include in PC packet. Thanks.

Staci

Staci Hulseberg, AICP | Director | Planning and Development Department
Village of Glen Ellyn | 535 Duane Street | Glen Ellyn, IL 60137
shulseberg@glenellyn.org | p 630.547.5240 | f 630.547.5370

From: Laura Baloun [mailto:balounlb@gmail.com]
Sent: Thursday, January 05, 2012 7:13 PM
To: Staci Hulseberg
Subject: Fwd: 556 Lowden Ave - Official request to operate the University Bible Fellowship church

Sorry, I forgot to mention that Mark asked me to ask you to please include these articles in the Plan Commission Packets.

Thanks

----- Forwarded message -----

From: Laura Baloun <balounlb@gmail.com>
Date: Thu, Jan 5, 2012 at 7:11 PM
Subject: Fwd: 556 Lowden Ave - Official request to operate the University Bible Fellowship church
To: shulseberg@glenellyn.org

Staci, per Mark Pfefferman's suggestion I'm sending you a copy of an email I just sent Mark (below). I live on South Parkside. I along with several other neighbors will be attending the hearing on this, as we are very concerned - Initially, we were concerned with parking, capacity (there are well over 20 attendees at any one given time), future use, property values, etc., however, there are several articles (a couple listed below) that have been brought to our attention regarding abuse and cult-like activity of the University Bible Fellowship church):

Hi Mark!

Let me know if I can send these articles I got online when I googled University Bible Fellowship to someone on the zoning board/Board of Trustees..this is a huge problem (one of several issues many of us have with this request):

Oct. 8, 2008 Update -- Please note:

This entry on University Bible Fellowship (UBF) -- as shown below the blue line -- is in need of updating.

Doing so is on our lengthy to-do list, and we do not know when we get around to it.

That said, the primary update of note is that on March 18, 2008, the Board of Directors of the National Association of Evangelicals (NAE) voted to re-admit the UBF as a member.

Since early May, 2008, we have received emails from a number of UBF members pointing out this fact. Some also point to a handful of endorsements the UBF has received, as well as to its membership in the Evangelical Council for Financial Accountability (ECFA). Most of the emails make clear that membership in the NAE -- and, to a lesser extent, in the ECFA -- is seen as a stamp of approval for the UBF.

We do take such memberships into consideration, but they do not weigh heavily in our evaluations of groups. Many organizations are ill-equipped to deal with issues surrounding high-demand organizations and cult-like groups. They tend to base their determinations almost entirely on whether or not a movement's Statement of Faith passes their standard of orthodoxy.

Unfortunately, often a group's Statement of Faith does not quite describe what it actually teaches in word and/or in practice. In other words, a church, movement or organization can have a Statement of Faith that is theologically sound -- and yet teach doctrines ranging from aberrant to heretical and/or engage in practices that are sociologically abusive.

Therefore when it comes to University Bible Fellowship, our concerns regarding the organization have not been diminished as a result of the movement's reacceptance by the NAE.

In fact, we consider the group's authoritarian, high-demand nature to be evidence of a faulty understanding of the Gospel of Jesus Christ -- and of the Bible's teachings regarding disciples of Jesus.

We do not accept the notion that much of UBF's cult-like ideas regarding authority, submission, obedience and discipline can simply be explained by the group's Korean influences. It is not Korean culture that should influence a Christian's walk with Jesus. Rather, it should be the other way around.

In short, we have seen nothing that suggests University Bible Fellowship's teachings and practices should not -- at the very least -- be cause of concern for Christians. In our opinion, the UBF is an unhealthy organization whose teachings and practices provide a breeding ground for spiritual elitism and abuse.

Theologically, we consider the University Bible Fellowship to be at best an aberrant movement. In Christian theology, aberrant means, "Off-center or in error in some important way, such that the doctrine or practice should be rejected and those who accept it held to be sinning, even though they may very well be Christian."
[source]

Our advice to Christians is not to get involved with the University Bible Fellowship.

National Association of Evangelicals terminates UBF membership

04.02.04

"Cult" thrown out of National Association of Evangelicals

Posted in University Bible Fellowship, Evangelicals at 5:24 pm by Rick Ross

University Bible Fellowship (UBF), a controversial group that has been called a “cult,” has been thrown out of the National Association of Evangelicals (NAE).

Kyle Fisk Executive Administrator and official spokesperson for the NAE told *CultNews* today that the NAE, which includes 30 million members, has tossed UBF out of the 60-year old organization.

Fisk said that the NAE remains in open dialog with UBF, but it is doubtful that UBF would be readmitted as an NAE member.

The NAE has not yet released an official announcement, its spokesperson said.

Given UBF’s troubled and much publicized history of abuse allegations and “cult-like” behavior, it seems fair to ask how the group was admitted in 1995 to the NAE on any level in the first place?

UBF was founded by (Samuel) Chang Woo Lee in the small town of Kwangju, South Korea during 1960-61. Lee died in 2002, but the organization he once ruled over much like a tyrant, grew to include centers around the world.

Chicago is now the location of UBF headquarters.

UBF has historically targeted college students in ongoing recruitment efforts, but was banned at some campuses.

The group is known for its rigid system of “shepherding,” a highly authoritarian pyramid structure of accountability and discipleship training.

Over the years UBF had its critics.

Evangelical sociologist Ronald Enroth devoted an entire chapter to the group in his book “Churches That Abuse” (Zondervan, 1992).

In Germany a cult commissioner for the Protestant Church in the Rhineland described UBF as “cult-like” and labeled them “soul catchers” in a book.

Wellspring Retreat, a licensed mental health facility that offers rehabilitation for former cult members, has acknowledged treating former members of UBF.

In 2001 a newspaper at John Hopkins University specifically warned students about UBF, which it described as a “cult-like evangelist group.”

UBF apparently used NAE membership to strengthen its credibility.

NAE membership was displayed by UBF on the Internet.

However, the NAE imprimatur is no longer visible at a UBF website, subsequent to its historic expulsion from the organization.

A petition drive was initiated some time ago specifically calling upon the NAE to drop UBF from its rolls.

Former members of UBF have publicly recounted how difficult life was for them within the group, controlled by their “shepherds” through manipulative and coercive tactics and allegedly abused.

UBF will no longer be able to use the name of the NAE for credibility, nor as a tool to further its agenda.

Note: UBF's NAE membership was terminated, but then later reinstated, despite its long history of serious problems, bad press and complaints.

PermalinkComments

08.01.03

“Cult” comes to Wheaton College to stage conference

Posted in University Bible Fellowship, Moonies / Unification Church, Evangelicals at 11:30 am by Rick Ross

University Bible Fellowship (UBF), a controversial organization that has often been called a “cult,” is staging a regional conference at Wheaton College this weekend. The event is expected to draw 1,000 participants reports The Daily Herald.

Samuel Lee founded UBF in the 1960s in South Korea. Like Rev. Moon's Unification Church Lee's group found college campuses fertile ground for its recruitment efforts, which began in the US during the 1970s.

The organization is known for its extreme authoritarian control over members through “shepherds” and a strict hierarchical structure of totalitarian leadership. This has included arranged marriages.

Many complaints have arisen over the years and former members have established websites regarding the group's alleged abuses. UBF has a history of bad press in both the United States and Europe.

The founder of UBF Samuel Lee is now deceased, but the organization continues to target students on college campuses around the world.

UBF currently has campus groups at Loyola University, Columbia University, John Hopkins, Northwestern University, the University of Illinois in Chicago, Northeastern University of Illinois, the University of Maryland in Washington D.C., the University of Toledo and Shippensburg State in Pennsylvania.

UBF's International headquarters is in Chicago.

No doubt UBF is happy they have an opportunity to stage an event at Wheaton College, where many students may note their presence. They are also holding a summer conference in Canada simultaneously on the campus of John Abbott College in St. Anne de Bellevue, Quebec.

Other branches of the group in Canada include Waterloo, Toronto and Ottawa.

UBF has additional outposts around the world actively recruiting in France, Germany, Russia, the Ukraine, Japan, Switzerland, England, Korea and India.

A petition to the National Association of Evangelicals is currently on-line in an effort to have UBF's membership to that body revoked.

Note: UBF's NAE membership was terminated, but then later reinstated, despite its long history of serious problems, bad press and complaints.

This is the 'applicant' on the application for special use permit, which several of us have a copy of:



Anne E. Koday

Associate

akoday@ngelaw.com

akoday@ngelaw.com

vCard



T: (312) 827-1467

F: (312) 980-0812

Anne E. Koday has national experience representing Fortune 500 companies in ad valorem state and local property tax appeals, as well as experience in identifying and obtaining state and local property tax exemptions and incentives for both commercial and industrial properties. Anne's practice also includes complex real estate transactions, specifically the acquisition and disposition of commercial and residential real estate.

While in law school, she served as a member of the Moot Court Managing Council.

Education

- Vanderbilt University Law School (J.D., 2009)
- Indiana University, Kelley School of Business (B.S., 2005), with distinction and honors in business

Bar Admissions

- Illinois, 2009

This is one of the addresses that show up when UBF is googled:

University Bible Fellowship

556 Lowden Avenue, Glen Ellyn, IL 60137-6317

(630) 545-9743 ()

----- Forwarded message -----

From: **Mark Pfefferman** <mark.pfefferman@gmail.com>

Date: Thu, Jan 5, 2012 at 6:57 PM

Subject: Re: 556 Lowden Ave - Official request to operate the University Bible Fellowship church

To: Laura Baloun <balounlb@gmail.com>

Hi Laura,

Yes - you can send this articles to Staci Hulseberg, Director of Planning Development at the Village. Her email is shulseberg@glenellyn.org. Please ask her to include in the Plan Commission packets.

Mark

On Thu, Jan 5, 2012 at 6:23 PM, Laura Baloun <balounlb@gmail.com> wrote:
Hi Mark!

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In fact, we consider the group's authoritarian, high-demand nature to be evidence of a faulty understanding of the Gospel of Jesus Christ -- and of the Bible's teachings regarding disciples of Jesus.

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In short, we have seen nothing that suggests University Bible Fellowship's teachings and practices should not -- at the very least -- be cause of concern for Christians. In our opinion, the UBF is an unhealthy organization whose teachings and practices provide a breeding ground for spiritual elitism and abuse.

Kasey Matthews

From: Staci Hulseberg
Sent: Friday, January 06, 2012 4:10 PM
To: 'Laura Baloun'
Cc: Mark Pfefferman; Mark Franz; Michele Stegall; Kasey Matthews
Subject: RE: 556 Lowden Ave - Official request to operate the University Bible Fellowship church

Laura,

Thank you for contacting us with your questions. I have provided responses below.

We will include your email in the Plan Commission packet.

Please let us know if you have further questions.

Staci

Staci Hulseberg, AICP | Director | Planning and Development Department
Village of Glen Ellyn | 535 Duane Street | Glen Ellyn, IL 60137
shulseberg@glenellyn.org | p 630.547.5240 | f 630.547.5370

From: Laura Baloun [mailto:balounlb@gmail.com]
Sent: Friday, January 06, 2012 10:13 AM
To: Staci Hulseberg
Cc: Mark Pfefferman
Subject: Fwd: 556 Lowden Ave - Official request to operate the University Bible Fellowship church

Good morning!

I'm not sure you are the person I ask these questions of so if I need to contact someone else, please let me know.

As you may be aware by now, there are many of us very concerned with the possibility of 556 Lowden being rezoned as a church. We are doing our research and will have a significant showing at the hearing on January 26th. Myself and another neighbor have been picked as 'representatives' to speak at the hearing on the neighborhood's behalf. We are in the process of collecting concerns/questions/comments from neighbors regarding this. These will be summarized into key talking points and given to you and whomever else needs to/would like to see these, before the hearing. *[Staci]* Please note that the proposal is not to rezone the property. The existing zoning is R2 Residential and that zoning classification will remain the same. The property owners are requesting the approval of a special use permit in order to continue the operation of a church on this property because all churches in the Village require the issuance of a special use permit. Some churches in the Village are located in residential zoning districts and some are located in commercial zoning districts however, all require the issuance of a special use permit.

In the meantime, there are a few questions I have:

What are the chances that this property will be rezoned as a church? *[Staci]* The Plan Commission and Village Board will both review the application request, any documents and evidence provided at the meetings, public

testimony, and the special use permit standards in the Zoning Ordinance prior to taking any action on the request. After review of all this information, the Plan Commission will make a recommendation to the Village Board and then the Village Board will make a final decision. Members of the Plan Commission (appointed Village residents) and Village Board (elected officials/residents) generally do not form opinions on a request until they have reviewed all the relevant information.

When has Glen Ellyn allowed a residential home to be rezoned as a church or business? *[Staci]* I'm not aware of any single-family home in the Village being used for such purposes at this time. There may be single family homes used for similar purposes in other communities or in unincorporated DuPage County.

What criteria does a residential home have to meet to have the property rezoned to a church or business? *[Staci]* The special use standards listed in the Zoning Code must be met. Those standards can be found in Section 10-10-14(E) of the Zoning Code. You can find a copy of the Village's Zoning Code on the Village website here: <http://www.glenellyn.org/Planning/Documents/GE%20Zoning%20Code%20Complete.pdf>

Thank you for your time.

Laura

----- Forwarded message -----

From: **Laura Baloun** <balounlb@gmail.com>

Date: Thu, Jan 5, 2012 at 7:12 PM

Subject: Fwd: 556 Lowden Ave - Official request to operate the University Bible Fellowship church

To: shulseberg@glenellyn.org

Sorry, I forgot to mention that Mark asked me to ask you to please include these articles in the Plan Commission Packets.

Thanks

----- Forwarded message -----

From: **Laura Baloun** <balounlb@gmail.com>

Date: Thu, Jan 5, 2012 at 7:11 PM

Subject: Fwd: 556 Lowden Ave - Official request to operate the University Bible Fellowship church

To: shulseberg@glenellyn.org

Staci, per Mark Pfefferman's suggestion I'm sending you a copy of an email I just sent Mark (below). I live on South Parkside. I along with several other neighbors will be attending the hearing on this, as we are very concerned - Initially, we were concerned with parking, capacity (there are well over 20 attendees at any one given time), future use, property values, etc., however, there are several articles (a couple listed below) that have been brought to our attention regarding abuse and cult-like activity of the University Bible Fellowship church):

Hi Mark!

Let me know if I can send these articles I got online when I googled University Bible Fellowship to someone on the zoning board/Board of Trustees..this is a huge problem (one of several issues many of us have with this request):

Oct. 8, 2008 Update -- Please note:

Kasey Matthews

From: Staci Hulseberg
Sent: Friday, January 20, 2012 9:07 AM
To: Kasey Matthews; Michele Stegall
Subject: FW: Public Hearing January 26th regarding 556 Lowden Special Permit request
Attachments: 556 Lowden Neighborhood Feedback.doc

Staci

Staci Hulseberg, AICP | Director | Planning and Development Department
Village of Glen Ellyn | 535 Duane Street | Glen Ellyn, IL 60137
shulseberg@glenellyn.org | p 630.547.5240 | f 630.547.5370

From: Laura Baloun [<mailto:balounlb@gmail.com>]
Sent: Thursday, January 19, 2012 10:19 PM
To: Staci Hulseberg; Mark Pfefferman
Subject: Public Hearing January 26th regarding 556 Lowden Special Permit request

Good evening Staci and Mark,

I am emailing you both regarding the upcoming hearing on January 26th for 556 Lowden Special Permit request. Several of the neighbors in this area have met a couple of times regarding this request. In sum, we are opposed to this Special Use permit request. Attached is a summary of our concerns and questions. We felt it necessary to give this to you before the hearing so that the Planning Committee is aware of the neighborhood's position on this matter.

There will be a number of us in attendance at this hearing. Kevin Krebs and I will be the neighborhood representatives at this hearing. Once you review the attached, if you have any questions or need clarification, please do not hesitate to contact me.

Please reply back to let me know that you received this.

Thank You,

Laura Baloun

--

Laura Baloun
Senior Project Manager Consumer Research
630-362-0693
balounlb@gmail.com

Public Hearing for 556 Lowden – Neighborhood Feedback

Attention: Glen Ellyn Plan Commission

As residents of the Glen Park Subdivision that includes the Subject Property located at 556 Lowden, we collectively have a tremendous sense of civic pride and truly appreciate the small town charm of Glen Ellyn and all that it entails.

With that said, we have come together as a group during the last several weeks to actively discuss the current activities taking place at 556 Lowden and to debate the short and long-term impact of the proposed special use permit and zoning variations for that property.

Collectively, we respectfully ask that the Glen Ellyn Planning Commission strongly considers the following points when deciding whether or not to grant the special use application or the zoning variations requested to Section 10-4-8(H), Section 10-5-8(F) and Section 10-5-8(I):

- 1) **Factual discrepancies in the applications** – These discrepancies are documented on the following pages and supported by neighborhood observations and photographs. Most noticeably, services and programs on the property are often attended by more people than disclosed and the volume of cars often exceeds what is written in the applications.
- 2) **Public safety concerns** – Pursuant to the aforementioned discrepancies, our neighborhood observations have reflected a usage of the property that is not consistent with typical residential usage. The current usage, and potential usage moving forward, is, in fact, a public safety concern to the families and children in the neighborhood.
- 3) **Community questions** – Many families in the neighborhood would like further clarifications and additional information regarding the potential future implications of the proposed special use permit and zoning variations.

On behalf of all of the residents that have participated in our meetings and those who have shared their thoughts and concerns via e-mail during the past several weeks, we sincerely appreciate your time and look forward to attending the Public Hearing on January 26th.

Sincerely,

Kevin Krebs & Laura Baloun

Public Hearing for 556 Lowden – Neighborhood Feedback

Neighborhood Observations and Public Safety Concerns

Neighborhood observations regarding attendance at church services on Sunday and prayer group sessions on Friday, as well as the number of cars observed parking for those programs, directly contradicts with answers provided in the special use application, revised narrative statement and application for variation.

These discrepancies show that the current and proposed use of the Subject Property is:

- Not consistent with typical residential usage
- Leads to traffic interference on public streets
- Alters the essential character of the neighborhood
- Detrimental to public welfare
- Hazardous or disturbing to existing or future neighborhood uses

Church Attendance / Days of Week

- Attendance has often exceeded 20 people at church services and programs.
- Neighbors have seen as many as 40+ people attending activities on the property.
- Small prayer group activities, which take place on Friday nights, has been attended by more than the typical four or five people described in the revised narrative statement.

Parking

- The number of parked cars frequently exceeds the four or five cars as stated in both applications.
- Several instances of more than four or five cars parked outside the property have occurred on Friday nights as well as Sundays.
 - Friday night 1/5/12 – 7 cars
 - Sunday 1/8 – 8 cars (2 in driveway and 6 parked on the street)
- Neighbors observed the parking of a semi-truck cab on the street adjacent to the property and in the drive way of the property parking lot for multiple days in late December.
- The four parking stalls on the property are insufficient for the number of people that often attend UBF functions.

Public Safety Concerns

- With pedestrians walking and numerous children playing and riding bikes in the neighborhood, the volume of cars and traffic is a safety concern at least twice weekly (which could be 100+ times per year).
- With nobody residing at the property, the lack of proper maintenance - including snow removal and icy sidewalks – is a safety concern for the children and families walking in the neighborhood and in route to and from Park View School.

Public Hearing for 556 Lowden – Neighborhood Feedback

Factual Discrepancies in the Applications

From the Special Use Application ...(Highlighted areas indicate discrepancies in the application from what neighbors have observed)

Describe How the Special Use:

1) Will be harmonious with and in accordance with the general objectives, or within a specific objective of the Comprehensive Plan and/or this Zoning Code:

UBF Response

The proposed use change will not result in any disturbance to the area which is not consistent with typical residential usage in general. As further described in the Revised Narrative Statement, the proposed change in use to the property is to permit UBF to utilize the property as a place for informal worship activities, small bible studies, and prayer meetings, including the ability to hold main worship sessions for several hours every Sunday for as many as 20 people.

3) The property will not be hazardous or disturbing to existing or future neighborhood uses.

UBF Response

The only change observable from the outside of the home will be the addition of as many as four or five cars parked at the property for several hours on Sunday.

6) Will not involve uses, activities, processes, materials, equipment, and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors:

UBF Responses

Not at all. The only unusual element will be the presence of as many as four or five cars parked at the property for several hours on Sundays.

7) Will have vehicular approaches to the property, which shall be so designed as not to create an undue interference with traffic on surrounding public streets or roads:

UBF Statement

The proposed use for the property will create no interference with traffic on surrounding public streets or roads.

Public Hearing for 556 Lowden – Neighborhood Feedback

Factual Discrepancies in the Applications

From the Revised Narrative Statement

3. Small Group Prayer Meetings – Four to five people typically gather at the Subject Property once a week for group prayer meetings. These meetings generally take place on Friday evenings from 6:30 pm – 8:30 pm.

Those participating in the above-described activities utilize both the garage and the driveway at the Subject Property for parking.

From the Application For Variation

V. EVIDENCE RELATING TO ZONING CODE STANDARDS FOR VARIATION

1. Provide evidence that due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code:

UBF Response

The variation from Section 10-4-8(H) is requested because the Subject Property has only four parking stalls and creating a fifth parking stall would be difficult (if not impossible) without major construction, which would place an undue hardship on the property owner give the fact that the fifth parking stall would be used – at most – once a week.

3. Provide evidence that the requested variation(s), if granted, will not alter the essential character of the locality of the property in question:

UBF Response

The activities that are currently being conducted at the Subject Property have been occurring there since the University Bible Fellowship took title to the property in 1998. This use is not atypical of residential property, and to the property owner's knowledge, this use has not been detrimental or injurious to other properties of property owners in the neighborhood.

Because the proposed zoning variation do not involve any activity or use that is atypical of residential property, the variations will not alter the essential character of the area surrounding the Subject Property in any way or result in any disturbance to the area which is not consistent with typical residential usage in general. Permitting the Subject Property to have only four parking stalls, two of which measure 16 feet, and permitting the absence of the 24-foot drive aisle behind the proposed parking spaces will in no way alter the essential character of the neighborhood. The

Public Hearing for 556 Lowden – Neighborhood Feedback

use of the Subject Property and actively conducted at the Subject Property will be harmonious with and in accordance with the general objectives of the Zoning Code.

Factual Discrepancies in the Applications

From the Application For Variation

5. Provide evidence that the granting of variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question in question is located.

UBF Response

Because the proposed zoning variations does not involve activity or use that is atypical of residential property, the variations will not in any way be detrimental to the public welfare or injurious to other property or improvement in which the Subject Property is location.

6. Provide evidence that the proposed variation will not:
e. Unduly increase traffic in the public streets and highway;

UBF Response

Not at all.

Public Hearing for 556 Lowden – Neighborhood Feedback

Community Questions

1) Limitations - Is it possible to limit the conditions of special use and zoning variations?

- So that it only will apply to that property and can not be extended to adjacent properties
- So that if the property is sold it will revert to residential status and not stay "church" zoned on a permanent basis
- So that the size of the house on the property cannot be expanded in the future? For example: adding a second story, which would increase potential capacity, could increase traffic and cause a larger public safety issue.
- So that the property owners could not tear down the house build an actual church building in the future?
- So as to limit the use of signs, lighting, etc.?

2) Tax Implications

- What are the tax implications of the special use and zoning variations?
- Does "church designation" change the tax status for the property and lower the tax rate?
- Neighborhood observation - UBF often uses surrounding public facilities (Co-op Park) for activities.

3) Property Value

- How would the special use and zoning variations impact property values of surrounding homes?
- Would current homeowners be required to disclose the special use and zoning variations to future buyers?

4) Programming Limitations On The Subject Property

- Is it possible to limit the special use permit to prevent programs that could have a negative impact on the surrounding homeowners? These would include a PADS/homeless shelter and drug abuse recovery ministry?

5) Is the zoning board aware of other communities' experiences with UBF?



Presented at the January 26, 2012
Plan Commission Meeting
by Resident Kevin Krebs

By Kevin Jesmer NIU UBF 8-31-11

Matthew 6:9b-10, "Our Father in heaven, hallowed be your name, your kingdom come, your will be done on earth as it is in heaven."



On August 25th to August 29th the joint DuPage/NIU UBF Fall Bible school was held at the DuPage Bible house. The title of the conference was "You Kingdom Come" based on Matthew 6:9b-10, "...Our Father in heaven, hallowed be your name, your kingdom come, your will be done on earth as it is in heaven." Through this conference we prayed that the kingdom of God may grow in our hearts first and then expand to others. God raised up four speakers, four group Bible study leaders, eight testimony speakers and music servants. There were two life testimonies, Suzie Song and Regina Latreider, both from Heidelberg Germany. On Saturday we watched the classic movie, "The Robe" and on Sunday we had a delicious barbeque and birthday celebration for Augustine Jesmer and Esther Kim, (whose flight was stranded.) God sent 33 people to the Bible school over the four days, 18 from DuPage, 3 from Triton UBF, 2 from Chicago UBF and 10 from NIU UBF.

On Thursday, Matthew Monroe and Isaac Bahn led praise and worship. They were followed by Julie Jesmer who led the group in Bible study on Mark 1:14-20, "The Kingdom Of God Is Near." Matthew Cizek delivered a powerful message on this passage. He told us that we should all live in hope for God is near us. He reveals his presence in so many wonderful ways. The way to experience God is through repentance and faith. He also told us that life in the kingdom of Heaven is the only solution to all of our problems and Jesus went ahead and set the example. May Matt continually use his strong voice and physical presence to bring glory to Jesus through preaching the Word of God! Hope Jesmer and Sarah Jesmer shared their testimonies. Hope realized that in bad times she can't just depend on friends and her own good works. She needs to come to Jesus in prayer. Sarah learned that where the kingdom of God is, there is hope. She wants to learn a life of prayer and for the kingdom of God to spread in her high school, especially through her involvement with the Fellowship of Christian Athletes.

On Friday, the NIU praise band opened the evening. Jeremy Hajek led an engaging Bible study on Matthew 6:5-15. Kevin Jesmer delivered a message entitled, "Your Kingdom Come." His message opened with a statement, "Do you know what the best thing ever is? It is spending eternity with Jesus in his Kingdom as his precious child." Through his message we

Text Size

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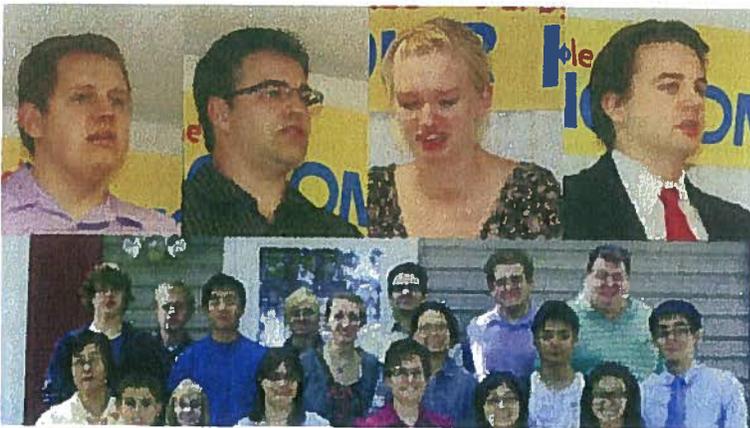
[HOME](#) [WORLD MISSION](#) [NEWSLETTERS](#) [BIBLE STUDY](#) [LINKS](#)

Report on the Joint DuPage / NIU Fall Bible School, USA

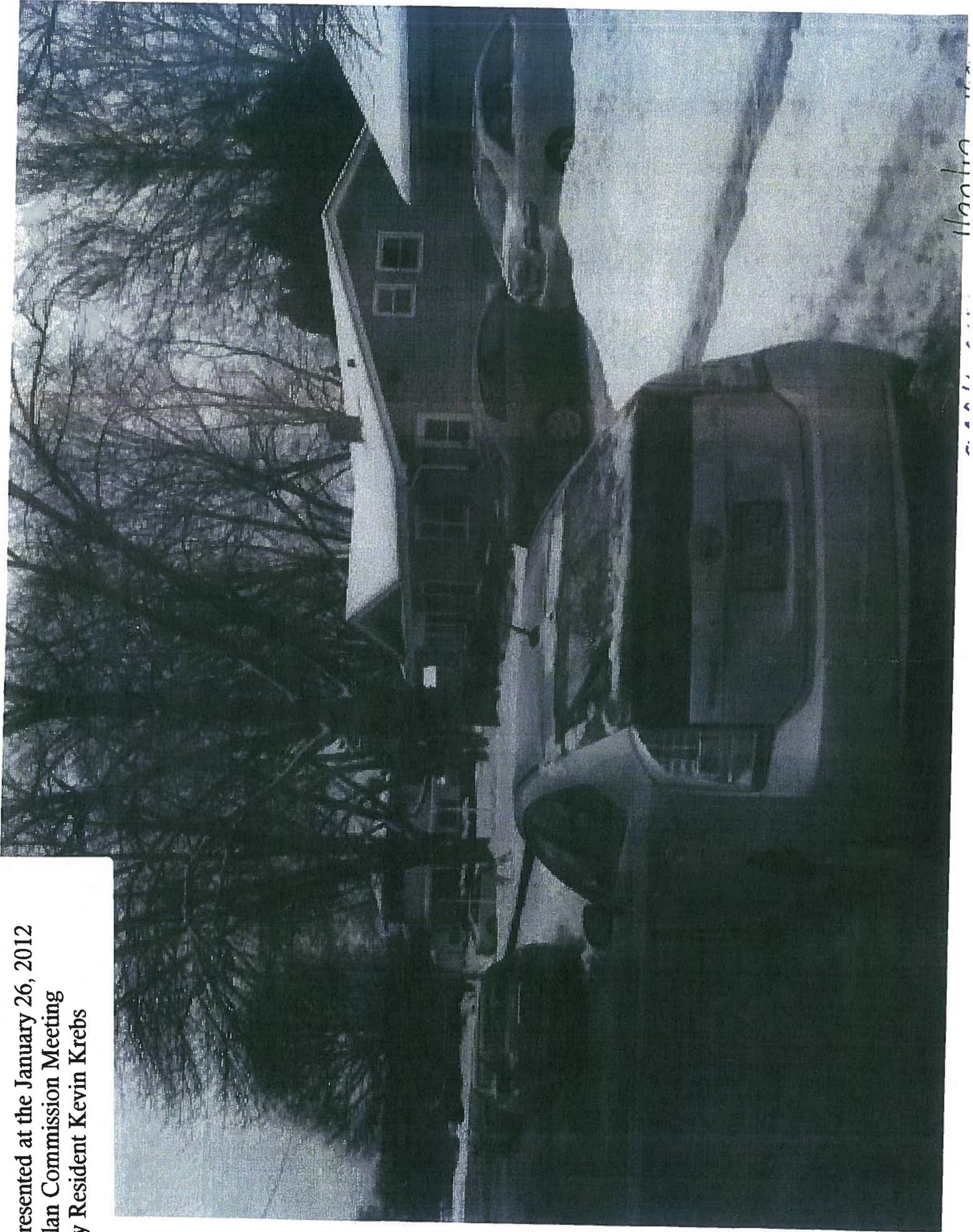
Latest Headlines

[Mongolia UBF Mission Report](#)
[Almaty Mission Report and Prayer Topics](#)
[Humber UBF New Year Key Verse and](#)
[Odessa Mission Report, Ukraine](#)
[Pray for Sh. Phillip Lee's successful surgery.](#)
[Kharkiv UBF Report and Prayer Topics,](#)

Presented at the January 26, 2012
Plan Commission Meeting
by Resident Kevin Krebs

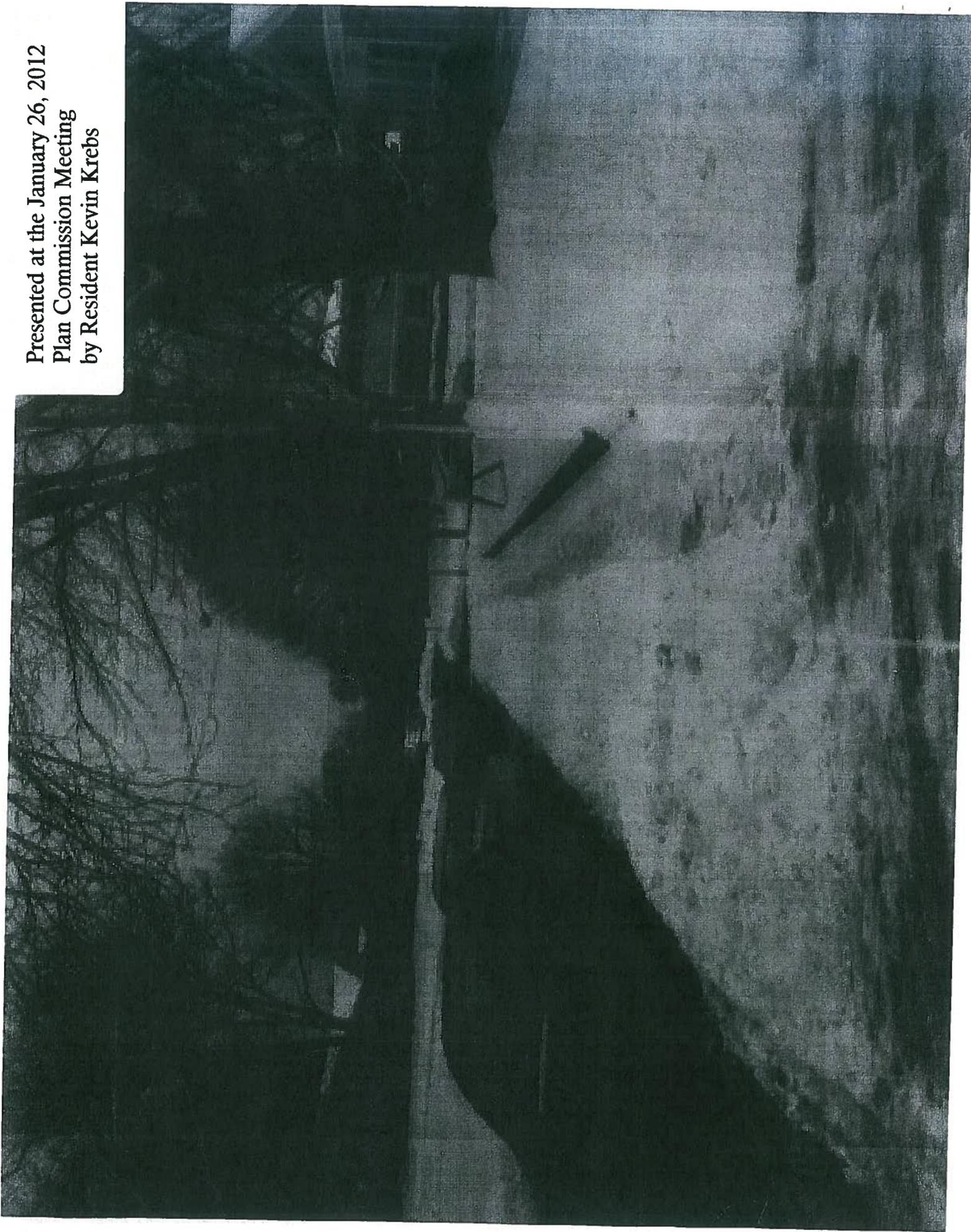


**Presented at the January 26, 2012
Plan Commission Meeting
by Resident Kevin Krebs**



Photo

Presented at the January 26, 2012
Plan Commission Meeting
by Resident Kevin Krebs





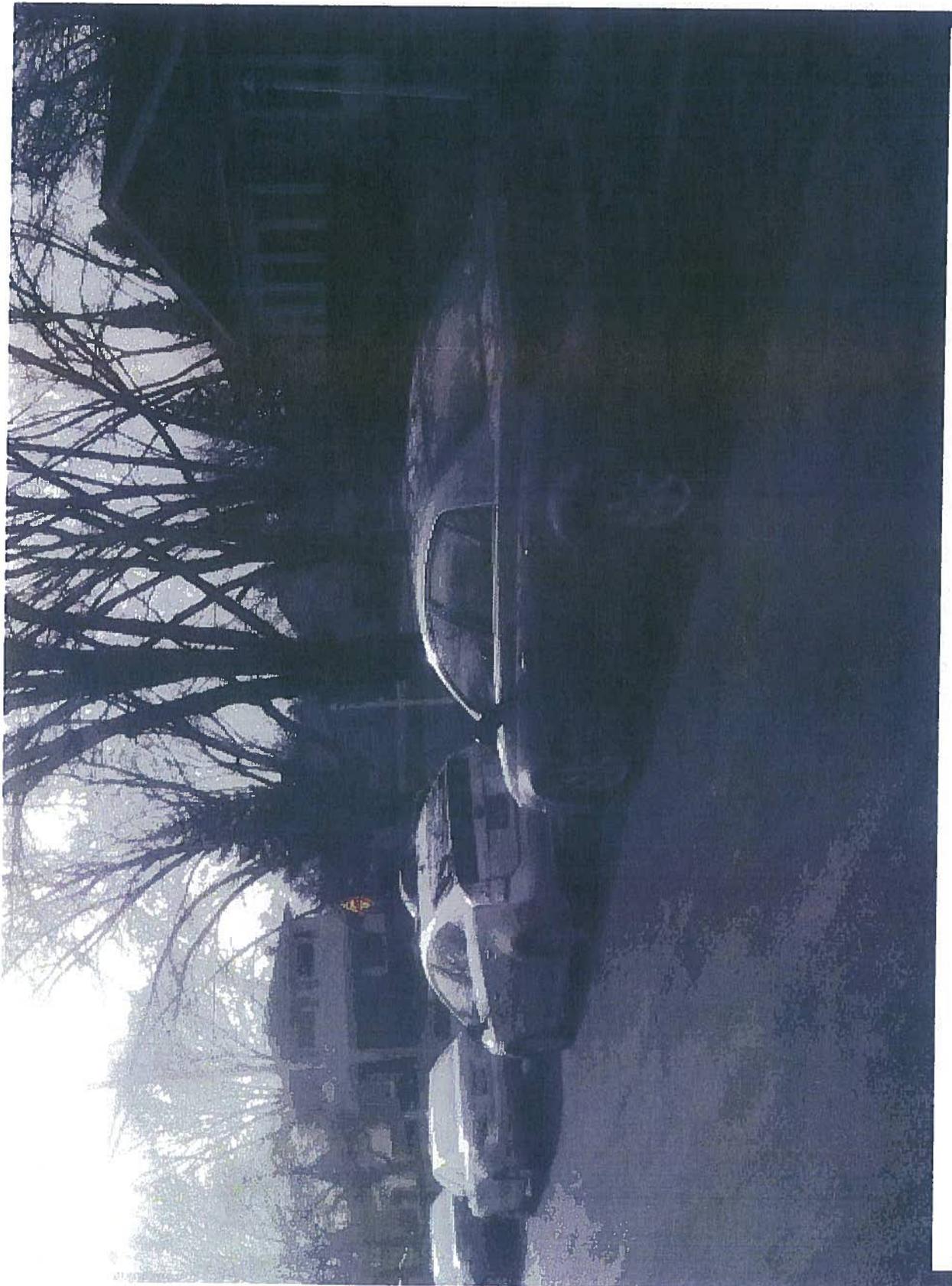
Parkside 8 Jan 12. 1 of 8 cars parked at property.

**Presented at the January 26, 2012
Plan Commission Meeting
by Resident Kevin Krebs**

Presented at the January 26, 2012
Plan Commission Meeting
by Resident Kevin Krebs



Only 2 cars parked in Driveway on 8 Jan 12. Total of 8 cars were at property.



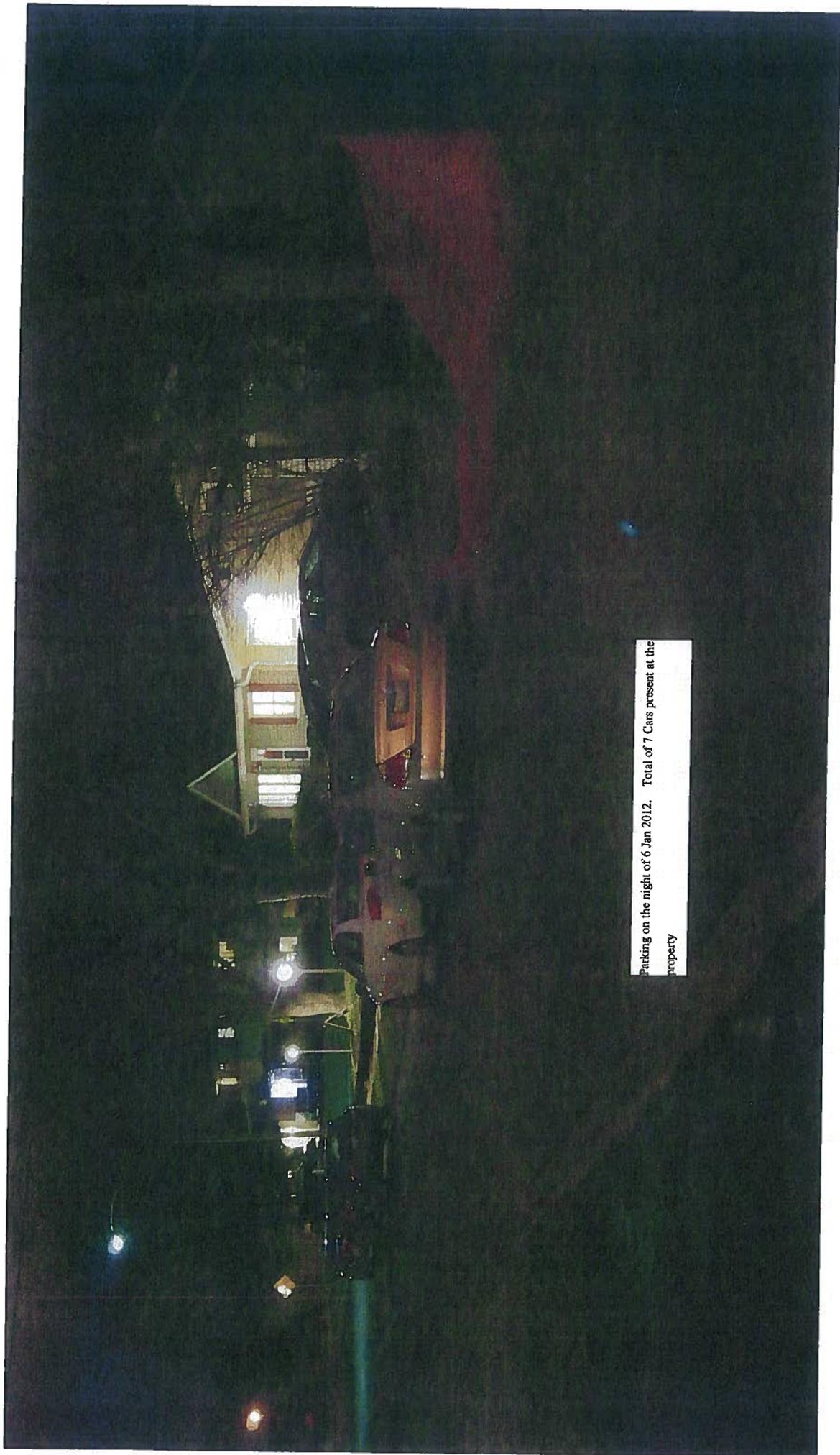
Parking on Parkside on 8 Jan 12. 4 of 8 cars parked at property.

**Presented at the January 26, 2012
Plan Commission Meeting
by Resident Kevin Krebs**



Corner of Parkside and Lowden. 2 of 8 cars parked at property on 8 Jan 12.

Presented at the January 26, 2012
Plan Commission Meeting
by Resident Kevin Krebs



Parking on the night of 6 Jan 2012. Total of 7 Cars present at the property

Presented at the January 26, 2012
Plan Commission Meeting
by Resident Kevin Krebs



23 Persons in this photo taken from UBF Dupage website

**Presented at the January 26, 2012
Plan Commission Meeting
by Resident Kevin Krebs**



29 People are shown in this photo from UBF Dupage website.

Presented at the January 26, 2012
Plan Commission Meeting
by Resident Kevin Krebs



30 People in this group photo. Picture was posted on Dupage UBF Website

Presented at the January 26, 2012
Plan Commission Meeting
by Resident Kevin Krebs

If yard paved over for parking what about the runoff of melting snow and waster going onto neighbors yards. Why do they/we have tow worry about flooding when its not necessary.

Fire apparatus can't get through in case of emergency (fire right behind them last June had over 20 pieces of equipment. Would slow down response time for emergency vehicles with overcrowded streets.

Children play on the streets in this location during the warmer months , people late for service's going faster might have accident.

Only access would be off of Park causing congestion and accidents,

How many Services only on Sunday what about Lent or Advent. Noise level during the summer for those of us who work nights. This has always been a residential neighborhood since 1959 when My home was built before that a farm.

Naperville would not have even considered the paving of a yard for parking in a residential neighborhood why in heavens name is Glen Ellyn eve thinking about this.

There empty store fronts just 4 blocks away that I am sure the management would consider reduced rent in turn for having them occupied. Downtown has several store fronts there are 2 at Butterfield and Park. Several on Butterfield by Fox Bowl all with large parking lots.

The next request would be to be taken off the tax rolls, in this economy this is rather stupid, ZI am sorry but no other word comes to mind.

I would like the commissioners to explain why they are wasting time on this, when it should have been turned down immediately. Actually they should be fined.

My Grandfather was a Fundamentalist Minster and my Deceased son a student at North Park Theological College. So in no way am I anti religion. But everything has a place and time and this so called Church does not belong in this place at this time nor in the future, but in a place with plenty of parking and easy access and somewhere where it will not infringe on its neighbors.

Nancy Barbeau
571 Dunes
Glen Ellyn, IL 60137

Submitted at the February 9, 2012
Plan Commission Meeting
by Resident Pat Van Tiem

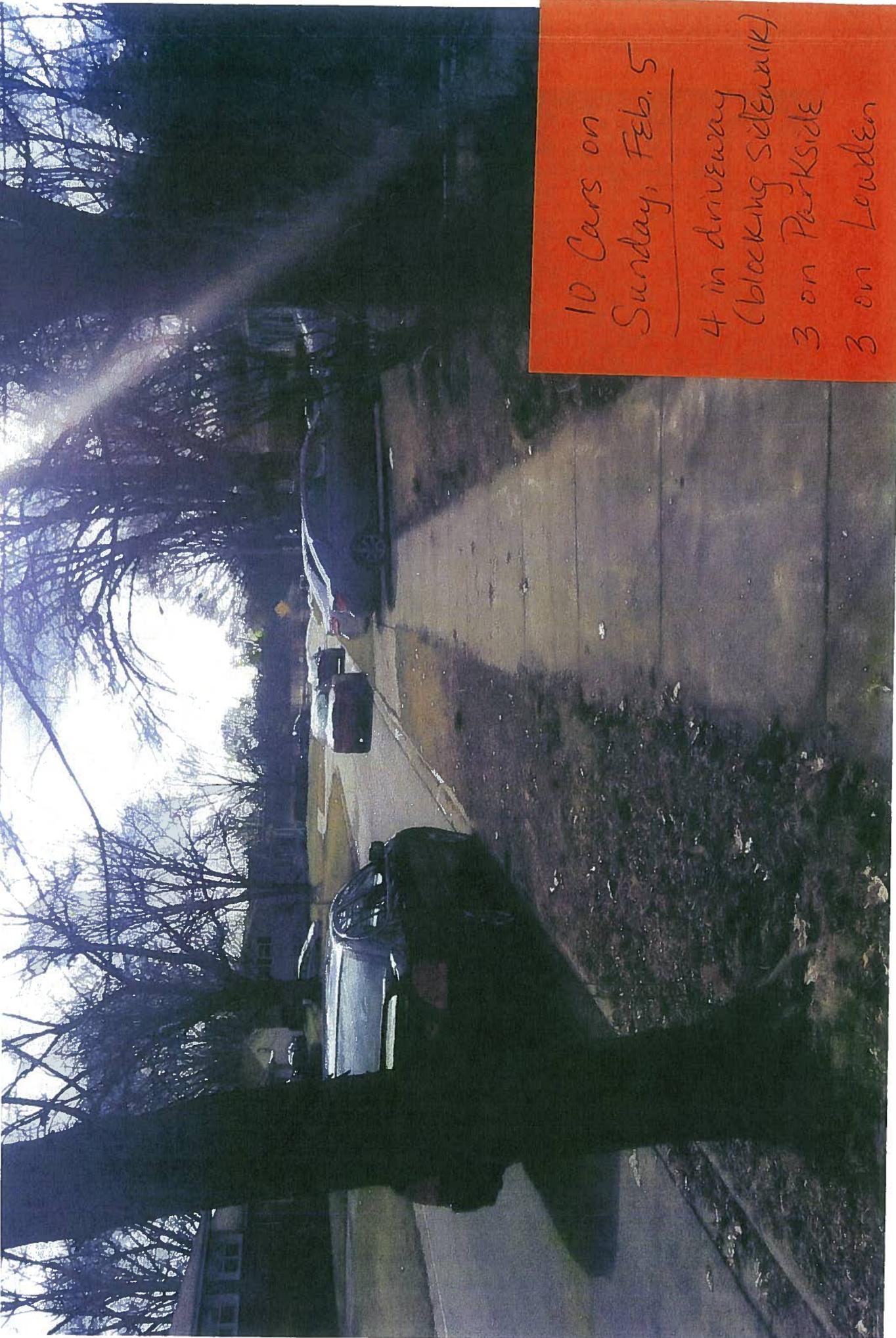
01/29/2012 08:17:10 AM



29 January 2012

Submitted at the February 9, 2012
Plan Commission Meeting
by Resident Pat Van Tiem

Submitted 2/11/12



10 Cars on
Sunday, Feb. 5
4 in driveway
(blocking sidewalk)
3 on Parkside
3 on Linden

February 24, 2012

VIA CERTIFIED U.S. MAIL

Glen Ellyn Village Board
535 Duane Street
Glen Ellyn, IL 60137
Attention: Village Clerk

**Re: 556 Lowden Avenue, Glen Ellyn, IL
Glen Ellyn Plan Commission's Recommendation on Special Use Permit
Application & Zoning Variation Application**

Dear Members of the Board:

As you know, the public hearing on the Special Use Permit Application and Zoning Variation Application submitted by the University Bible Fellowship ("UBF") was held before the Glen Ellyn Plan Commission on January 26 and February 9. At the conclusion of the public hearing, the Plan Commission deliberated and entered a motion to recommend to the Village Board that the applications be denied in full.

It remains UBF's position that these applications should be granted in their entirety, and it bears reiterating the important point that this property was purchased by UBF in February 1998 and has been used as it is currently being used for almost a decade and a half. Moreover, UBF's current use of the property has not resulted in a single complaint to the Village of Glen Ellyn, the Police Department or UBF over the last fourteen years. Nevertheless, it is my understanding that the Village Board takes the Plan Commission's recommendations under serious advisement. To that end, if the Village Board agrees with the Plan Commission's recommendation and denies the applications, on behalf of UBF, I respectfully request that the church be given at least nine (9) months to discontinue its religious activities at the property. Given the fact that UBF has been operating out of this property for fourteen years, the church will require ample time to find a new location to conduct its worship services and bible studies, prepare and coordinate new schedules for these activities, notify its members of the changes in location and/or scheduling of these activities, remove references to the property from UBF's printed and online outreach materials, and transition its religious activities to a new location.

Should the Village Board deny the applications and grant this "wrap-up" time to UBF, the organization will take care to phase out its religious activities at the property in such a way as to cause minimal disturbance to its neighbors. In making your final decision with respect to the applications and, if applicable, with respect to the time afforded to UBF to discontinue its current use of the property, I respectfully request that you take into consideration UBF's long-standing and non-disruptive presence in this neighborhood.

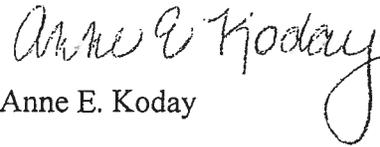
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February 24, 2012

Page 2

I plan to attend the Village Board meeting on March 12 and may be joined by several members of the church. In the meantime, should you require any additional information regarding this matter, please do not hesitate to contact me.

Very truly yours,


Anne E. Koday

Cc: Village of Glen Ellyn
Planning & Development Department
535 Duane Street
Glen Ellyn, Illinois 60137
Attention: Kasey Matthews, Planning Intern

Village Of Glen Ellyn

Ordinance No. _____

**An Ordinance Denying a Special Use Permit
And Zoning Variations
For a Church at 556 Lowden Avenue
Glen Ellyn, Illinois 60137**

**Adopted by the
President and the Board of Trustees
Of the Village of Glen Ellyn
DuPage County, Illinois
This _____ Day of _____, 20____.**

Published in pamphlet form by the authority of the
President and Board of Trustees of the Village of
Glen Ellyn, DuPage County, Illinois, this _____
day of _____, 20____.

Ordinance No. _____

**An Ordinance Denying a Special Use Permit
And Zoning Variations
For a Church at 556 Lowden Avenue
Glen Ellyn, Illinois 60137**

Whereas, University Bible Fellowship, owner of property located at 556 Lowden Avenue, has petitioned the Village President and Board of Trustees for the following approvals:

1. A Special Use Permit in accordance with Section 10-4-8(B)3 of the Glen Ellyn Zoning Code to allow a church to be located on the property;
2. A variation from Section 10-4-8(H)2 of the Glen Ellyn Zoning Code to allow a total of 4 parking spaces on the property in lieu of the 5 required for the church;
3. A variation from Section 10-5-8(F) of the Glen Ellyn Zoning Code to allow 2 of the 4 parking stalls to be 15.85 feet long instead of the minimum 19 feet required;
4. A variation from Section 10-5-8(I) of the Glen Ellyn Zoning Code to allow the absence of a drive aisle behind the proposed parking spaces in lieu of minimum drive aisle width of 24 feet required; and

Whereas, the petitioner has been using the property as a church since purchasing the property in 1998 and the church use was recently discovered by the Village while conducting an unrelated building permit inspection; and

Whereas, the petitioner is requesting approval of the aforementioned applications to allow the continued use of the property as a church; and

Whereas, the subject property is located at the northwest corner of Lowden Avenue and Parkside Avenue, west of Park Boulevard in the R2 Residential District and is legally described as follows:

LOT 28 BLOCK 11 IN GLEN PARK SUBDIVISION, BEING A RESUBDIVISION IN GLEN ACRES SUBDIVISION, BEING A SUBDIVISION IN SECTION 23, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID GLEN PARK SUBDIVISION RECORDED MARCH 3, 1926 AS DOCUMENT 208829, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-23-122-020; and

Whereas, following due and proper publication of notice in the Daily Herald, not less than fifteen (15) nor more than thirty (30) days prior thereto, and following written notice to all property owners within 250 feet of the site, and the placement of a placard on the property not less than fifteen (15) days prior thereto, the Plan Commission of the Village of Glen Ellyn conducted public hearings on January 26, 2012 and February 9, 2012 at which hearings the Plan Commission considered the petitioner's requests for approval of the requested Special Use Permit and Zoning Variations; and

Whereas, at the January 26, 2012 and February 9, 2012 public hearings, the petitioner presented evidence and testimony in support of the request, and a total of thirteen (13) residents spoke in opposition to the requests and presented facts and arguments that related to the effect of the existence of the use rather than the type of use, and zero (0) residents spoke in favor of the requests; and

Whereas, after having considered the evidence presented, including the exhibits and materials submitted, the Plan Commission made its findings of fact and recommendations as set forth in the minutes from the February 9, 2012 Plan Commission meeting, a draft of which is attached hereto as *Exhibit "B"*, and pursuant to Sections 10-10-12 and 10-10-14 of the Zoning Code, by a unanimous vote of nine (9) "yes" and zero (0) "no," the Plan Commission recommended denial of the requested Special Use Permit and Zoning Variations; and

Whereas, the Village President and Board of Trustees have reviewed the evidence, exhibits, and materials presented at the January 26, 2012 and February 9, 2012 Plan Commission public hearings and have considered the findings of fact and recommendations of the Plan Commission; and

Whereas, the President and Board of Trustees make the following findings of fact in

regard to the requested Special Use Permit:

1. The proposed use will not be harmonious and in accordance with the general objectives, or within a specific objective of the Comprehensive Plan and/or Zoning Code because the Comprehensive Plan recommends that the Village “*maintain the scale, quality and character of existing single-family neighborhoods*” and the presence of a church in a building designed as a single-family home with no parking lot will result in a level of traffic congestion, regular on-street parking and levels of activity that are atypical of a single-family home and will adversely impact the character of the surrounding single-family neighborhood;
2. The proposed project is not designed and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will change the essential character of the area because the presence of a church in a building designed as a single-family home with no parking lot will result in a level of traffic congestion, regular on-street parking and levels of activity that are atypical of a single-family home, and will adversely impact the character of the surrounding single-family neighborhood. Testimony presented at the January 26, 2012 Plan Commission meeting stated that attendance has regularly exceeded the level represented in the petitioner’s application and as many as 4-11 vehicles have been witnessed regularly on the street;
3. The proposed use will be hazardous or disturbing to existing or future neighborhood uses of the property because the number of people and vehicles that will be present at the property will be in excess of typical residential use and will be disruptive to the neighborhood. According to neighbor testimony, the number of people and vehicles present tends to exceed what is represented in the petitioner’s application with more than 20 people in attendance and 11 cars witnessed on the street;
4. The proposed use could create excessive additional requirements at public cost for public services because given the size of the main assembly area and the impermanent nature of the seating, there are inherent difficulties in ensuring that the number of seats does not exceed the maximum number of 20 seats identified in the petitioner’s application packet and that on-street parking associated with the church does not exceed the representations made by the petitioner. Ensuring that the property is maintained as proposed could take an unusual amount of code enforcement, police effort and staff time;

In regard to the requested Zoning Variations the Village President and Board of Trustees further find that:

1. Granting of the variations would further alter the essential character of the area because it would result in regular on-street parking and the regular encroachment of parked vehicles in the public right-of-way;
2. The petitioner has not demonstrated a particular hardship as a result of adhering to the strict letter of the regulations of the Zoning Code because the church could locate on an alternative site that has adequate parking;

3. The property in question could yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district because the building on the property was previously used as a single-family home which has a lesser parking requirement and impact and could continue to be used as a single-family home;
4. The alleged difficulty or particular hardship has been created by the petitioner because the church could locate on an alternative site that has adequate parking; and

Whereas, based on the aforementioned findings of fact, the President and Board of Trustees find it appropriate and in the best interest of the Village to deny the requested Special Use Permit and Zoning Variations.

Now, Therefore, be it Ordained by the president and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers, as follows:

Section One: The minutes from the January 26, 2012 Plan Commission meeting, a draft of which is attached hereto as *Exhibit "A,"* the minutes from the February 9, 2012 Plan Commission meeting, a draft of which is attached hereto as *Exhibit "B,"* and the findings of fact set forth therein and in the preambles above are hereby adopted as the findings of fact of the Village President and Board of Trustees based upon their review of the evidence, exhibits, and materials presented at the January 26, 2012 and February 9, 2012 public hearing before the Plan Commission.

Section Two: Based upon the findings of fact and recommendations of the Plan Commission, as adopted herein and the findings of fact and conclusions set forth in the preambles above, the Village President and Board of Trustees hereby deny the petitioner's requests for a Special Use Permit and Zoning Variations to allow a church at 556 Lowden Avenue.

Section Three: The existing worship activities on the property shall cease within one hundred and eighty (180) days of the date of this Ordinance.

Section Four: The Village Clerk is hereby authorized and directed to cause a copy of this Ordinance denying the requested Special Use Permit and Zoning Variations to be recorded with the DuPage County Recorder of Deeds.

Section Five: This Ordinance shall be in full force and effect from and after the passage, approval, and publication in pamphlet form.

Section Six: Failure of the owner or other party in interest or a subsequent owner or other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owner or party in interest to the penalties set forth in Section 10-10-18(A) and (B) of the Village of Glen Ellyn Zoning Code.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20____.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20____.

Village President of the
Village of Glen Ellyn, Illinois

Attest:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the ____ day of _____.)

not concerned regarding Taft Avenue as it is a relief point for some traffic. He added that the project is a great concept. Plan Commissioner Whiston hoped the traffic at the drive-thru could be addressed, however, not at the risk of losing the project. He added that he liked this entry to the Village. Plan Commissioner Whalen agreed with many of Plan Commissioner Strayer's comments. He suggested adding landscaping to the rear of the subject building and keeping the bioswales on the site. He stated that undergrounding wires is very expensive, and he suggested getting opinions from Public Works staff and the Village Board regarding the economics of undergrounding wires which could deter developers from building. He suggested getting a cost analysis regarding the utilities. Although Plan Commissioner Whiston was in favor of undergrounding utilities, he recommended obtaining information regarding utility costs. Plan Commissioner Girling stated that special uses should not be granted based on economic hardship to the developers and he was in favor of the utilities being undergrounded. Chairman Fullerton felt that the proposed project will be a great addition to the community. She was supportive of bioswales and landscape buffering and felt that the Plan Commissioners would be in favor of the drive-thru if the stacking issue was presented more clearly. She also recommended discussions with staff and the Village Board regarding overhead utility lines and the economic condition. Chairman Fullerton asked how carts will be managed at the stores adjoining Fresh Market, and Mr. Murphy responded that it will be unlikely that they will have carts because of the restriction in grocery use. Plan Commissioner Girling asked how the shopping cart issue would be handled if a new store was on the site. Per Ms. Stegall, the petitioner stated that the shopping carts would be stored inside the building and carted out to customers' vehicles by the employees and then returned back to the store by the employees.

PUBLIC HEARING – UNIVERSITY BIBLE FELLOWSHIP, 556 LOWDEN AVENUE
DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING A
REQUEST FOR APPROVAL OF A SPECIAL USE PERMIT AND ZONING
VARIATIONS TO ALLOW A CHURCH TO OPERATE OUT OF A SINGLE-
FAMILY HOME AT 556 LOWDEN AVENUE. THE SUBJECT SITE IS LOCATED
AT THE NORTHWEST CORNER OF LOWDEN AVENUE AND PARKSIDE
AVENUE IN THE R2 RESIDENTIAL ZONING DISTRICT
(Anne E. Koday, Attorney)

Chairman Fullerton explained the procedures of the Plan Commission regarding the subject public hearing.

Staff Introduction

Plan Commissioner Buckton moved, seconded by Plan Commissioner Bromann, to open the public hearing. The motion carried unanimously by voice vote.

Plan Commissioner Strayer, an attorney, stated that he has a relationship with the law firm representing the petitioner and subsequently recused himself from this request.

Plan Commissioner Whalen stated that he is currently the contractor building a home to the east of the subject property. He stated that he has not discussed the subject project with his customer and referred them to the Village if they had any questions. Plan Commissioner Whalen also stated he has contacted the Village Ethics Officer who stated she has no problem with him participating in this project.

Kasey Matthews, Planning Intern, stated that University Bible Fellowship, owner of property at 556 Lowden Avenue and represented by Attorney Anne E. Koday, is requesting approval of a Special Use Permit and Zoning Variations to allow a church to be operated within an existing single-family home at 556 Lowden Avenue. Ms. Matthews stated that three variations from the Glen Ellyn Zoning Code are being requested as follows: 1. A variation from Section 10-4-8(H)2 to allow a total of four (4) parking spaces on the property in lieu of the five (5) required for a church. 2. A variation from Section 10-5-8(F) to allow 2 of the 4 parking stalls to be 15.85 feet long instead of the minimum 19 feet required. 3. A variation from Section 10-5-8(I) to allow the absence of a drive aisle behind the proposed parking spaces in lieu of a minimum drive aisle width of 24 feet required. Ms. Matthews described the location of the subject property which is zoned R2. A single-family home and detached garage currently exist on the site, and she described the surrounding land uses.

Ms. Matthews provided a history of the subject property which was purchased by the University Bible Fellowship in 1998 and has been used for worship services, bible studies and prayer meetings since that time. She stated that in February, 2011, Village staff learned that a church was being operated out of the subject home when a building inspector visited the property for an unrelated building permit inspection. Ms. Matthews added that University Bible Fellowship has cooperated with staff regarding applying for appropriate permits and variations. She added that the Village had received no complaints regarding activities on the site in the past, however, several neighbors wrote to the Village after public notices were published with questions and concerns regarding the church. She indicated that staff had received questions about how the Village's regulations differ from the County's and stated that in October, 2011, DuPage County passed an ordinance that certain places of assembly, including religious institutions, are allowed by right in all zoning districts provided they meet certain criteria: The four major requirements are: 1. The site must be located along an arterial road; 2. Must be connected to public water and sewer; 3. Cannot be located within a single-family home; and 4. Minimum lot size is 100,000 square feet for the first 100 occupants. Ms. Matthews stated that research indicates that no special use permits have been issued for churches in residential districts in Glen Ellyn. She also reviewed some suggested conditions, including a limitation on signage, if approval of the requests is recommended.

Petitioners' Presentation

Attorney Anne Koday, Two North LaSalle Street, Chicago, Illinois and Jeremy Hajek, a long-standing member of the organization, 227 W. Crystal Avenue, Lombard, Illinois were present regarding the subject request.

Ms. Koday stated that she was representing University Bible Fellowship (UBF) and that Pastor David Kim was also present at this meeting. She provided background history regarding UBF and stated that UBF purchased the subject property in 1998 and has been openly using the site for worship activities since that time. The largest of four activities currently at the site is a worship session on Sundays from 11:00 a.m. to 1:00 p.m. with 14-15 people in attendance although as many as 20 people may occasionally be present. Small Bible studies also occur during the weekdays, and small group prayer meetings with 4 to 10 people occur on Fridays evenings. Individual study also takes place at the site once or twice a week with 2-3 students from the College of DuPage. Ms. Koday reiterated that the site has been used for the above uses for 14 years and the special use application process began last year with the church working with the Village since that time to bring the property into conformance. Ms. Koday added that UBF would like to continue with the same uses in the future as have been used at the site for the past 14 years. She added that the property is in the R2 Residential District and that they are requesting that the site be used as a church with 15-20 people who gather regularly on Sundays to worship.

Ms. Koday addressed the nine (9) Special Use criteria as follows: 1. Will be harmonious and in accordance with the general objectives, or within a specific objective, of the Comprehensive Plan and/or the Zoning Code as UBF's use of the subject property is similar to that of a resident with an active social schedule hosting dinner parties or other gatherings and the size of UBF membership with roughly 15 members is not typical of a regular church. 2. Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area. The subject property was built as a single-family home prior to UBF purchasing it and fits within the nature of the neighborhood. Nothing about the building indicates it is something other than a residence and there are no signs on the building. Also, no lighting fixtures are on the site in plain view. 3. Will not be hazardous or disturbing to existing or future neighborhood uses. UBF's use of the property has not been disturbing or hazardous for the past 14 years and the use of the property will not change. 4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewers and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services. The subject property requires no more services than a typical single-family residence. 5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the Village. No more services would be required than for a typical single-family residence and granting the special use permit would not affect the economic welfare of the Village. 6. Will not involve uses, activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors. The property does not emit smoke, fumes, glares or odor, and the traffic and noise generated would be similar to that generated by a neighbor with a weekly activity. 7. Will have vehicular approaches to the property which shall be so designed as not to create an undue interference with traffic on surrounding public

streets or roads. There will be only two times per week when more traffic or cars would be seen for a period of time at the subject residence. 8. Will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief. 9. Will not result in destruction, loss or damage of natural, scenic or historic features of major importance to the community.

Ms. Koday stated that the answers to the above questions indicate that the special use permit should be granted and, if granted, UBF would request three minor Zoning Code variations. One variation is to allow four parking stalls in lieu of five parking stalls for the 20-seat maximum attendance. Ms. Koday responded to Zoning Code statements regarding practical difficulties or particular hardships as follows: She added that UBF circumstances are unique because requiring them to move after 14 years presents an undue hardship. Ms. Koday also stated that the condition of the property would bring hardship on the owner if the strict letter of the code is carried out because UBF would be noncompliant if the variances were not granted. Ms. Koday stated that UBF is unique in that it focuses on small Bible studies and one-to-one interaction and has been at the same location for the past 14 years with no complaints against them. Ms. Koday stated that the variation request is not based on a desire to make money out of the subject property as UBF is a non-profit organization and generates no profit. She also stated that the subject hardship has not been created by UBF because they did not build the property and are asking for variations from the code so they can conform to Village requirements while continuing to use the property in the same manner. She also stated that the use of the subject property has not been detrimental to other properties in the neighborhood for 14 years. Ms. Koday also stated that the subject property will not impair an adequate supply of air and light to adjacent property, will not substantially increase the hazard from fire or other dangers, otherwise impair the public health and safety, morals or general welfare, diminish or impair property values in the neighborhood and she is not aware that anyone in the neighborhood has had difficulty selling their property in the past 14 years due to UBF's use of the subject site. Ms. Koday also stated that no more traffic is created by the subject use than that of a social neighbor who has weekly gatherings, no records of complaints against the subject property have been documented, no increase in public expenditures has occurred and the subject variations are the minimum variations that will make possible the reasonable use of the building.

Ms. Koday stated that it is UBF's mission to be a good neighbor and she addressed some of the neighbors' concerns. She stated that UBF has been exempt from property taxes at the subject property since 1999. She also stated that UBF has no intention to tear down or add onto the existing structure and that the church would sell the existing building and move if membership increases. She added that there is some turnover in the church's membership as the members are young and will graduate and move. She explained that the Friday evening events are generally 4-5 people although that amount may increase to 10 and added that everyone is out of the building by 9:00 p.m. Ms. Koday stated that neighbors have said there are often more than 20 people at the subject site at a time and more than 40 people have attended activities on the property at times. She stated that the pastor stated that 40 people were present at a special event approximately 10 years ago. She stated that more than 20 people at the site would occur three times per year—

Christmas, Easter and one other special event which is no different from a neighbor who entertains three times per year. Another concern is the number of cars parked in front of the site that exceeds 4 to 5 as stated in the application which occurs when carpooling is not coordinated or an additional person is present. She added that there have been no safety issues regarding the subject property in the past 14 years. She also stated that the pastor and members of the church promptly remove snow and ice in the winter and take care of the lawn and shrubbery during the summer months. She added that UBF does not intend to implement new programs that would allow drug addicts or homeless people to be at the site. Ms. Koday stated that UBF has no plans to change their use of the subject property.

Responses to Questions from the Plan Commission

Chairman Fullerton asked for more specific information regarding the subject property complying with all applicable code regulations for a church use. Ms. Matthews responded that the building inspectors would perform an inspection and preview the property for conformance with the building code including such items as emergency exit routes, fire extinguishers, emergency lighting, exit signs and ADA accessibility requirements. Regarding signage, Ms. Stegall responded to Plan Commissioner Whiston that a home occupation is allowed no more than one sign not exceeding 2 square feet in area. Ms. Stegall also responded to Plan Commissioner Bromann that a home occupation sign is allowed without a permit. Ms. Matthews responded to Plan Commissioner Ford that the size of the subject lot is approximately 7,403 square feet. Ms. Stegall added that the lot dimensions are approximately 150 feet by 50 feet. Mr. Hajek responded to Plan Commissioner Buckton that the members of the church are from DuPage County universities, primarily the College of DuPage, and that he is a professor at Illinois Institute of Technology and invites students from that school to the church. Mr. Hajek also responded to Plan Commissioner Buckton that he engages in one-to-one open invitation ministry, speaks with co-workers or those interested regarding attending the church or posts notifications about the church on bulletin boards at COD. Mr. Hajek also responded to Plan Commissioner Buckton that the church population generally remains at the same level. Mr. Hajek responded to Plan Commissioner Ford that the subject property was purchased to support UBF's ministry and is a typical site. Mr. Hajek responded to Plan Commissioner Ford that not seeking a special use for the subject property may have been an oversight. Ms. Koday responded to Chairman Fullerton that the subject property is unique because it is not a typical church and because it has been in existence for many years. Ms. Stegall responded to Chairman Fullerton that the actual experience and impact of having the church in this location over the past years can be considered by the Plan Commission. Ms. Koday responded to Chairman Fullerton that all building code requirements at the subject site would need to be met by UBF and that excessive requirements may cause UBF to vacate the site. Chairman Fullerton stated that she would like additional information regarding building code requirements at the subject site. Mr. Hajek responded to Plan Commissioner Bromann that the maximum number of regular members was 20-25. Mr. Hajek also responded to Plan Commissioner Bromann that normal police restrictions are the only parking restrictions in the area. Mr. Hajek responded to Plan Commissioner Lannen that the four (4) parking spaces in the driveway

are deferred to elderly people and pregnant women. Mr. Hajek responded to Plan Commissioner Bromann that the garage has not been used very often on Sundays for parking.

Persons in Favor of or in Opposition to the Petition

Kevin Krebs, 552 Dawes, Glen Ellyn, Illinois asked his neighbors to stand up to show how many people were in attendance. Mr. Krebs stated that there were discrepancies in the petitioners' application which he would address and stated that public safety is an issue. He stated that attendance at the church services on Fridays and Sundays as well as the number of cars observed parking for those programs directly contradicts answers provided in the special use application, narrative statement and application for variation. He stated that the current proposed use of the subject property is not consistent with typical residential usage, leads to traffic interference on the streets, alters the essential character of the neighborhood, could be detrimental to public welfare and could be a hazard or disturbing to existing or future uses. Mr. Krebs stated more than 20 people have been observed at the church on more than a few occasions and stated that on the church website, photos with up to 30 people are shown on the property and he offered the photos to be viewed. He stated that seven cars have been parked at the site on Friday nights for a prayer group and that there are often four to five cars at the site and sometimes up to 11. He added that a semi-cab was also parked at the site over Christmas. He added that the four parking spaces at the site are insufficient for the number of attendees. He also addressed public safety concerns such as inconsistent snow and ice removal and stated that yard maintenance is also an issue. He noted inconsistencies regarding the subject property as follows: More than 20 persons have been observed at the site. Between 7 and 11 cars have been parked at the subject property. An undue interference is caused on surrounding streets and roads by excessive cars. Seven cars have been parked out in front for the small prayer group on Friday night. The petitioners' point that a fifth parking stall would be used at most once a week is incorrect. The essential character of the locality will be altered. Granting a variation will be detrimental because the subject use is atypical. Traffic has been increased at the subject site. Mr. Krebs stated that a 4-day event took place in August at the subject site. Mr. Krebs described and distributed photographs to staff. Mr. Krebs responded to Plan Commissioner Girling that he would still be concerned regarding the subject site even if the petitioner brought his property into conformance.

Laura Baloun, 151 S. Parkside Avenue, Glen Ellyn, Illinois stated that her biggest concern is the future and keeping to the character in the neighborhood. She felt that the conditions of a special use should be limited and, if re-sold, the special use would revert to residential status. She did not want the subject house to be able to be expanded or torn down and rebuilt. She also expressed concern regarding tax implications for a special use and zoning variations at a church. She also noted that UBF uses public parks for their activities. Ms. Baloun also asked how UBF impacts property values in the subject area and would homeowners have to disclose UBF information to future buyers. Ms. Baloun also wondered if it would be possible to limit a special use permit to prevent programs such as PADS, a homeless shelter or drug abuse recovery center that could potentially

have a negative impact on the surrounding homes. She also asked if other communities had experience with the subject organization.

Chairman Fullerton responded that the Special Use Permit goes with the property and, therefore, would remain at this location if the property was sold. Ms. Stegall added that a Special Use Permit runs with the property—not the applicant—and can only be void if the property is vacant for 180 days or more. She stated that the Special Use Permit is tied to the specific application presented and that the house could not be torn down and rebuilt or constructed with a 2nd story without applying for a new or amended Special Use Permit which would require another public hearing. Ms. Stegall responded to Ms. Baloun that the subject property could revert back to a home usage.

Erin Micklo, 555 Dawes Avenue, Glen Ellyn, Illinois lives directly behind the subject house. She stated that her family moved from Oak Park where there was a parking lot across the street to a more residential area in Glen Ellyn. Ms. Micklo felt that the subject church could change the character of the neighborhood because of the transient nature of the attendees. She stated that there are many cars parked near the subject site. She added that the subject property is sometimes not shoveled in the winter which is a safety and maintenance issue.

Mr. Hajek said he has lived in the subject house for five years in the past and would like to work with the neighbors regarding the subject situation.

Plan Commissioner Buckton moved, seconded by Plan Commissioner Bromann, to continue the public hearing to February 9, 2012. The motion carried unanimously by voice vote.

Trustee Report

No Trustee was present to offer a report.

Chairman's Report

Chairman Fullerton reviewed the new business opening process improvement team. Several Plan Commissions felt the team should be a task force that includes those from other areas as well as some Plan Commissioners.

Staff Report

No staff report was presented.

There being no further business before the Plan Commission, the meeting was adjourned at 10:23 p.m.

Prepared by:
Barbara Utterback, Recording Secretary

Reviewed by:
Michele Stegall, Village Planner

DRAFT
PLAN COMMISSION
MINUTES
FEBRUARY 9, 2012

The meeting was called to order by Chairman Julie Fullerton at 7:35 p.m. Plan Commissioners Craig Bromann, Todd Buckton, Tim Elliott, Erik Ford, Jeff Girling, Heidi Lannen, Ray Whalen and Lyn Whiston were present. Plan Commissioner Jay Strayer was excused. Also present were Trustee Liaison Robert Friedberg, Village Planner Michele Stegall, Planning Intern Kasey Matthews and Recording Secretary Barbara Utterback. Chairman Fullerton welcomed new member Tim Elliott to the Plan Commission.

Chairman Fullerton stated that on the agenda was a continuation of a public hearing for University Bible Fellowship at 556 Lowden Avenue.

PUBLIC HEARING – UNIVERSITY BIBLE FELLOWSHIP, 556 LOWDEN AVENUE
DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING A REQUEST FOR APPROVAL OF A SPECIAL USE PERMIT AND ZONING VARIATIONS TO ALLOW A CHURCH TO OPERATE OUT OF A SINGLE-FAMILY HOME AT 556 LOWDEN AVENUE. THE SUBJECT SITE IS LOCATED AT THE NORTHWEST CORNER OF LOWDEN AVENUE AND PARKSIDE AVENUE IN THE R2 RESIDENTIAL ZONING DISTRICT
(Anne E. Koday, Attorney)

Plan Commissioner Buckton moved, seconded by Plan Commissioner Whiston, to open the subject public hearing. The motion carried by unanimous vote.

Chairman Fullerton then explained the procedures of the Plan Commission and stated that the subject public hearing is being continued from January 26, 2012. She also asked Plan Commissioner Elliott if he had read the materials from the previous meeting as tonight was his first Plan Commission meeting, and he replied yes.

Staff Introduction (continued)

Ms. Matthews recapped the project, explaining that University Bible Fellowship (UBF) is present to request a special use permit and zoning variations to allow a church to operate out of an existing single-family home at 556 Lowden Avenue. She stated that the church functions include Sunday worship services, Friday prayer meetings, small group Bible studies and individual study that have occurred since the church was purchased in 1998. Ms. Matthews added that no one currently resides at the subject property. The garage and driveway are available for parking and can accommodate up to four vehicles. The petitioners have stated that they plan to use the property in the same manner as it has been used since 1998. Ms. Matthews stated that the Village Building and Zoning Official met with the pastor of the subject church after the January 26, 2012 Plan Commission meeting to determine what building improvements may be necessary to change the

occupancy of the building from single-family residence to an assembly use. She added that the only exterior improvements currently believed to be required would be a handicap ramp into the home and the addition of one handicap parking stall. Ms. Matthews displayed a sketch that showed additional paving that may be necessary to accommodate the handicap parking stall.

Persons in Favor of or in Opposition to the Request (continued)

Cheryl Abaravich, 540 Lowden Avenue, Glen Ellyn, Illinois asked if DuPage County zoning laws set a precedent for Glen Ellyn zoning laws. Ms. Matthews and Chairman Fullerton responded that Glen Ellyn is governed by its own zoning code and DuPage County zoning applies to unincorporated property. Ms. Abaravich stated that when the subject church first moved into her neighborhood, she called the Village of Glen Ellyn to ask how a house can become a church. She stated she was told to call the police, and the police told her that the church can do whatever it wants to do. She added that she disagreed with the statement that no one had previously mentioned that a church was in the neighborhood.

Judith Traynor, 575 Lowden Avenue, Glen Ellyn, Illinois stated that her family attends a place of worship in Glen Ellyn and she and her husband study the Bible at a home in Glen Ellyn most Sunday evenings. Ms. Traynor stated that she supports people gathering in their home to study the Bible. She added, however, that she has some safety concerns regarding parking at the subject site and that the sidewalk has been covered by cars on recent Sundays. Ms. Matthews displayed a plat of survey and stated that two cars would be located in the garage, two cars would be located in the driveway and no cars would cover the sidewalk. Ms. Matthews responded to Ms. Traynor that the handicap parking space would be located as close to the door of the home as possible. Ms. Traynor added that if the sidewalk at the subject church is covered by cars, no other sidewalk is available to be used. Ms. Stegall added that per the Village code, vehicles are not permitted to overhang sidewalks.

Erin Micklo, 555 Dawes, Glen Ellyn, Illinois read a letter dated January 3, 2012 for the public record that had been sent from Nancy Barbeau of 571 Dawes to the Glen Ellyn Plan Commission. Ms. Micklo stated that Ms. Barbeau has lived on Dawes since 1960. Ms. Micklo stated that the letter contained Ms. Barbeau's objections to the subject house becoming a church as parking and traffic problems will occur and the tax base will be affected. She felt that the church could rent an available space in town until they are able to purchase another location. Mr. Hajek responded to Ms. Micklo who did not feel secure that someone had stayed in the subject house that Dr. Gideon and Pastor David were fully aware he was there although they thought the truck parked nearby was part of a construction project.

Ronald Yurcus, a 42-year resident of 567 Dawes, Glen Ellyn, Illinois stated that he thought the subject property had been a home with Bible study meetings and was not aware that the property was operating as a church. Mr. Yurcus stated that he has observed a tour bus at the site with approximately 50 people having lunch on the lawn

although he had been informed that the maximum number of people at the site would be 30. Mr. Yurcus stated he has also observed parking across the sidewalk at the subject site. Mr. Yurcus stated his family was totally devastated to learn a church was operating in the neighborhood. Mr. Yurcus stated he is an ordained minister and permanent deacon at St. Petronille Church in Glen Ellyn, a teacher and music director at St. James Church and the founder and member of the Glen Ellyn Ministerial Group. Mr. Yurcus stated he finds it hard to believe that UBF was unaware of zoning regulations. He also stated that the mission of a church is to grow and that UBF is unable to grow at the subject location. Mr. Yurcus also expressed concern regarding safety issues and questioned if a paid staff person was on site during the week when a prayer group is in the church. Mr. Yurcus stated he was shocked that the Village was unaware that a church located at the subject site had not paid taxes in 12 years and he also expressed concern regarding precedence. He also suggested that UBF rent space in another church or a storefront in town and added that UBF is not the right fit for this neighborhood. Mr. Yurkus asked why the paid pastor of the church is not speaking on behalf of the petition and why Mr. Hajek has the authority to speak. Mr. Hajek responded that he has been an understudy/assistant of the pastor for 10 years and was asked to speak at the Plan Commission meetings because he speaks publicly in his career and lived in the subject house for several years.

Jamie Kral, 578 Lowden, Glen Ellyn, Illinois stated that she recently purchased her home after living in two other homes in the neighborhood. She added that she is a single mother with two small children. Ms. Kral expressed concern about having a church on her street which she felt would affect her property values and added that church members are not neighbors. Ms. Kral responded to Plan Commissioner Buckton that she was unaware that the subject property was a church before she bought her current home.

Melanie Robinson, 142 S. Parkside, Glen Ellyn, Illinois stated that her concerns echo those expressed by previous speakers. Ms. Robinson felt that the depth of the subject driveway is not sufficient to support the four cars parked there by the petitioner and is a safety concern for children. She also expressed concern regarding cars parking on Parkside as that street is narrow and parking is allowed on both sides of the street. Ms. Robinson also expressed a concern regarding strangers in the neighborhood who attend the subject church as there are many children in the neighborhood. She stated that the current church members are quiet, however, she was concerned that the property could be zoned as a church and will remain as a church in perpetuity.

Jeff Adamczyk, 558 Dawes, Glen Ellyn, Illinois stated he moved to Glen Ellyn from the northeast two years ago. He stated that the neighborhood is very friendly. Mr. Adamczyk stated that his biggest concern is traffic and that the neighborhood is impacted by the petitioners 2-3 times per week and 52 weeks per year with 7 to 10 cars at the site. Mr. Adamczyk stated that the intersection is uncontrolled and cars parked on both sides of Parkside create a one-way street. He also stated that bottlenecks and blind spots are created in that area. Mr. Adamczyk displayed two photographs of the subject site with four cars in the driveway blocking the sidewalk. He stated that photographs on the church's website show 30 people on the subject property and information stating that a 4-day Bible conference will be held at the site in August. Mr. Adamczyk stated that if the

petitioner's request is approved, they may have additional requests in the future. He also asked approximately 35 of his neighbors in the audience to stand up. Mr. Adamczyk asked why use of the church has continued to be allowed contrary to zoning regulations when it was discovered to be in existence approximately one year ago. Ms. Stegall responded that when existing violations are discovered, a business has traditionally been allowed to continue to operate while they attempt to make the use legal in the Village. She added that one applicant took up a great deal of the Plan Commission's time last year which delayed UBF appearing before the Plan Commission.

Pat Van Tiem, 86 S. Parkside, Glen Ellyn, Illinois stated that he knowingly would not purchase a home in a neighborhood that had a church located in a single-family home and he showed two photographs of the subject property with cars parked on the driveway and street. Mr. Van Tiem also stated that he feels a very bad precedent will be set if the Village allows a church in a neighborhood. He asked the Plan Commission if there are any other churches in residential homes in the Village, and Chairman Fullerton replied no. Ms. Matthews added that there are churches located in residential districts but not in single-family homes. Mr. Van Tiem asked if there is a process in place whereby DuPage County notifies the Village that a property is owned by a religious organization. When Ms. Stegall replied no, he recommended that a process be put into place to avoid the subject situation in the future. Plan Commissioner Girling responded that a church can own properties other than churches that are not on the tax rolls. Mr. Van Tiem stated that there is a financial impact on the Village or homeowners because the subject church does not pay taxes. Mr. Van Tiem stated that the number of people at meetings at the church has increased. Mr. Hajek responded that the door code is closely guarded and only the church members and some family members have the combination. He also responded that he and the other ministry personnel are present on Friday nights. Plan Commissioner Elliott asked Mr. Van Tiem if he or any other neighbors have directed their concerns to those at the Church in an effort to work out their problems, and Mr. Van Tiem responded no to the best of his knowledge. Mr. Van Tiem stated that he was speaking on behalf of his wife and himself and hoped that the church would not be granted a waiver because they did not feel a church should be located in a residential house. Mr. Van Tiem stated they would like to avoid any accidents from happening in the area in the future although none have happened in the past approximately 15 years.

Karol Sausen, 570 Lowden, Glen Ellyn, Illinois stated she has lived at her current home for 40 years and loves the neighborhood. Ms. Sausen stated that she doesn't pass the subject house on a regular basis but was aware of Bible studies there. She added that the house is always well cared for. Ms. Sausen stated that her concern is the future. She stated for, for example, if the house burned down, it could be rebuilt again as a church with the garage eliminated and the floor plan modified if the subject project is approved. She also stated that the church could be sold again as a church if the project is approved. Ms. Sausen added that this situation is very unusual.

Laura Johnson, 562 Dawes Avenue, Glen Ellyn, Illinois began by stating that she has nothing against the church or its members. She responded to issues from the previous meeting that the church was ignorant of the Village's zoning laws and that the church

typically goes into neighborhoods and buys single family residences/condos which they use to operate as churches. Ms. Johnson stated she found it difficult to believe that this is the first time the subject issue has come up for the church. She stated that when purchasing a home, documents are present, one of which states who will be living in the property as a permanent resident, which the church is not doing at the subject property. She also stated that a member of the church was living in the home and not paying taxes because the church owned the property. Ms. Johnson stated that her concern is with the future and rezoning of the property. Chairman Fullerton responded to Ms. Johnson that a special use permit runs with the land, and Mr. Hajek responded that students in the house are supervised by one of the clergy or himself.

Jeannie Bauerle, 567 Lowden Avenue, Glen Ellyn, Illinois lives kitty-corner from the subject church. She stated that she has a child with special needs and had searched for a home within a good school district in a family focused community. Ms. Bauerle stated she saw 13 cars at the subject home last weekend and stated she believes the church will grow. She stated she does not let her 12-year-old son go outdoors on Sunday because of the amount of traffic at the subject site. Ms. Bauerle stated that the community cannot support the needs for a church that will grow because there is not adequate parking and it is not fair to the residents who pay taxes. She also expressed concern regarding several years of taxes that have not been paid by the petitioner for a residential home. She also remembered signing a statement that her home is a single-family residential home at the time of purchase. Ms. Bauerle stated she did not feel the subject church is a good idea for her neighborhood.

Melissa Nachman, 150 S. Parkside, Glen Ellyn, Illinois stated that since the previous meeting, the church has made no efforts regarding parking issues at the subject site. Ms. Nachman stated that cars at the subject house continue to be parked across the sidewalk which is one of the biggest concerns of the neighbors. She added that the church representatives could have taken care of some issues regarding the subject site since the previous meeting.

Kevin Krebs spoke at the previous meeting and stated at this meeting that there have been more people, more cars and more occasions at the subject house. Mr. Krebs added that the answers that were provided directly contradict information in the special use application, narrative and application for variation. He added that the current use of the property is not consistent with residential usage and leads to traffic interference on the streets, alters the essential character of the neighborhood, could be detrimental to public welfare, and could be a hazard or disturbing to future use.

Chairman Fullerton clarified that the petitioner was requesting approval of a Special Use Permit, not a rezoning, and briefly explained the difference. In response to public comment that the Village was restricted in regulating the church due to a first amendment right to assemble, Ms. Stegall indicated that the Plan Commission should review the request against the standards as it typically would, including the impact of the requests regarding such items as parking and traffic. She also noted that if the Plan Commission

recommended approval of the request, the recommendation could be subject to conditions aimed at minimizing any adverse impacts.

Plan Commissioner Ford moved, seconded by Plan Commissioner Girling, to close the public hearing. The motion carried unanimously by voice vote.

Petitioners' Presentation (continued)

Attorney Anne Koday representing University Bible Fellowship stated that the church members and she had no idea there would be such a strong reaction to the subject request. She also stated that the petitioners would be tax exempt regardless of their location and if they were located on Roosevelt Road, for example, they could take the place of a business who could bring business income or sales tax income and property tax income into the Village.

Ms. Koday reiterated that the subject church is a small group of people gathering for fellowship. She stated that no incidents have occurred over the past 14 years and UBF wants to cooperate with the neighbors to make the situation work. Ms. Koday stated that UBF would be open to conditioning the special use permit so that a certain number of cars would be allowed to be street parked or parked at the property. She added that UBF would also welcome a standard of maintenance and does not want to disrupt the neighborhood. Ms. Koday stated that she spoke with Pastor Ron Ward of UBF who stated they would take steps to alleviate concerns regarding the next purchaser of the subject property and would be willing to accept a condition requiring the building to be vacated for 180 days before sale so that the special use would lapse. She stated that UBF is willing to accept conditions of the Village in order to remain at the site.

Responses to Questions from the Plan Commission

Plan Commissioner Whalen asked if under the definition of church in the Zoning Code, would the subject property, if granted, be a church and would the uses and definition also be applicable? Ms. Stegall responded that if the Plan Commission recommended approving the subject request, it would depend on how the conditions were tailored and that some items included in the definition, such as the interment of ashes, have been strictly prohibited in the draft motion prepared by staff.

In response to Chairman Fullerton's question about a tour bus at the subject site, Jeremy Hajek explained that, in the summer of 2010, an international conference was held at Purdue University with delegates from all over the world visiting ministries, one of which was the subject church. Mr. Hajek stated approximately 100 people visited the subject church and sat on the lawn as the group didn't fit in the house. He added that most of the tour buses turned into the dead end, U-turned and waited, however, one bus waited at a nearby grade school. Mr. Hajek responded to Chairman Fullerton that this conference occurs every four years. He added that they could have the tour buses go to a different location while they wait for the riders to re-enter. Mr. Hajek also responded that they could change their plans as they now know that a child with special needs lives in the

neighborhood. Mr. Hajek responded to Chairman Fullerton that the pastor is the sole salaried member and that only staff members have access to the church. Mr. Hajek also described for Plan Commissioner Lannen a study retreat held in August on Friday night, Saturday night and Sunday morning. He stated that the events are held four times per year, the events occur at certain times of the year, and other churches are invited. Mr. Hajek also stated that cars could park at one of the area schools and the riders could be shuttled to the event which would completely eliminate a traffic problem. Mr. Hajek responded to Plan Commissioner Whiston that more than seven people will be at the church in April.

Plan Commissioner Ford asked if other properties have been looked at over the past 12 years for use as a church, and Mr. Hajek replied that other locations have been used for special events. Mr. Hajek responded to Plan Commissioner Whalen that a parishoner parked his truck in the church parking lot for four days without telling anyone from the church. Mr. Hajek apologized and stated that the truck will not be parked in the driveway in the future. Mr. Hajek responded to Plan Commissioner Whalen that he believes building permits were obtained for the previously mentioned remodeling work, and Ms. Stegall added that staff is currently researching that issue. Mr. Hajek added that the church would be willing to enter into a legal contract to allow the property to return to single-family use if sold.

Plan Commissioner Elliott asked Mr. Hajek what efforts he has made to address the neighbors' concerns regarding the subject property. Mr. Hajek responded that he felt the neighbors preferred to discuss the subject matter with Village officials/employees at public meetings. Attorney Koday added that UBF would be happy to set up a meeting with the neighbors to discuss this issue.

Comments from the Plan Commission

All of the Plan Commission members were opposed to the subject request to allow a church in the single-family residence at 556 Lowden Avenue. Plan Commissioner Buckton stated that the congregation is growing and the neighborhood is small and nice. He stated that the neighbors might not have purchased their homes in the subject area if a typical church was located there. He stated that the neighbors should have called the police when several cars were located at the site. Plan Commissioner Buckton stated that DuPage County has recently developed criteria for churches in residential districts, however, the Village has not yet done so. He felt that if being good neighbors requires policing to make it happen, it would not be good for the neighborhood or the petitioner, and he recommended moving the church to a location that meets the criteria for a church. Plan Commissioner Bromann agreed with Plan Commissioner Buckton's statements. He expressed concern regarding parking which he believed to be two available spaces in the driveway and stated that the Village is losing revenue because the subject property is tax exempt. Plan Commissioner Girling stated that UBF sounds like it has been a good neighbor for 14 years and would remain so for as long as they stayed at the site, however, he felt they shouldn't have been there from the start. He stated he looked at the new County criteria which he feels the subject church does not fit and expressed a concern

regarding the church's traffic. Plan Commissioner Lannen was in agreement with the Commissioners who spoke prior to her. She stated she believes the Church had attended the Plan Commission meetings to try to find ways to compromise with the neighbors, however, she felt that a self-created hardship existed. She added that the building is a single-family residence and not a church with a parking lot. She also stated that parking is not available at the site and that a handicapped parking space would also be necessary. Plan Commissioner Lannen felt that the property which is zoned as a single-family residence can yield a reasonable return on the property. Plan Commissioner Ford hoped the church continues to grow in Glen Ellyn but felt it does not fit in the single-family neighborhood. He stated that the subject church is not harmonious in a single-family home on a small property. He stated he appreciated that the petitioners have been good neighbors for 13 years, however, some issues are growing. Plan Commissioner Elliott stated he appreciated that the petitioners had been at the subject site since 1998 without incident. He stated he also appreciated that the petitioners are willing to make the situation work, however, the neighborhood is unified and he does not believe the church satisfies the criteria. Plan Commissioner Whiston also was not in favor of allowing the church to remain at the subject site. He felt that the church has made every effort to try to find a way to make the situation work, however, parking is a problem and he feels the church just does not work in its current location. Plan Commissioner Whalen stated that traffic, parking, property values and the character of the neighborhood were focused on in the petitioner's application. He also stated that he had some concerns with the definition of church in the Village Zoning Code. Plan Commissioner Whalen also stated that the church is a greater intensity than is typical in a residential neighborhood. He added that parking is significantly more than stated in the application and adding a handicap space would make the property look less like a single-family home. He also stated that the Comprehensive Plan recommends that the scale, quality and character of the single-family neighborhoods are maintained, and the proposed use is not typical of a single-family district. He added that a few years ago when changing some of the Zoning Codes, the Plan Commission wrestled with allowing businesses to be maintained in single-family homes in the community but prefer to keep the residential feel to neighborhoods. He added that enforcement would also be an issue which could cause additional public expenditures. He also stated that the vehicle approaches aren't appropriate and cars are hanging over the public sidewalk. Plan Commissioner Whalen felt that the hardship has been created by the petitioner not doing their due diligence when the property was purchased. He added that the County now prohibits assemblies in residential areas and single-family homes. Chairman Fullerton clarified that every application received by the Plan Commission must have the standards applied to it and cannot be turned down without review. She stated that the subject site is a traffic issue, a safety issue and security issue. She added that the fact that a special use permit runs with the land is concerning as every time a special use permit is granted, the future of that land must be considered. She added that she appreciates that the church has been a good neighbor. Chairman Fullerton also wondered why the petitioners weren't at the Plan Commission earlier for permission to operate as they have been at the site for many years.

Motion

Plan Commissioner Buckton moved, seconded by Plan Commissioner Ford, to recommend that the Village Board deny the requests of University Bible Fellowship, owner of property at 556 Lowden Avenue, for approval of a special use permit for a church and zoning variations from the parking requirements of the Glen Ellyn Zoning Code.

The recommendation for denial of the special use permit was based on the following findings of fact: 1. The proposed use will not be harmonious and in accordance with the general objectives, or within a specific objective, of the Comprehensive Plan and/or Zoning Code because the Comprehensive Plan recommends that the Village "maintain the scale, quality and character of existing single-family neighborhoods" and the presence of a church in a building designed as a single-family home with no parking lot will result in a level of traffic congestion, regular on-street parking and levels of activity that are atypical of a single-family home and will adversely impact the character of the surrounding single-family neighborhood. 2. The proposed project is not designed and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will change the essential character of the area because the presence of a church in a building designed as a single-family home with no parking lot will result in a level of traffic congestion, regular on-street parking and levels of activity that are atypical of a single-family home and will adversely impact the character of the surrounding single-family neighborhood. Testimony presented at the January 26, 2012 Plan Commission stated that attendance has regularly exceeded the level represented in the petitioner's application and as many as 4-11 vehicles have been witnessed regularly on the street. 3. The proposed use will be hazardous or disturbing to existing or future neighborhood uses of the property because the number of people and vehicles that will be present at the property will be in excess of typical residential use and will be disruptive to the neighborhood. According to neighbor testimony, the number of people and vehicles present tends to exceed what is represented in the petitioner's application with more than 20 people in attendance and 11 cars witnessed on the street. 4. The proposed use could create excessive additional requirements at public cost for public services because given the size of the main assembly area and the impermanent nature of the seating, there are inherent difficulties in ensuring that the number of seats does not exceed the maximum number of 20 seats identified in the petitioner's application packet and that on-street parking associated with the church does not exceed the representations made by the petitioner. Ensuring that the property is maintained as proposed could take an unusual amount of code enforcement, police effort and staff time.

In regard to the request for approval of variations, 1. To allow 4 parking stalls on the property in lieu of the 5 parking stalls that are required; 2. To allow 2 of the 4 parking stalls to be 15.85 feet long instead of the minimum 19 feet required; and 3. To allow the absence of a drive aisle behind the proposed parking spaces in lieu of a minimum drive aisle width of 24 feet required, the Plan Commission hereby finds that: a. The granting of the variation will alter the essential character of the area because it will result in regular on-street parking and the regular encroachment of parked vehicles in the public right-of-

way. b. The petitioner has not demonstrated a particular hardship as a result of adhering to the strict letter of the regulations of the Zoning Code because the church could locate on an alternative site that has adequate parking. c. The property in question could yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district because the building on the property was previously used as a single-family home which has a lesser parking requirement and impact and could continue to be used as a single-family home. d. The alleged difficulty or particular hardship has been created by the petitioner because the church could locate on an alternative site that has adequate parking. Therefore, the Plan Commission recommended that the Village Board deny a Special Use Permit in accordance with Section 10-4-8(B)3 of the Glen Ellyn Zoning Code to allow a church on property commonly known as 556 Lowden Avenue and the following variations to the Glen Ellyn Zoning Code: 1. A variation from Section 10-4-8(H)2 to allow a total of 4 parking spaces on the property in lieu of the 5 required for a church. 2. A variation from Section 10-5-8(F) to allow 2 of the 4 parking stalls to be 15.85 feet long instead of the minimum 19 feet required. 3. A variation from Section 10-5-8(I) to allow the absence of a drive aisle behind the proposed parking spaces in lieu of the minimum drive aisle width of 24 feet required.

The motion to deny carried with nine (9) "yes" votes and zero (0) "no" votes as follows: Plan Commissioners Buckton, Ford, Bromann, Elliott, Girling, Lannen, Whalen, Whiston and Chairman Fullerton voted yes.

Trustee Report

Trustee Friedberg thanked the Plan Commission for all of their work on Memorial Field. He also stated that significant progress has been made regarding the College of DuPage.

Chairman Report

Chairman Fullerton stated that a new member has been appointed to the Plan Commission.

Plan Commissioner Comment

Plan Commissioner Whalen commended Chairman Fullerton on her role as the Plan Commission Chairman, especially within the last several months.

Staff Report

Ms. Stegall stated that some Zoning Code Text Amendments will be on the next Plan Commission agenda. She also stated that AT&T has submitted their application for the water tower, and Prairie Green/Habitat for Humanity has withdrawn their application. She also stated that the County is tentatively scheduled to adopt its new stormwater ordinance in April. Ms. Stegall stated that the Village received a grant from CMAP for a streetscape plan and a downtown parking study and that the Plan Commission will be involved in reviewing the parking portion of the study.

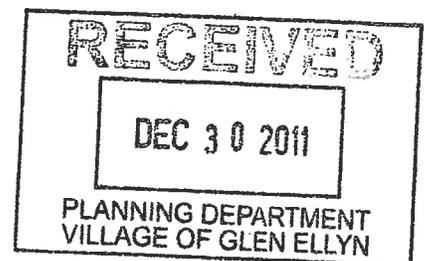
There being no further business before the Plan Commission, Plan Commissioner Ford moved, seconded by Plan Commissioner Whiston, to adjourn the meeting at 9:59 p.m.

Prepared by:
Barbara Utterback, Recording Secretary

Reviewed by:
Michele Stegall, Village Planner

**SPECIAL USE PERMIT APPLICATION &
ZONING VARIATION APPLICATION**

University Bible Fellowship
556 Lowden Avenue
Glen Ellyn, Illinois
PIN 05-23-122-020



INDEX OF DOCUMENTS

TAB	DOCUMENT
1	Project Submittals List
2	Special Use Permit Application
3	Revised Narrative Statement to Supplement Special Use Permit Application
4	Zoning Variation Application
5	Proof of Ownership (Warranty Deed dated February 17, 1998)
6	Disclosure of Interest (Ownership by a Corporation Form)
7	Affidavit of Authorization
8	Reimbursement of Fees Agreement
9	Plat of Survey/Legal Description
10	Annotated Floor Plans
11	Color Photographs of Subject Property

Village of Glen Ellyn
Planning and Development Department

Project Submittals List

Subject: University Bible Fellowship Church

Date: July 15, 2011

Address: 556 Lowden Avenue

PIN(s): 05-23-122-020

Applications/Fees/Escrow	(X) if Required	Fee
1. Special Use Permit	x	\$650.00
2. Special Use for a Planned Unit Development	_____	_____
3. Subdivision	_____	_____
4. Exterior Appearance	_____	_____
5. Zoning Variations	_____	_____
6. Sign Variations	x	\$500.00
7. Stormwater (values & tabs format)	_____	_____
8. Other	_____	_____
9. Escrow	x	\$500.00

Submission Materials	Yes	No
10. Cover Letter Listing Attachments	_____	_____
11. Narrative Statement/Use Description	_____	_____
12. Proof of Ownership	x	_____
13. Disclosure of Interest	x	_____
14. Affidavit of Authorization	x	_____
15. Reimbursement of Fees Agreement	x	_____
16. Quantitative Summary	x	_____
17. List of Variations/Deviations	_____	_____
18. Practical Difficulties or Particular Hardship (sign, variations)	_____	_____
19. Plat of Survey/Legal Description	_____	_____
20. Existing Conditions Plan	x	_____
21. Surrounding Conditions Plan	_____	_____
22. Site Plan	_____	_____
23. Landscape Plan	_____	_____
24. Tree Survey & Analysis	_____	_____
25. Building Elevation Drawings (4-sides)	_____	_____
26. Color Rendering	_____	_____
27. Floor Plan	_____	_____
28. List of Building Materials and Colors	x	_____
29. Material & Color Samples (bring to meeting)	_____	_____
30. Light Fixture Cut Sheets	_____	_____
31. Photometric Plan	_____	_____
32. Sign Elevations	_____	_____
33. Sign Plan	_____	_____
34. Trash Enclosure/Exterior Equipment/Fences/Screening	_____	_____
35. Plat of Consolidation	_____	_____
36. Preliminary Plat of Subdivision	_____	_____
37. Final Plat of Subdivision	_____	_____
38. Final Site Plan (if two step review)	_____	_____
39. Traffic Impact Study	_____	_____
40. Grading Plan (if 1,500 sq. ft. or more area is disturbed)	_____	_____
41. Utilities Plan	_____	_____
42. Road Plans/Details	_____	_____
43. Public Improvements List	_____	_____
44. Public Improvements Cross-sections	_____	_____
45. Deed/Easement Agreements	_____	_____
46. Statement of Compliance/Engineer's Certification	_____	_____
47. Construction/Phasing Schedule	_____	_____
48. Letters from Governmental Units/Developer's Donations	_____	_____
49. Letter of Authorization to Record Plats	_____	_____
50. Land Use Opinion (Kane-DuPage S & WCD)	_____	_____
51. Environmental Impact Study	_____	_____
52. IDNR Endangered Species Consultation	_____	_____
53. Soil Boring/Seepage Test Covenants, Conditions, Restrictions	_____	_____
54. Petition for Annexation	_____	_____
55. Annexation Agreement	_____	_____
56. Plat of Annexation	_____	_____
57. Other: <u>Photographs of Subject Property</u>	x	_____
58. Other: _____	_____	_____

APPLICATION FOR SPECIAL USE PERMIT

The undersigned petitions the President and Village Board of Trustees of the Village of Glen Ellyn, Illinois, to consider the Special Use described in this application.

Date (Originally) Filed: July 15, 2011

Application No:

Name of Applicant: Anne E. Koday / Neal, Gerber & Eisenberg LLP

Contact Information:

Address of Applicant: Two N. LaSalle St., Suite 1700, Chicago, IL 60602

Contact Person: Anne E. Koday

Business Phone: 312-827-1467

Fax: 312-980-0812

Cell/Home Phone: N/A

Email: akoday@ngelaw.com

Property Interest of Applicant: Owner's Representative

(Owner, Contract Purchaser, Owner Representative)

Contact Information:

Name of Owner: University Bible Fellowship, Chicago Chapter

Address of Owner: 6558 N. Artesian Ave., Chicago, IL 60645

Contact Person: Pastor Ron Ward

Business Phone: 773-338-1115

Fax: 773-743-1554

Cell/Home Phone: 773-965-0219

Email: pastorronw@gmail.com

Address and Legal Description of Property: 556 Lowden, Glen Ellyn, IL

Legal Description: Lot 28 Block 11 in Glen Park Subdivision, Being a resubdivision in Glen Acres Subdivision, Being a subdivision in section 23, Township 39 North, Range 10 East of the Third Principle Meridian, According to the Plat of Said Glen Park Subdivision Recorded March 3, 1926 As Document 208829 In DuPage County, Illinois.

Permanent Index No. (PIN): 05-23-122-020

Zoning: Residence

Lot Dimensions: 50' x 150'

Lot Area: 7,500 SF

Present Use: House church

Requested Use/Construction: House church / Occasional temporary residence for UBF Staff Member

Estimated Date to Begin New Use/Construction: No new construction needed

Name(s), Address(es) and Phone No(s). of Experts (architects, engineers, etc.): None needed

Narrative Statement evaluating the economic effects on adjoining property, the effect of such elements as noise, glare, odor, fumes and vibration on adjoining property, a discussion of the general compatibility with the adjacent and other properties in the district, the effect of traffic, and the relationship of the proposed use to the Comprehensive Plan, and how it fulfills the requirements of paragraph (E) of Section 10-10-14 of the Zoning Code:

The University Bible Fellowship ("UBF"), a Mississippi not-for-profit religious corporation, was founded in 1961. UBF is a non-denominational, evangelistic campus organization focused on teaching the Bible to college students and young people and helping them to live according to the teachings of the Scriptures and to practice the world mission command of Jesus. UBF is a mainline evangelical organization and is dedicated to the task of student evangelism. As further described in the Revised Narrative Statement, the proposed change in use to the property is to permit UBF to utilize the property as a place for informal worship activities, small bible studies, and prayer meetings. This use will not result in any disturbance to the area which is not consistent with typical residential usage in general. The use of the property will be harmonious with and in accordance with the general objectives of the Zoning Code. The property will continue to be operated and maintained so as to be harmonious and appropriate in appearance with the character of the general vicinity as a residential neighborhood, and the proposed use will not change the essential character of the area.

The property will not be hazardous or disturbing to existing or future neighborhood uses. The property will be served adequately by essential public facilities and services and will not create excessive additional requirements for public facilities and services, nor will it be detrimental to the economic welfare of the Village. As the proposed use is consistent with typical residential usage in general, the property will not involve uses, activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors. The property has vehicular approaches to the property which will not create an undue interference with traffic on surrounding public streets or roads. The property will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief. Finally, the use of the property will not result in destruction, loss or damage of natural, scenic or historic features of major importance to the community.

Describe How the Special Use:

1. Will be harmonious with and in accordance with the general objectives, or within a specific objective of the Comprehensive Plan and/or this Zoning Code:

The proposed use change will not result in any disturbance to the area which is not consistent with typical residential usage in general. As further described in the Revised Narrative Statement, the proposed change in use to the property is to permit UBF to utilize the property as a place for informal worship activities, small bible studies, and prayer meetings, including the ability to hold main worship sessions for several hours every Sunday for as many as 20 people.

2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area:

No new construction is requested. The property will continue to function precisely as it has in the past.

3. Will not be hazardous or disturbing to existing or future neighborhood uses:

There will be no danger from construction, as none is needed. There will be no disturbance to the neighborhood. The only change observable from the outside of the home will be the addition of as many as four or five cars parked at the property for several hours on Sundays.

4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewers and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services:

No increase is expected for any kind of public service which is not consistent with the typical use of residential property.

5. Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the Village:

Not at all.

6. Will not involve uses, activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors:

Not at all. The only unusual element will be the presence of as many as four or five cars parked at the property for several hours on Sundays.

7. Will have vehicular approaches to the property, which shall be so designed as not to create an undue interference with traffic on surrounding public streets or roads:

The proposed use for the property will create no interference with traffic on surrounding public streets or roads.

8. Will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief:

Not at all.

9. Will not result in destruction, loss or damage of natural, scenic or historic features of major importance to the community:

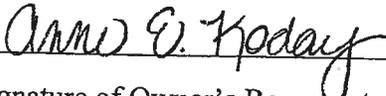
Not at all.

I (We) certify that all of the statements and documents submitted as part of this application are true to the best of my (our) knowledge and belief.

I (We) consent to the entry in or upon the premises described in this application by any authorized official of the Village of Glen Ellyn for the purpose of inspection.

I (We) consent to pay the Village of Glen Ellyn all costs incurred for transcribing the public hearing on this application.

I (We) understand that no final action shall be taken by the Village Board subsequent to the public hearing until and upon payment of transcribing fees.



Signature of Owner's Representative

Originally Dated: June 8, 2011

Updated: December 28, 2011

**REVISED NARRATIVE STATEMENT TO SUPPLEMENT
SPECIAL USE PERMIT APPLICATION**

Address of Subject Property: 556 Lowden Avenue, Glen Ellyn, IL

The University Bible Fellowship (“UBF”), a Mississippi not-for-profit religious corporation, was founded in 1961. UBF is a non-denominational, evangelistic campus organization focused on teaching the Bible to college students and young people and helping them to live according to the teachings of the Scriptures and to practice the world mission command of Jesus. UBF is a mainline evangelical organization and is dedicated to the task of student evangelism.

UBF has owned the property located at 556 Lowden Avenue in Glen Ellyn, Illinois since it took title by Warranty Deed on February 17, 1998. Since that time, UBF has been utilizing the Subject Property as a place for informal worship activities, small bible studies, and prayer meetings. The following four activities take place at the Subject Property:

1. Sunday Worship Sessions. The main worship sessions at the Subject Property take place every Sunday from 11 am – 1 pm. There are typically 14 –15 people in attendance. There are fewer than 16 seats in the main worship room of the Subject Property. However, there may be as many as 20 people in attendance at any given worship session, as there will be one to several person(s) leading the worship and there may be one to several person(s) providing musical accompaniment. Several of the individuals attending a worship session, including the presider, messenger and any music servant(s), stand from the beginning to the end of the worship session.
2. Small Group Bible Studies. One to two people gather at the Subject Property once or twice each day during the week (Monday through Friday) for bible study. These studies generally occur from 2:00 pm – 6:00 pm.
3. Small Group Prayer Meetings. Four to five people typically gather at the Subject Property once a week for group prayer meetings. These meetings generally take place on Friday evenings from 6:30 pm – 8:30 pm.
4. Individual Studies. The Subject Property is made available to worshipers who are also students at the College of DuPage for use as a place for quiet study. Two or three students will use the Subject Property as a place for individual study once or twice a week. This use typically occurs during the weekday afternoons (Monday through Friday from approximately 2:00 pm – 6:00 pm) and during Saturday mornings and afternoons.

Those participating in the above-described activities utilize both the garage and the driveway at the Subject Property for parking. There are three “Stewards of the House”, each of whom has a key to the Subject Property. The Stewards are responsible for opening and closing the Subject Property on a daily basis, allowing individuals to access the Subject Property for the above-described activities.

While no one currently resides at the Subject Property, from time to time one of UBF's staff members has resided there. Those staff members that have resided at the Subject Property in the past have been responsible for running and organizing the worship activities, conducting worship services, and maintaining the Subject Property.

The proposed change in use to the Subject Property is to permit UBF to use the Subject Property for the activities listed above, and primarily to permit as many as 20 persons to meet at the Subject Property on Sundays for the main worship sessions.

The proposed change in use will not result in any disturbance to the area which is not consistent with typical residential usage in general. The use of the Subject Property will be harmonious with and in accordance with the general objectives of the Zoning Code. The Subject Property will continue to be operated and maintained so as to be harmonious and appropriate in appearance with the character of the general vicinity as a residential neighborhood, and the proposed use will not change the essential character of the area.

The Subject Property will not be hazardous or disturbing to existing or future neighborhood uses. The Subject Property will be served adequately by essential public facilities and services and will not create excessive additional requirements for public facilities and services, nor will it be detrimental to the economic welfare of the Village. The proposed use is consistent with typical residential usage in general and will not involve uses, activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors. The Subject Property has vehicular approaches which will not create an undue interference with traffic on surrounding public streets or roads. The Subject Property will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief. Finally, the proposed use of the Subject Property will not result in destruction, loss or damage of natural, scenic or historic features of major importance to the community.

Anne E. Koday
Signature of Owner's Representative (Anne E. Koday / Neal, Gerber & Eisenberg LLP)

12/20/2011
Date

VILLAGE OF GLEN ELLYN
535 Duane Street
Glen Ellyn, Illinois 60137
(630) 547-5250

APPLICATION FOR VARIATION

Note to the Applicant: This application should be filed with, and any questions regarding it, should be directed to the Director of the Village Planning and Development Department.

The undersigned hereby petitions the Village of Glen Ellyn, Illinois, for one or more variations from the Glen Ellyn Zoning Code (Ordinance No. 3617-Z, as amended), as described in this application.

I. APPLICANT INFORMATION:

(Note: The applicant must comply with Section 10-10-10(B) of the Zoning Code).

Name: Anne E. Koday

Address: Two N. LaSalle St., Suite 1700, Chicago, IL 60602

Phone No.: 312-827-1467

Fax No.: 312-980-0812

E-mail: akoday@ngelaw.com

Ownership Interest in the Property in Question: Owner's Representative

II. INFORMATION REQUIRED BY SECTION 10-10-10(B) OF THE ZONING CODE, IF APPLICABLE:

NOTE: All parties, whether petitioner, agent, attorney, representative and or organization et al. must be fully disclosed by true name and address in compliance with Section 10-10-10(B) of the Zoning Code. Disclosure forms are attached for your convenience.

Name and address of the legal owner of the property (if other than the applicant):

University Bible Fellowship, Chicago Chapter

6558 N. Artesian Ave., Chicago, IL 60645

Name and address of the person or entity for whom the applicant is acting (if the applicant is acting in a representative capacity):

University Bible Fellowship, Chicago Chapter

6558 N. Artesian Ave., Chicago, IL 60645

Is the property in question subject to a contract or other arrangement for sale with the fee owner? (Circle "Yes" or "No")

YES NO

If YES, the contract purchaser must provide a copy of the contract to the Village and must either be a co-petitioner to this application or submit the attached Affidavit of Authorization with the application packet.

Is the property in question the subject of a land trust agreement? (Circle "Yes" or "No")

YES NO

If YES, (1) either the trustee must be a co-petitioner or submit the attached Affidavit of Authorization from the trustee to represent the holders of the beneficial interests in the trust and (2) the applicant must provide a trust disclosure in compliance with "An Act to Require Disclosure of All Beneficial Interests", Chapter 148, Section 71 et seq., Illinois Revised Statutes, signed by the trustee.

III. PROPERTY INFORMATION:

Common address: 556 Lowden, Glen Ellyn, IL 60137

Permanent tax index number: 05-23-122-020

Legal description: Lot 28 Block 11 in Glen Park Subdivision, Being a resubdivision in Glen Acres Subdivision, Being a subdivision in section 23, Township 39 North, Range 10 East of the Third Principle Meridian, According to the Plat of Said Glen Park Subdivision Recorded March 3, 1926 As Document 208829 In DuPage County, Illinois.

Zoning classification: Residential

Lotsize: 50 ft. x 150 ft. Area: 7,500 sq. ft.

Present use: Church

IV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

Description of the variation(s) requested (including identification of the Zoning Code provisions from which variation is sought) and proposed use(s):

The following variations are requested:

(1) A variation from Section 10-4-8(H) is requested to allow four parking stalls in lieu of the five parking stalls that may be required up to once a week. This variation will allow four parking stalls to suffice though there may be up to 20 people in attendance during the main worship sessions held at the Subject Property once a week on Sundays from 11 am – 1 pm.

(2) A variation from Section 10-5-8(F) is requested to allow two of the four parking stalls to be 16 feet long instead of the minimum 19 feet normally required.

(3) A variation from Section 10-5-8(I) is requested to allow the absence of a drive aisle behind the proposed parking spaces in lieu of the drive aisle with a minimum width of 24 feet normally required.

Estimated date to begin construction: No construction

Names and addresses of any experts (e.g., planner, architect, engineer, attorney, etc.): None

V. EVIDENCE RELATING TO ZONING CODE STANDARDS FOR A VARIATION:

The following items are intended to elicit information to support conclusions by the ZBA or PC and the Village Board that the required findings/standards for a variation under the Zoning Code have been established and met. Therefore, please complete these items carefully.

A. Standards Applicable to All Variations Requested:

1. Provide evidence that due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code:

The variation from Section 10-4-8(H) is requested because the Subject Property has only four parking stalls and creating a fifth parking stall would be difficult (if not impossible) without major construction, which would place an undue hardship on the property owner given the fact that the fifth parking stall would be used – at most – once a week.

The variation from Section 10-5-8(F) is requested because extending the two parking stalls from 16 feet long to the minimum 19 feet normally required would be difficult (if not impossible) without major construction, which would place an undue hardship on the property owner.

The variation from Section 10-5-8(I) is requested because creating a 24-foot drive aisle behind the proposed parking spaces would be difficult (if not impossible) without major construction, which would place an undue hardship on the property owner.

2. a. Provide evidence that the property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code (i.e., without one or more variations):

OR

b. Provide evidence that the plight of the applicant/owner is due to unique circumstances relating to the property in question:

As further described in the "Revised Narrative Statement to Supplement Special Use Permit Application", the Subject Property is used as a place for informal worship activities, small bible studies, and prayer meetings. The Subject Property is well-suited for these activities with the exception of the minor parking variations requested herein. Requiring the property owner to (i) create a fifth parking stall, (ii) extend two parking stalls from 16 feet to 19 feet or (iii) create a 24-foot drive aisle behind the proposed parking spaces would place an undue burden on the property owner. These requirements would create an undue burden because the need for parking more than two or three cars at the Subject Property typically occurs only once a week (if not less often).

3. Provide evidence that the requested variation(s), if granted, will not alter the essential character of the locality of the property in question:

The activities that are currently being conducted at the Subject Property have been occurring there since the University Bible Fellowship took title to the property in 1998. This use is not atypical of residential property, and to the property owner's knowledge, this use has not been detrimental or injurious to other properties or property owners in the neighborhood.

Because the proposed zoning variations do not involve any activity or use that is atypical of residential property, the variations will not alter the essential character of the area surrounding the Subject Property in any way or result in any disturbance to the area which is not consistent with typical residential usage in general. Permitting the Subject Property to have only four parking stalls, two of which measure 16 feet, and permitting the absence of the 24-foot drive aisle behind the proposed parking spaces will in no way alter the essential character of the neighborhood. The use of the Subject Property and activity conducted at the Subject Property will be harmonious with and in accordance with the general objectives of the Zoning Code.

B. For the purpose of supplementing the above standards, the ZBA or PC, in making its recommendation that there are practical difficulties or particular hardships, shall also take into consideration the extent to which the evidence establishes or fails to establish the following facts favorably to the applicant:

1. Provide evidence that the particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the applicant/owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out:

Disallowing the above-referenced zoning variations would bring particular hardship upon the property owner as this restriction would limit the University Bible Fellowship's ability to utilize the Subject Property as a place for informal worship activities, small bible studies, and prayer meetings without violating the Zoning Code. Such a hardship would likely result in the cancellation of the various religious and worship activities currently conducted at the Subject Property and the possible non-use of the Subject Property.

2. Provide evidence that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district:

Though the use of the Subject Property is not atypical of the use of residential properties in general, this petition for variation is being submitted because the Subject Property operates as a church. The need for additional parking is not applicable generally to other property within the same zoning district, because generally these properties are for residential use only. Because Sunday worship sessions are held at the Subject Property, the Subject Property has unique parking needs as compared to other properties within the same zoning district.

3. Provide evidence that the purpose of the variation is not based exclusively upon a desire to make more money out of the property in question:

The University Bible Fellowship is a not-for-profit religious corporation. The University Bible Fellowship desires to use the Subject Property for informal worship activities, small bible studies, prayer meetings, and Sunday worship sessions focused on teaching the Bible to college students and young people and helping them to live according to the teachings of the Scriptures and practice the world mission command of Jesus. The University Bible Fellowship has no intention or desire to make any money from the Subject Property, but simply wishes to use it to fulfill its religious mission.

4. Provide evidence that the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property in question or by the applicant.

The alleged difficulty or particular hardship – the need for minor parking variations from the Zoning Code – has not been created by any person.

5. Provide evidence that the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located.

Because the proposed zoning variations does not involve activity or use that is atypical of residential property, the variations will not in any way be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the Subject Property is located.

6. Provide evidence that the proposed variation will not:

a. Impair an adequate supply of light and air to adjacent property;

Not at all.

b. Substantially increase the hazard from fire or other dangers to the property in question or adjacent property;

Not at all.

c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village;

Not at all.

d. Diminish or impair property values within the neighborhood;

Not at all.

e. Unduly increase traffic congestion in the public streets and highway;

Not at all.

f. Create a nuisance;

Not at all.

Or

g. Result in an increase in public expenditures.

Not at all.

7. Provide evidence that the variation is the minimum variation that will make possible the reasonable use of the land, building or structure.

The property owner is requesting only those variations that will allow the property to be used as a place for informal worship activities, small bible studies, prayer meetings and Sunday worship sessions without violating the Zoning Code. These minor parking variations are the minimum variations needed to make possible the University Bible Fellowship's reasonable use of the Subject Property as a church.

8. Please add any comments which may assist the Zoning Board of Appeals of Appeals in reviewing this application.

As described above, the activities that are currently being conducted at the Subject Property have been occurring at the Subject Property since the University Bible Fellowship took title to the Subject Property in 1998. This use is not atypical of residential property, and to the property owner's knowledge, it has not been detrimental or injurious to other property or property owners in the neighborhood. It is respectfully requested that this fact be taken into consideration as this application is reviewed.

VII. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

I (We) certify that all of the statements and documents submitted as part of this application are true and complete to the best of my (our) knowledge and belief

I (We) consent to the entry in or upon the premises described in the application by any authorized official of the Village of Glen Ellyn.

I (We) certify that I (we) have carefully reviewed the Glen Ellyn Zoning Variation Request Package and applicable provisions of the Glen Ellyn Zoning Code.

I (We) consent to accept and pay the cost to publish a notice of Public Hearing as submitted on an invoice from the publishing newspaper. I (we) understand that our request will not be scheduled for a Village Board agenda until and unless this invoice is paid.

Anne E. Koday
Signature of Owner's Representative
(Anne E. Koday / Neal, Getter & Eisenberg
LLP)

10/31/11
Date

WARRANTY DEED

€R98-030982

98 FEB 20 AM 11:45

RECORDER
DU PAGE COUNTY

Plarney

GRANTOR(S), Michael J. Dillenburg and Maureen Dillenburg, his wife, of Glen Ellyn, in the County of Du Page, in the State of Illinois, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, CONVEY(S) and WARRANT(S) to the grantee(s), University Bible Fellowship, a not for profit** 6558 N. Artesian, Chicago, in the County of Cook, in the State of Illinois,

** religious corporation existing under and by virtue of the Laws of the State of Mississippi, the following described real estate, to wit: and registered in Illinois,

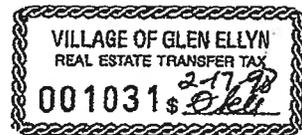
(APS - Lodging 18555) 20/5 PC

LOT 28 BLOCK 11 IN GLEN PARK SUBDIVISION, BEING A RESUBDIVISION IN GLEN ACRES SUBDIVISION, BEING A SUBDIVISION IN SECTION 23, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID GLEN PARK SUBDIVISION RECORDED MARCH 3, 1926 AS DOCUMENT 208829, IN DUPAGE COUNTY, ILLINOIS.

SUBJECT TO: General real estate taxes for the year 1997 and subsequent years; special assessments confirmed after this contract date; building, building line and use or occupancy restrictions, conditions and covenants of record; zoning laws and ordinances; easements for public utilities; drainage ditches, feeders, laterals and drain tile, pipe and other conduit.

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois. TO HAVE AND TO HOLD said premises forever.

Permanent Index No:
05-23-122-020



Known as: 556 Lowden, Glen Ellyn, Illinois 60137

DATED this 17 day of FEBRUARY, 1998.

Michael J. Dillenburg
Michael J. Dillenburg

Maureen Dillenburg
Maureen Dillenburg

STATE OF ILLINOIS

STATE OF ILLINOIS

FEB 20 98

FEB 20 98

22300

0.50

Du Page County
720872

REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE

Du Page County
722803



REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE

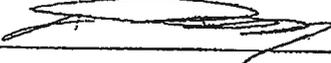
RC

RC 22300

STATE OF ILLINOIS)
)
COUNTY OF DU PAGE)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Michael J. Dillenburg and Maureen Dillenburg, his wife, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notary seal, this 17 day of February, 1998.



Notary Public
My commission expires 11/25/01



PREPARED BY: Mark T. Rodriguez, 364 Pennsylvania Avenue, Glen Ellyn, Illinois 60137
TAX BILL TO: University Fellowship Bible Church, 556 Lowden, Glen Ellyn, Illinois 60137
RETURN TO: Mark T. Rodriguez, 364 Pennsylvania Avenue, Glen Ellyn, Illinois 60137

OWNERSHIP BY A CORPORATION

Date: July 15, 2011

Address: 556 Lowden, Glen Ellyn, IL 60137

Legal Description: Lot 28 Block 11 in Glen Park Subdivision, Being a resubdivision in Glen Acres Subdivision, Being a subdivision in section 23, Township 39 North, Range 10 East of the Third Principle Meridian, According to the Plat of Said Glen Park Subdivision Recorded March 3, 1926 As Document 208829 In DuPage County, Illinois.

LIST ALL SHAREHOLDERS AND OFFICERS/DIRECTORS (AND % OF INTEREST OWNED IN EXCESS OF 5% OF STOCK)

The property is owned by University Bible Fellowship, Chicago Chapter. This is a church and a not-for-profit corporation duly registered with the U.S. government and the state of Illinois. The officers of the University Bible Fellowship, Chicago Chapter are:

<u>Name: Dr. James Kim, President</u>	<u>Address: 1229 Leonard Pl., Evanston, IL 60201</u>
<u>Name: Daniel Yang, Vice-President</u>	<u>Address: 6648 N. Rockwell Ave., Chicago, IL 60645</u>
<u>Name: Dr. Augustine Sohn, Sec</u>	<u>Address: 6520 N. Maplewood Ave, Chicago IL 60645</u>
<u>Name: James Rarick, Sec.</u>	<u>Address: 6619 N. Artesian Ave., Chicago, Il 60645</u>
<u>Name: Dr. James Joung</u>	<u>Address: 1219 W. Lexington, Chicago, IL 60607</u>
<u>Name: David Choi</u>	<u>Address: 6537 N. Campbell Ave., Chicago, IL 60645</u>
<u>Name: Elijah Park</u>	<u>Address: 3604 Metzertott Rd., College Park, MD 20740</u>
<u>Name: Peter Song</u>	<u>Address: 67-23 179th St., Fresh Meadows, NY 11355</u>
<u>Name: Dr. Alan Wolff</u>	<u>Address: 2310 Ridge Ave., Evanston, IL 60201</u>

AFFIDAVIT OF AUTHORIZATION

We, University Bible Fellowship Church, Chicago Chapter, represented by Dr. James Kim, President, owner of the property described as:

Address: 556 Lowden, Glen Ellyn, IL 60137

Legal Description: Lot 28 Block 11 in Glen Park Subdivision, Being a resubdivision in Glen Acres Subdivision, Being a subdivision in section 23, Township 39 North, Range 10 East of the Third Principle Meridian, According to the Plat of Said Glen Park Subdivision Recorded March 3, 1926 As Document 208829 In DuPage County, Illinois.

verify that Anne E. Koday & Thomas J. McNulty of Neal, Gerber & Eisenberg LLP

are duly authorized to apply and represent our interests before the Glen Ellyn Plan Commission, Zoning Board of Appeals, Architectural Review Commission, and/or Village Board of Trustees. Owner acknowledges that any notice given applicant is actual notice to owner.

Ronald A. Coburn, UBF Pastor
OWNER

Kristina King
NOTARY



6/9/11

REIMBURSEMENT OF FEES AGREEMENT

Village of Glen Ellyn Acct: # _____
Initial Deposit Amount: \$500 _____

I. DESCRIPTION OF PROJECT: Special Use of a residential house for informal Sunday worship services for as many as 20 people for 2 hours on Sundays.

II. OWNER:

- A. Owner of Property: University Bible Fellowship, Chicago Chapter
- B. Owner's Address: 6558 N. Artesian Ave., Chicago, IL 60645
- C. Owner's Home Phone Number: 773-338-1155 Fax: 773-743-1554
- D. Owner's Work Phone Number: 773-338-1155
- E. Owner's E-mail: chicagoubf@gmail.com
- F. If Owner is a Land Trust or Corporation, the attached disclosures of interest should be filled out.

III. PERSON MAKING REQUEST (Petitioner):

- A. Name of Petitioner: Anne E. Koday & Thomas J. McNulty of Neal, Gerber & Eisenberg,
- B. Petitioner's Address: LLP, Owner Representatives
Two N. LaSalle St., Suite 1700, Chicago, IL 60602
- C. Petitioner's Home Phone Number: N/A
- D. Petitioner's Work Number: 312-827-1467
- E. Petitioner's E-mail: akoday@ngelaw.com

IV. LOCATION OF PROPERTY:

- A. General Location of Property: 556 Lowden, Glen Ellyn, IL 60137
- B. Acreage of Parcel: 50' x 150' Lot
- C. Permanent Index Number(s): 05-23-122-020
- D. Legal Description (Please attach)

V. REIMBURSEMENT OF FEES:

The Ordinances of the Village require the owners of property, or individuals seeking to utilize property, to receive approval by ordinance or the issuance of a permit to undertake various uses or improvements of property in the Village. These uses can include requests for textual or map changes in the Zoning Ordinance, applications for building permits, requests for zoning relief and other similar requests. The Village has established a fee schedule for the anticipated use of staff time in processing such petitions or applications. In many cases, however the Village cannot reasonably evaluate the validity or compliance of the petition or application with the Ordinances of the Village without the use of reports from various consultants. In some cases, the application or petition requires among other things, public hearings and associated public notice costs, preparation of minutes or transcripts from the public hearing or meeting, recording costs of Ordinances and the preparation of reports by consultants whose services require the payment of out-of-pocket expenses by the Village. These expenses would not have been incurred but for the petition or application. The Village does not intend to seek to make a profit on its utilization of such consultants, but requires that the applicant, or the person receiving benefit, shall be obligated to reimburse the out-of-pocket expenses incurred by the Village. The Village shall seek to employ consultants who shall charge rates consistent with those paid by private parties who seek similar consulting services. The Village intends, through this Agreement, to cause the payment of out-of-

pocket expenses and to require the creation of an escrow fund to guarantee that the petition or application will not result in the citizens of the Village being required to pay for costs incurred at the request of the owner or applicant.

This document shall constitute a contract when an application is made for a license, permit, request for zoning relief or other approval involving the use of real property. Should the Village, in its sole and exclusive discretion, determine that it is necessary or desirable for the Village to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, court reporters, traffic, drainage or other consultants, including full and/or part time site inspection services during the actual construction of any required improvements, and/or to incur costs related to any required notices or recordations, in connection with any application or petition filed by the petitioner then the petitioner and owner shall be jointly and severally liable for the payment of such professional fees and costs, as shall actually be incurred by the Village. The Planning and Development Director is hereby authorized to assign the above described services to the Village staff or to consultants, as the Director deems appropriate and without prior notification to the petitioner.

Any application or petition to be reviewed by the Planning and Development Department or by the Plan Commission or Architectural Review Commission shall require the petitioner to establish an escrow account with the Village in an amount determined by the Planning and Development Director to reimburse the Village for all out of pocket costs associated with the request. These out of pocket costs will cover such things as services provided by the Village's consulting engineer, consulting attorney, consulting planner, traffic consultant, wetland consultant, landscape consultant, architectural consultant, appraiser and transcriber, among others, as well as reproduction costs, public hearing notice costs, recording costs, etc. Along with the application the petitioner shall also submit a signed copy of this agreement thereby acknowledging and agreeing to reimburse the Village for all out of pocket costs associated with the application or petition.

This agreement shall be accompanied by an initial deposit in an amount to be determined by the Director of Planning and Development but shall be no less than \$500. The Village will provide an itemized list of Village expenses incurred related to any charge to the escrow account, and the petitioner shall deposit funds to reimburse the Village for those expenses upon notice from the Village that the deposit has dropped below \$500. If the expenses are not reimbursed, then reviews meetings and permits associated with out of pocket costs will cease, and the request will not be moved forward through the review process. At the completion of the review process, and development of the project, if appropriate, any remaining balance from the deposit will be returned to the petitioner, without interest, after all expenses have been paid.

The Village shall deduct the incurred expenditures and costs from the funds deposited. If the remaining deposit balance falls below \$500.00, the petitioner, upon notice by the Village, shall be required to replenish the deposit to its initial amount. The Village shall mail the petitioner regular invoices for the fees and costs incurred. The petitioner shall replenish the deposit amount within thirty (30) days of issuance of each such invoice directing replenishment of the deposit.

A petitioner who withdraws his or her petition may apply in writing to the Planning and Development Director for a refund of his or her remaining escrow balance. The Planning and Development Director may, at his or her discretion, approve such refund less any actual fees and costs, which the Village has already paid or incurred relative to the application.

Upon the failure of the petitioner or owner to reimburse the Village in accordance with this Agreement, no further action shall be undertaken on the application by the Village President and Board of Trustees, or by any other official or quasi-official individual or body thereunder, including the conduct of any hearings or deliberations, reviews of any plans or applications, the granting of any relief or approvals, issuance of any permits or occupancies, performance of inspections and the execution or recording of any documents, until all such outstanding fees are paid in full and/or the initial deposit is restored to its full amount. Upon any failure to reimburse the Village in accordance with this Section, the Village may in its discretion, apply any or all of the initial deposit to the outstanding balance due.

The remedies available to the Village as set forth hereinabove are non-exclusive and nothing herein shall be deemed to limit or waive the Village's right to seek relief of such fees against any or all responsible parties in a court of competent jurisdiction.

Any remaining balance of any funds deposited pursuant to this Agreement shall be refunded at such time as the completion of Village deliberation on the petition or application, recordation of all necessary documents associated with the petition or application, issuance of a building permit, approval of a final inspection, or issuance of a final certificate of occupancy upon the real property in question whichever occurs later.

BY SIGNING BELOW, THE PETITIONER AND OWNER ACKNOWLEDGE THAT EACH OF THEM HAS READ THE FOREGOING PARAGRAPHS AND EACH OF THEM FULLY UNDERSTANDS AND AGREES TO COMPLY WITH THE TERMS SET FORTH HEREIN. FURTHER, BY SIGNING BELOW, EACH SIGNATORY WARRANTS THAT HE/SHE/IT POSSESSES FULL AUTHORITY TO SO SIGN.

THE PETITIONER AND OWNER AGREE THAT PETITIONER AND OWNER SHALL BE JOINTLY AND SEVERALLY LIABLE FOR PAYMENT OF FEES REFERRED TO IN APPLICABLE SECTIONS OF THE ORDINANCES OF THE VILLAGE OF GLEN ELLYN, AND THE OBLIGATIONS FOR PAYMENT RELATING TO THE FILING OF PETITION OR APPLICATION, AS SET FORTH HEREIN.

Ronald G. Wenzel, Pastor
Petitioner

Village of Glen Ellyn

UBF Church
Owner

By: _____
Planning and Development Director

Date: 6/8/2011

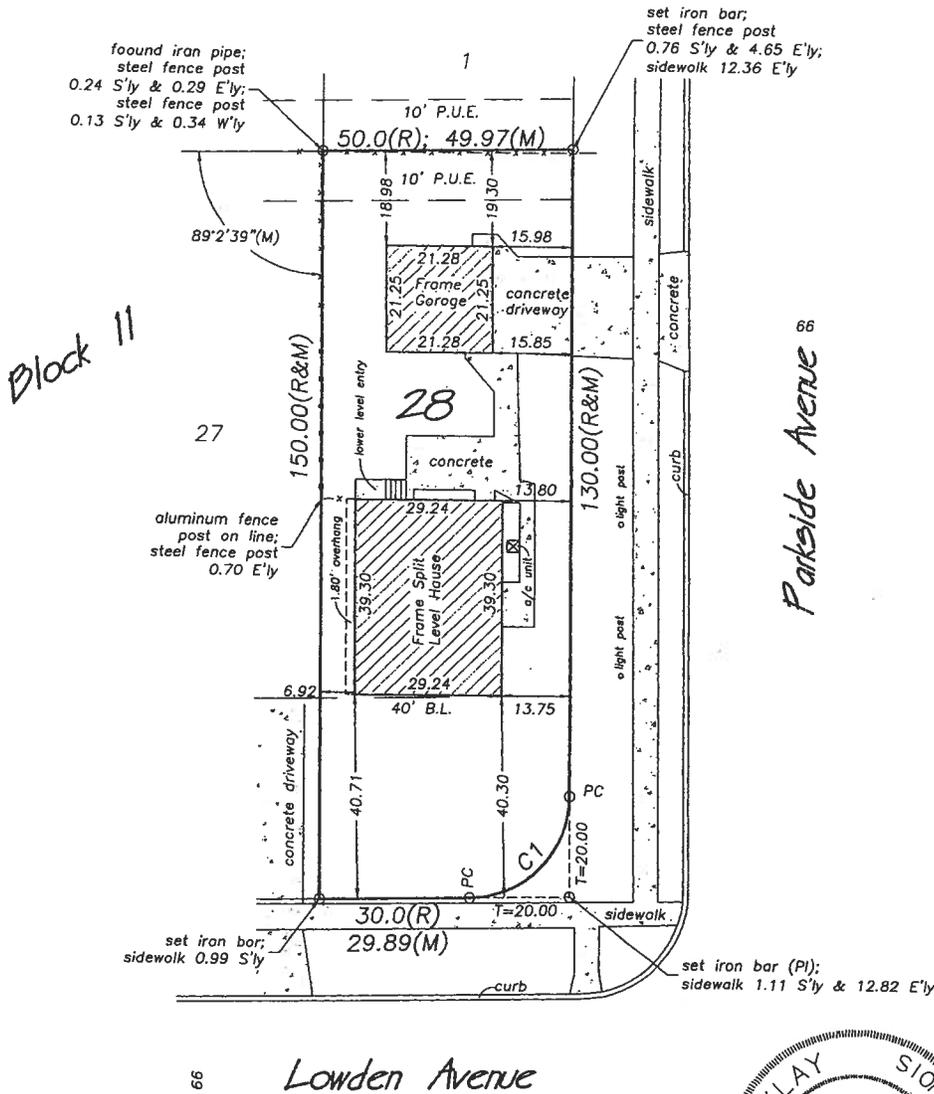
Date: _____

LEGAL DESCRIPTION

Lot 28 Block 11 in Glen Park Subdivision, Being a resubdivision in Glen Acres Subdivision, Being a subdivision in Section 23, Township 39 North, Range 10 East of the Third Principle Meridian, According to the Plat of Said Glen Park Subdivision Recorded March 3, 1926 As Document 208829 In DuPage County, Illinois

PEKLAY SURVEYING CO., LTD.
PLAT OF SURVEY

LOT 28 BLOCK 11 IN GLEN PARK SUBDIVISION, BEING A RESUBDIVISION IN GLEN ACRES SUBDIVISION, BEING A SUBDIVISION IN SECTION 23, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID GLEN PARK SUBDIVISION RECORDED MARCH 3, 1926 AS DOCUMENT 208829, IN DUPAGE COUNTY, ILLINOIS.



Block 11

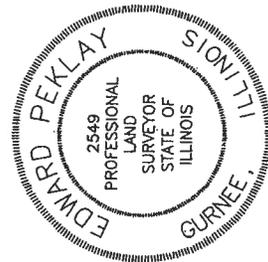
Parkside Avenue

Lowden Avenue

- Legend**
- (R) = Record
 - (M) = Measure
 - B.L. = Building Line
 - PC = Point of Curvature
 - PI = Point of Intersection
 - T = Tangent
 - P.U.E. = Public Utility Easement
 - = Aluminum Fence
 - x— = Chain Link Fence
 - Area = 7,403 sq.ft. (M)

Curve Table

NUMBER	RADIUS	ARC LENGTH
C1	20.35	31.61



NORTH

ALL DISTANCE IN FEET AND DECIMAL PARTS THEREOF, NO DIMENSIONS TO BE ASSUMED BY SCALING.
DATE OF FIELD WORK: 8/31/11
SCALE: One inch = 30 feet
FILE NO. 11-177
ORDERED BY: Neol Gerber,
Eisenberg, LLP
PROPERTY ADDRESS: 556 Lowden Ave., Glen Ellyn, IL

NOTE: Only those Building Line Restrictions or Easements shown on a Recorded Subdivision Plat are shown hereon unless the descriptions ordered to be surveyed contains a proper description of the required building lines or easements.

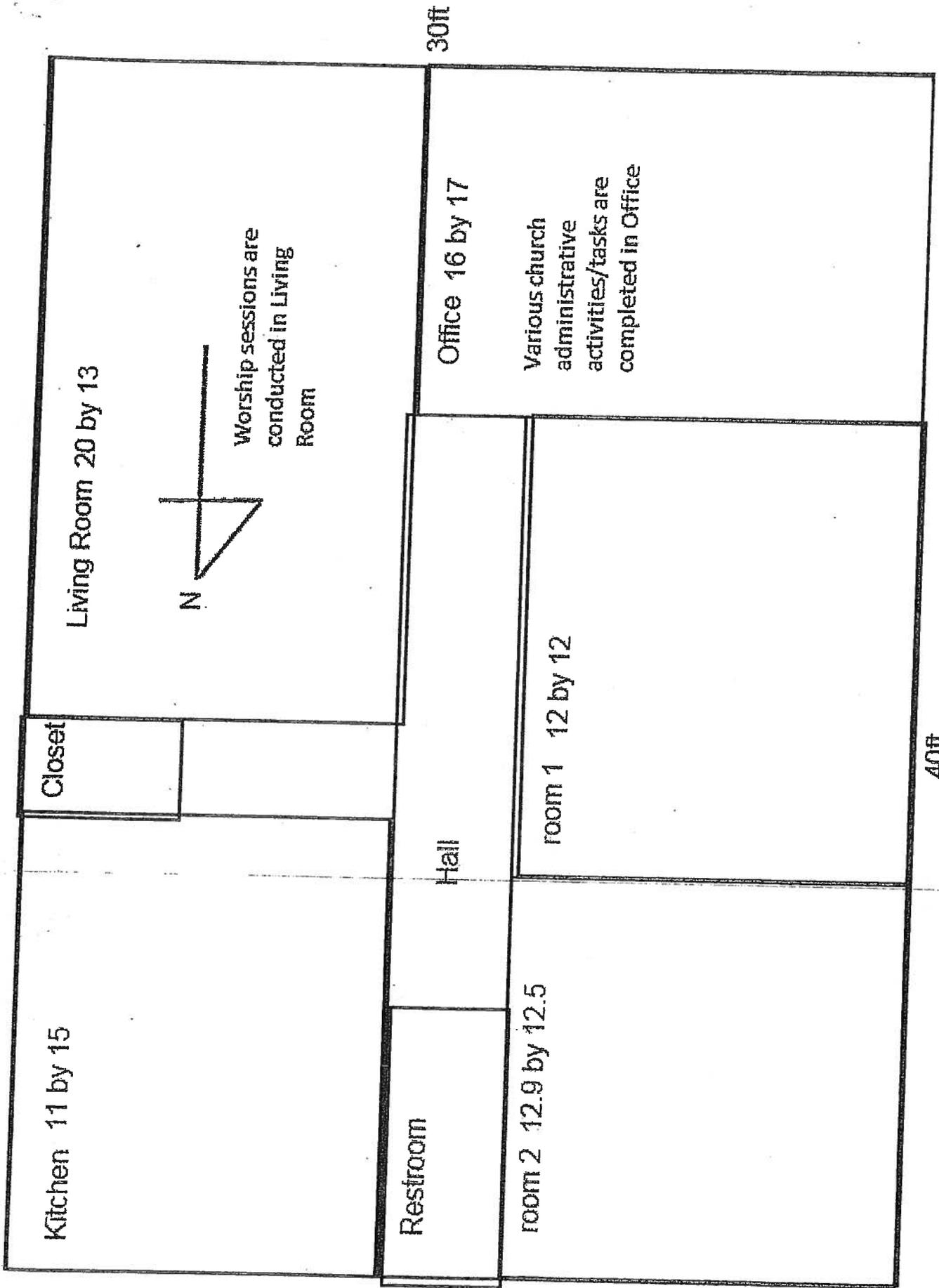
Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.

STATE OF ILLINOIS
COUNTY OF LAKE S.S.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE APPLICABLE TO BOUNDARY SURVEYS.

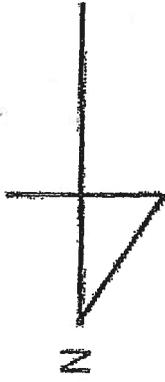
GURNEE, IL. 9/3 A.D. 2011
PEKLAY SURVEYING CO., LTD.
PROFESSIONAL DESIGN FIRM NO. 2981

BY *Edward Peklay*
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2549. MY LICENSE EXPIRES 11/30/2012



40ft
 Floor Plan of First Level at 556 Lowden Avenue

Crawlspace 15 by 40



Laundry room
4 by 5

Store
room
4 by 4

basement 15 by 21

restroom
4 by 4

Floor Plan of Basement Level at 556 Lowden Avenue

