

**Revised Agenda
Village of Glen Ellyn
Village Board Meeting
Monday, January 30, 2012
8:00 p.m. – Galligan Board Room**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Village Recognition:
 - A. An email message was received from a resident complimenting Police Officer Tom Staples and the DARE program. She stressed the importance of the continuing program and what it has meant to her family for many years.
 - B. A Carol Stream resident called to express her appreciation to Police Officer Brent Pacyga for his professional conduct during a traffic stop.
 - C. Police Officer Joseph Flores and Police Records Clerk Michelle Cahue received a letter of thanks for assisting a local family with a sensitive issue involving their elderly father.
 - D. Police Officer Bradley Booton and members of the Volunteer Fire Company were complimented in a letter from a LaGrange Park family for assisting their daughter in a recent emergency.
 - E. The Wheaton Police Department forwarded a letter of thanks to Police Officers Emmanuel Berger and Ryan Cusack for their assistance recently with a large number of offenders in a retail theft incident, leading to the successful apprehension of many of them.
 - F. Police Officers Ryan Cusack and Stephen Miko received a letter of thanks from a Darien resident, expressing his gratitude for their assistance with a local domestic situation.
 - G. A note was received from a resident forwarding her thanks to Police Officer Tom Staples for conducting a residential security survey and offering suggestions for improvement.
 - H. The Village accepts the resignations of Tracy Flood from the Environmental Commission, and Linda Dykstra and Julie McCormick from the Plan Commission and thanks them for their service to the Village.
5. Audience Participation
 - A. Presentation from Julie Hollensbe, Program Manager, ComEd Smart Ideas, regarding the Home Energy Savings Assessment Program.

B. 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 Friedberg*)

A. Village Board Meeting Minutes:

1. January 9, 2012 Special Meeting
2. January 9, 2012 Regular Meeting

B. Total Expenditures (Payroll and Vouchers) - \$1,668,821.13.

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

C. Motion to approve the recommendation of Village President Pfefferman that the following appointments be made for Boards and Commissions:

Capital Improvements Commission

Richard K. Burton – for a term ending December 31, 2012

Environmental Commission

Christina M. Clewlow – Student Commissioner for a term ending Dec. 31, 2014

Adrienne Gregory – for a term ending December 31, 2013

Tina T. Koral – for a term ending December 31, 2014

Historic Preservation Commission

Kelli E. Christiansen – for a term ending December 31, 2014

Plan Commission

Timothy D. Elliott – for a term ending December 31, 2014

Zoning Board of Appeals

Piotr Szczesniewski – Student Commissioner for a term ending Dec. 31, 2014

D. Ordinance No. 5993-VC, an Ordinance to Amend the Liquor Control Code Chapter 19 of Title 3 Section 12 (Restriction on Number of Licenses) of the Village of Glen Ellyn, Illinois to Change the Number of Permitted Class C-1 and D-2 Liquor Licenses. (*Administrative Services Coordinator Underhill*)

- E. Ordinance No. 5994, an Ordinance Approving a Variation from the Lot Coverage Ratio Requirements of the Zoning Code to Allow a One-Story Addition to the Existing House for Property at 588 Maple Street. *(Planning and Development Director Hulseberg)*
 - F. Ordinance No. 5995-VC, an Ordinance Amending Chapter 1 (Building Code) of Title 4 (Building Regulations) of the Village Code of the Village of Glen Ellyn, Illinois to Adopt the 2009 International Residential Code with Local Amendments. *(Planning and Development Director Hulseberg)*
 - G. Ordinance No. 5996-VC, An Ordinance Amending Chapter 1 (Building Code) of Title 4 (Building Regulations) and other sections of the Village Code of the Village of Glen Ellyn, Illinois Adopting the 2009 ICC International Building Code with Local Amendments. *(Planning and Development Director Hulseberg)*
 - H. Motion to approve an Intergovernmental Agreement between the Village of Glen Ellyn and the Glen Ellyn Public Library to permit Library employees to park in the Duane/Lorraine Parking Lot. *(Assistant to the Village Manager Schrader)*
7. Ordinance No. 5997, an Ordinance Approving Variation Requests to Allow Improvements to Memorial Park Located at 671 Crescent Boulevard to Accommodate New Impervious Surfaces, Bleachers, Fencing, an Ornamental Gate, Batting Cage and Lights and Amending Ordinance 5888 to Allow an Increase in the Total Square Footage of Accessory Structures Permitted on the Property. *(Trustee Cooper)*

Planning and Development Director Hulseberg will present information regarding the request of Glenbard Township High School District 87, owner of Memorial Park (aka Memorial Field) located at 671 Crescent Boulevard, for approval of variations from the Glen Ellyn Zoning Code to accommodate proposed improvements, including new impervious surfaces, bleachers, fencing, an ornamental gate, batting cage and lights.

8. Ordinance No. 5998, an Ordinance Denying a Special Use Permit Request to Allow Outdoor Storage at 350 Duane Street. *(Trustee Friedberg)*

Planning and Development Director Hulseberg will present information on a request by Mark Spandikow, owner of property located at 350 Duane Street, to allow outdoor storage on the site.

9. Ordinance No. 5999, an Ordinance Authorizing a License Agreement with New Cingular Wireless PCS, LLC for the Installation and Operation of a Communication Base Station and Appurtenant Antennae at the Glenbard Wastewater Authority Plant Located at 21W551 Bemis Road, Glen Ellyn. *(Trustee Hartweg)*

Planning and Development Director Hulseberg will present information on this proposed ordinance and license agreement. Approval of this ordinance will authorize a license agreement with AT&T, represented by New Cingular Wireless PCS, LLC, to allow the installation and operation of a new 100-foot cellular monopole and equipment shelter at the Glenbard Wastewater Authority Bemis Road plant.

10. Reminders:

- The next Regular Village Board Meeting is scheduled for Monday, February 13, 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. Motion to adjourn to Executive Session for the purpose of discussing pending litigation, adjourning thereafter without returning to open session. (*Trustee Henninger*)

A-6A,

Minutes
Village of Glen Ellyn
Special Village Board Meeting
Monday, January 9, 2012
7:00 P.M. – Galligan Board Room
Glen Ellyn Civic Center

Call to Order

Village President Pfefferman called the meeting to order at 7:00 p.m.

Roll Call

Upon roll call by Village Intern Andrew Letson, Village President Pfefferman and Trustees Cooper, Friedberg, Hartweg, Henninger, Ladesic and McGinley answered, "Present". Clerk Connors was excused.

Proposed Central Business District Tax Increment Financing District Public Hearing

Trustee motioned and Trustee Cooper seconded to open a public hearing to consider the approval of the proposed Redevelopment Plan and the designation of the Central Business District Redevelopment Project Area.

Upon a voice vote, Trustees Henninger, McGinley, Cooper, Friedberg, Hartweg and Ladesic voted "Aye." Motion carried.

Manager Franz provided an introduction to the public hearing and stated that proper notification in accordance with the Illinois TIF Act has been provided. He provided background on the process that took place prior to the public hearing.

Planning and Development Director Hulseberg gave a presentation discussing the 2009 Downtown Strategic Plan and its recommendation to create a TIF district to help fund projects outlined in the plan.

Maureen Barry of Ehlers and Associates gave a presentation describing the requirements that the proposed TIF district would have to meet. She also discussed how TIF funds are collected.

Manager Franz provided a summary of how a TIF district would benefit the Village and the Central Business District.

Werner Ulrich, 501 Forest #406, stated that he lives in the Central Business District, shops downtown and is a frequent user of the railroad. His concern is that the train station

is locked too early. He hopes that if the Village modernizes the train station, that it will be kept open later.

Chief Norton stated that as the temperature gets colder, the train station will be left open later in the day.

Jim Murphy, 501 Forest #404, said he is a new resident and has been trying to catch up on the proposed TIF district. He stated that he thought it was strange that 501 Forest is included in the proposed district because it has already been developed. He noted that he would like to understand the implication of increased equalized assessed values for homeowners. In addition, he stated that before the Village moves forward with the redevelopment of the fire station, that there is an iron clad agreement with a developer.

Ms. Barry stated that the goal when developing the boundaries of the proposed TIF district was to remain as consistent with the boundaries of the Central Business District as possible.

Phyllis Scanlan, 418 Hill Avenue, said that she had multiple questions. First, would an increase in the school district levy have more of an impact on properties outside of the district? Manager Franz stated that it would be dispersed among property owners outside of the TIF district.

Second, can you provide an amount that the Village expects to pay for bond financing costs? Manager Franz stated that information cannot be provided at this time and it will be dependent on each bond.

Third, if the TIF district cannot pay any bonds that are issued, who is responsible for their repayment? Attorney Diamond stated that this is typically the risk of the bond holders and the tax payers would not be liable.

Fourth, the budget shows \$5 million appropriated for contiguous TIF districts, where will those be located? Manager Franz stated that there are currently no plans for additional TIF districts; however we want to leave the option open for the future.

Fifth, the plan discusses low and affordable housing, where will that be located? Manager Franz, there are currently no plans for affordable housing projects.

Finally, there is \$160 million appropriated for expenditures, however the plan only shows \$23 million in revenue, why is there such a disparity? Ms. Barry stated that the revenue amount is a very conservative figure and the budget is a maximum expenditure ceiling.

Frank Lynn, 462 Pennsylvania, stated that he represents two groups, the Legacy Planned Unit Development and St. Petronille's Finance Committee. His question regarded the role of eminent domain.

Village Board Special Meeting Minutes

January 9, 2012

Page 3

Attorney Diamond stated that eminent domain can be used in a TIF district, however the TIF district does not give the municipality any additional powers.

Bill Boyal, 159 Forest, asked if the proposed projects would be funded through the use of bonds.

Attorney Diamond stated that the Village could use bonds or could pay for projects using money already in the TIF fund.

Larry Rajeck, 426 Duane Street, asked if his property was included in the proposed TIF district.

Manager Franz stated that it was not.

Trustee Henninger moved and Trustee Ladesic seconded the motion to close the public hearing.

Upon a voice vote, Trustees Henninger, McGinley, Cooper, Friedberg, Hartweg and Ladesic voted "Aye." Motion carried.

Other items

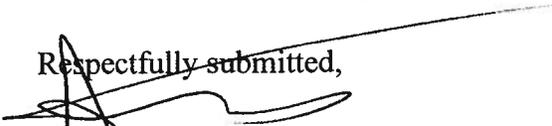
None

Adjournment

At 8:35 p.m. Trustee McGinley moved and Trustee Ladesic seconded the motion to adjourn to the Regular Village Board Meeting.

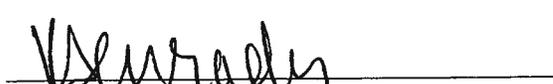
Upon a voice vote, Trustees Henninger, McGinley, Cooper, Friedberg, Hartweg and Ladesic voted "Aye." Meeting adjourned.

Respectfully submitted,



Andrew Letson,
Administration Intern

Attest:



Deputy Village Clerk of the Village of Glen Ellyn

Minutes
Regular Meeting
Glen Ellyn Village Board of Trustees
Monday, January 9, 2012

A-6A₂

Call to Order

Village President Pfefferman called the meeting to order at 8:40 p.m.

Roll Call

Upon roll call by Village Intern Andrew Letson, Village President Pfefferman and Trustees Cooper, Friedberg, Hartweg, Henninger, Ladesic and McGinley answered, "Present". Clerk Connors was excused.

Pledge of Allegiance

Pledge of Allegiance was led by President Pfefferman.

Village Recognition:

- A. An out-of-town visitor sent a letter complimenting Police Records Clerk Nadine Giagnorio for helping him with parking information.
- B. The residents of Sunrise sent a note to Police Officer Tom Staples, thanking him and the members of the Police Department for all they do in the community.
- C. The Police Department received an email from a resident forwarding her thanks to Community Service Officer Rose Volpe for helping her to adjust her child's infant car seat.
- D. A note of thanks was received from Park View School to Deputy Police Chief Bill Holmer, who participated in the events for American Education Week by reading a Thanksgiving book to their third graders.
- E. A certificate of appreciation was presented to the Police Department in recognition of their support of the United States Marine Corps Reserve Toys for Tots program.
- F. A letter was received from Saint James the Apostle School thanking the Police Department for a basket donation to their annual auction event.
- G. Police Chief Norton received a letter from DuPage County Sheriff Zaruba thanking the Department for participating in the Shop with a Cop/Sheriff event in December.
- H. A resident emailed a note of thanks to the Police Department and Volunteer Fire Company for their help when a fire took place recently in his condo building.
- I. The Wheaton Police Department sent a letter forwarding their thanks to Police Officers Kyle Duffie, Carrie Nemchock, and Brent Pacyga for their assistance with a recent incident involving a barricaded subject.

- J. Arbor View School sent a letter of thanks to the Police Department for donating a basket to the school's first Trivia Night and Silent Auction.
- K. Village Forester Peggy Drescher gave a presentation recently on the Emerald Ash Borer to the Naperville Area Homeowners Confederation, and she received a letter of thanks from the president of the group.
- L. The Village Board and Management Team congratulates the following employees who recently celebrated an anniversary as a Village employee:

Jacqueline Bjes	Police Department	5 years
Heidi Carr	Planning and Development	5 years
Lisa Ebergeny	Finance Department	10 years
Raymond Munch	Police Department	10 years
Paul Baird	Police Department	15 years
William Holmer	Police Department	20 years
Kenneth Major	Public Works Department	40 years

Audience Participation

Rinda Allison, 537 Hillside, stated that she was disappointed that the Village has moved to an automated telephone system. Manager Franz responded by saying that the Village is trying to utilize staff in the best way possible and that at any time a caller can press "0" to reach the receptionist.

Consent Agenda

Village Manager Franz presented the Consent Agenda: Village President Pfefferman called for questions and/or discussion of the items on the Consent Agenda.

Trustee Cooper requested that Item 6F be removed from the consent agenda and discussed separately.

Trustee Cooper moved and Trustee McGinley seconded the motion that the following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below:

- A. Village Board Meeting **Minutes**:
 - 1. December 5, 2011 Regular Workshop
 - 2. December 5, 2011 Special Meeting
 - 3. December 12, 2011 Regular Workshop
 - 4. December 12, 2011 Regular Meeting
- B. Total **Expenditures** (Payroll and Vouchers) - \$4,289,202.02.

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

- C. **Ordinance No. 5992-VC, an Ordinance Amending Chapter 1 (Building Code) of Title 4 (Building Regulations) of the Village Code of the Village of Glen Ellyn, Illinois to Adopt the 2009 International Fuel Gas Code with Local Amendments.**
- D. Approve a contract with **Utility Services Co., Inc.** for the **Cottage Avenue Water Tower** annual maintenance agreement in the amount of \$22,000, to be expensed to the FY11/12 Water Division Fund.
- E. Waive Section 4-5-9 (Special Event Signs) of the Glen Ellyn Village Code for the **2012 Electronics Recycling Collection Events**, sponsored by the Glen Ellyn Environmental Commission, scheduled from 8 a.m. to 12 p.m. on the following Saturdays: January 28, 2012; July 28, 2012; and October 27, 2012.

Upon roll call, Trustees Cooper, McGinley, Friedberg, Hartweg, Henninger and Ladesic voted "Aye." Motion carried.

Manager Franz took some time to discuss the schedule of meetings for the Glenbard High School District 87 variation requests.

Trustee Henninger moved and Trustee McGinley seconded the motion that the following item be approved:

- F. Approve a schedule for **Glenbard High School District 87's variation requests** for improvements to **Memorial Field**.

Upon roll call, Trustees Cooper, McGinley, Friedberg, Hartweg, Henninger and Ladesic voted "Aye." Motion carried.

Second Quarter of Fiscal Year 2011/2012

Finance Director Kevin Wachtel provided an overview of the financial activity of the Second Quarter of Fiscal Year 2011/2012.

Reserve Policy – Village of Glen Ellyn's Financial Policies

Finance Director Kevin Wachtel presented information on an accounting rule that will change the language that is used to present fund balance in the annual audit. The proposed language also incorporates an update of Water and Sewer Fund cash reserves as previously discussed by the Village Board.

Trustees requested that additional information be provided on this topic before a vote is taken.

No motion was made on this topic and will therefore be placed on the agenda of the next regularly scheduled meeting.

Village Links Facility Master Plan

Recreation Director Matt Pekarek presented recommendations regarding a proposed Village Links Facility Master Plan. The Master Plan was presented to the Village Board in July 2011. In October 2011 the Village Board hired the National Golf Foundation (NGF) to review the Master Plan and the profit projections that would pay for the facility improvements. The NGF has issued a draft report, in which they recommend that the Master Plan be implemented. The next step would be to hire architects/engineers to design facility improvements and obtain permitting approval, allowing construction work to begin in late 2012.

Trustee Ladesic moved and Trustee Hartweg seconded the motion that the following be approved:

- A. Approve a budget amendment to the 2011-12 Recreation Fund Budget, using reserve fund balance to increase the authorized budget by \$237,000.
- B. Accept the proposal of Gill Design, Inc. of River Falls, WI in a not-to-exceed amount of \$22,400, which includes a 10% design contingency, to provide golf course architect services pertaining to the Village Links Facility Master Plan.
- C. Accept the proposal of PPK Architects, of Glen Ellyn, IL in a not-to-exceed amount of \$82,000, which includes a 10% design contingency, to provide building architect services pertaining to the Village Links Facility Master Plan.
- D. Accept the proposal of V3, of Woodridge, IL in a not-to-exceed amount of \$133,300, which includes a 10% design contingency, to provide engineering services pertaining to the Village Links Facility Master Plan.

Ken Kloss, 350 Ridgewood, stated that he thought there should be a formal bidding process before contracts for these professional services are awarded. In addition, he emphasized that a design contest among architects would provide the Village with new ideas and would be very beneficial.

Upon roll call, Trustees Ladesic, Hartweg, Friedberg, Henninger and McGinley voted "Aye." Trustee Cooper voted "No." Motion carried.

Reminders:

- The Regular Village Board Workshop scheduled for Monday, January 16, 2012 has been cancelled and is rescheduled for Monday, January 23, 2012 beginning at 6:30 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.
- The next Regular Village Board Meeting scheduled for Monday, January 23, 2012 has been cancelled and is rescheduled for January 30, 2012, with a Workshop beginning at 6:30 p.m. and the Special Board Meeting beginning at 8 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

Other Business

None

Adjournment

At 11:40 p.m. Trustee Henninger moved and Trustee McGinley seconded the motion to adjourn.

Upon a voice vote, Trustees Henninger, McGinley, Cooper, Friedberg, Hartweg and Ladesic voted "Aye." Meeting adjourned.

- The next Regular Village Board Meeting scheduled for Monday, January 23, 2012 has been cancelled and is rescheduled for January 30, 2012, with a Workshop beginning at 6:30 p.m. and the Special Board Meeting beginning at 8 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

Other Business

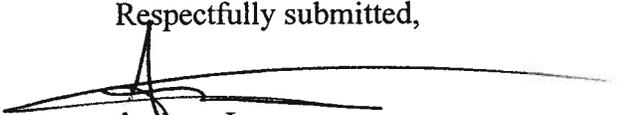
None

Adjournment

At 11:40 p.m. Trustee Henninger moved and Trustee McGinley seconded the motion to adjourn.

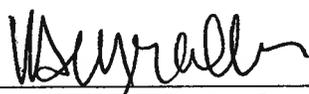
Upon a voice vote, Trustees Henninger, McGinley, Cooper, Friedberg, Hartweg and Ladesic voted "Aye." Meeting adjourned.

Respectfully submitted,



Andrew Letson
Administration Intern

Attest:



Deputy Village Clerk of
the Village of Glen Ellyn

A-6D

MEMORANDUM

TO: Danamarie Izzo – Assistant Village Manager - HR
FROM: ^{Paul} Patti Underhill – Administrative Services Coordinator
DATE: January 23, 2012
RE: Liquor Expansion – Two (2) Walgreens in Glen Ellyn
840 North Main Street
324 Roosevelt Road



3/

Background

I was recently contacted by Laura Milowski, the License Specialist from Walgreens Corporate Office in Deerfield. The Walgreens Corporate Office is interested in expanding their liquor licenses and wanted to know the process for obtaining full liquor licenses for their two Walgreens located in Glen Ellyn. Their current licenses, Class D-2, allow the retail sale of beer, ale and wine only. It is not necessary to create a new Classification of License, we have a license in place, Class C-1, that would authorize the appropriate retail sale for the businesses. The Class C-1 license authorizes the retail sale, on the specified premises, of alcoholic liquor in its original package ... as an adjunct to another retail business, but not for consumption on the premises where sold, etc. B&D Liquors on Roosevelt, Discount Liquors on North Main and WineStyles, all have a Class C-1 license. This week, we received all the necessary paperwork and fees to process their request. The Local Liquor Control Code Ordinance states we must keep an accurate and current list of all licenses issued within the Village, therefore it is necessary to update our Village Code by decreasing our number of Class D-2 licenses and increasing our number of Class C-1 licenses. Please find attached the proposed ordinance.

Recommendation

Approve the Ordinance

Action Requested

Approve the Ordinance to decrease the number of D-2 liquor licenses and increase the number of C-1 licenses.

Attachments

Ordinance

Ordinance No. _____ - VC

**An Ordinance to Amend the Liquor Control Code
Chapter 19 of Title 3 Section 12
(Restriction on Number of Licenses)
of the Village Code of Glen Ellyn, Illinois
to Change the Number of Permitted Class C-1 and D-2 Liquor Licenses**

Whereas, pursuant to Section 5/4-1 of Chapter 235 of the Illinois Compiled Statutes 2002, *et seq.*, the Village of Glen Ellyn has the statutory authority by general ordinance to determine the kinds and classifications of liquor licenses to be issued for the sale of alcoholic liquor at retail in the Village as well as the number of permitted licenses within each classification; and

Whereas, the President and Board of Trustees of the Village of Glen Ellyn deem it to be in the best interest of the Village to periodically review and update the liquor control ordinance of the Village as well as to, when appropriate, change the number of permitted liquor licenses in various classifications; and

Whereas, the President and Board of Trustees have determined that it is in the best interest of the Village to decrease by two the number of permitted Class D-2 liquor licenses, which shall authorize the retail sale of beer, ale and wine in its original package, but not for consumption on the premises where sold, as an adjunct to another principal retail business and where more than ten (10) square feet but less than one hundred (100) square feet is devoted to the display and sale of alcoholic liquor and increase by two the number of permitted Class C-1 liquor licenses, which shall authorize the retail sale, on the specified premises, of alcoholic liquor in its original package as a principal business, or as an adjunct to another retail business, where more than three (300) square feet of floor area is devoted to the storage, display and sale of alcoholic liquor. A Class C-1 license does not authorize the sale of alcoholic liquor for consumption on the premises where sold. Retail floor area

devoted to the sale of alcoholic liquor includes the gross area devoted to the storage, display, customer access and sales area used for the sale of alcoholic liquor, so that licenses can be issued to the two (2) Walgreens located in Glen Ellyn: one Walgreens is located at 840 N. Main Street and the other Walgreens located at 324 Roosevelt Road; 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 findings of fact and conclusions set forth hereinabove are hereby adopted by the President and Board of Trustees as the findings of fact and conclusions of the corporate authorities of the Village of Glen Ellyn.

Section Two: Chapter 19 of Title 3 Section 12 of the Glen Ellyn Village Code (Liquor Control Code) is hereby amended so that reference to Class C-1 and Class D-2 within this Section shall henceforth read as follows:

Class C-1	no more than 10
Class D-2	no more than 3

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 _____.

Ayes:

Nays:

Absent:

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

_____.

Village President of the Village
of Glen Ellyn, Illinois

Attest:

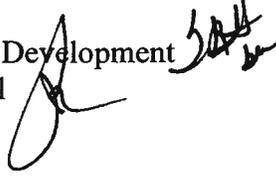
Village Clerk of the Village
of Glen Ellyn, Illinois

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

MEMORANDUM

A-6E

TO: Mark Franz, Village Manager

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

DATE: January 24, 2012

FOR: January 30, 2012 Village Board Meeting

SUBJECT: 588 Maple Street - Variation

Background: The property owners, Susan and Francesco Cristiano, are requesting approval of a variation from Glen Ellyn Zoning Code, Section 10-4-8(E)1, to allow the construction of a one-story addition to the principal structure that results in a lot coverage ratio (LCR) of 22.2% in lieu of the maximum permitted LCR of 20%. The subject property is an interior lot located on the north side of Maple Street in the R2 Residential District. Notice of the public hearing was published in the Daily Herald on November 28, 2011. The Zoning Board of Appeals conducted a public hearing on the requested variation on Tuesday, December 13, 2011. At the meeting, no persons spoke in favor of or in opposition to the variation request. The Zoning Board of Appeals voted on a motion to recommend approval of the variation request which carried unanimously with four (4) "yes" votes and zero (0) "no" votes.

Issues: The Zoning Board of Appeals was in favor of the variations because they felt that there are practical difficulties or particular hardships in the application of the Zoning Code regulations to this property. The ZBA considered the fact that no variation would be required if the home had a detached garage as opposed to the attached garage which is not eligible for a 500 square foot LCR exception. The ZBA also found that the variation had minimal impact on adjacent properties, will be compatible with the character in the neighborhood, and improves access to the home for the safety and security of the occupants.

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.

Recommendation: In accordance with the recommendation of the Zoning Board of Appeals, staff has prepared an ordinance to **approve** the requested variation.

Attachments:

- Minutes of ZBA meeting dated December 13, 2011
- Photo of the Subject Property
- Location Map
- Ordinance
- Notice of Public Hearing
- List of Addresses
- Petitioners' Application Packet

CC: Susan and Francesco Cristiano
X:\Plandev\BUILDING\ZBA\MEMOS\MAPLE588-LCR.doc

ZONING BOARD OF APPEALS
MINUTES
DECEMBER 13, 2011

The meeting was called to order by Chairman Rick Garrity at 7:30 p.m. Board Members Gregory Constantino, Barbara Fried and Mary Ozog were present. Board Members Gary Fasules, Ed Kolar and Dale Siligmuller were excused. Also present were Trustee Liaison Peter Cooper, Building and Zoning Official Joe Kvpil and Recording Secretary Barbara Utterback.

Chairman Garrity described the proceedings of the Zoning Board of Appeals.

Board Member Fried moved, seconded by Board Member Ozog, to approve the minutes of the November 8, 2011 ZBA minutes. The motion carried unanimously by voice vote.

Two public hearings were on the agenda for properties at 588 Maple Street and 885 Glen Oak Avenue.

PUBLIC HEARING – 588 MAPLE STREET

A REQUEST FOR APPROVAL OF A ZONING VARIATION FROM THE GLEN ELLYN ZONING CODE, SECTION 10-4-8(E)1, TO ALLOW THE CONSTRUCTION OF A ONE-STORY ADDITION TO AN EXISTING HOME THAT RESULTS IN A LOT COVERAGE RATIO OF 22.2% IN LIEU OF THE MAXIMUM PERMITTED LOT COVERAGE RATIO OF 20% FOR A TWO-STORY HOME.

(Susan and Francesco Cristiano, owners)

Staff Report

Building and Zoning Official Joe Kvpil stated that Susan and Francesco Cristiano, owners of the property at 588 Maple Street, are requesting one variation from the Glen Ellyn Zoning Code, Section 10-4-8(E)1, to allow the construction of a one-story addition to the existing home that results in a lot coverage ratio of 22.2% in lieu of the maximum permitted lot coverage ratio of 20%. Mr. Kvpil displayed photos of the existing home and a location map. He stated that the subject home is in the R2 Residential zoning district and is defined as an interior lot on the north side of Maple Street between Forest Avenue and Park Boulevard. He added that the land use surrounding the subject property is single-family residential. Mr. Kvpil displayed a site plan with the proposed one-story addition highlighted. Mr. Kvpil added that a variance was granted in 1994 to allow an addition that did not meet the side yard setback requirements, and he displayed an outline of that addition on the site plan. He added that other improvements had been made to the subject home prior to the 20% lot coverage ratio being approved by the Village.

Mr. Kvpil stated that the owners propose to construct a one-story mud/laundry/utility room addition with an area of 101 square feet to the side and rear of the home. Mr. Kvpil explained that the existing lot coverage ratio is a nonconforming 21.2% and the

proposed addition will increase the lot coverage ratio to a nonconforming 22.2% which requires a variation.

Petitioners' Presentation

Susan and Francesco Cristiano, the homeowners at 588 Maple Street, Glen Ellyn, Illinois, Lance Weber, Architect, 2090 Jericho Road, Aurora, Illinois and Walt Arway, Riteway Custom Homes, 540 Duane Street, Glen Ellyn, Illinois were present to speak on behalf of the subject variation. Mr. Cristiano stated that they would like to build an addition because there is currently no side entrance to the home and a deck is located at the rear which makes entry difficult for their children when snow is on the ground. He stated that the addition would also have storage space for their children as there is currently no closet on the first floor of the home. Mr. Cristiano stated they believe the space they plan to convert was formerly a screened-in porch area. Ms. Cristiano stated that she would appreciate a first floor laundry area for safety reasons as it is difficult to use the existing second-floor laundry room with three small children in the home. She added that having a laundry area only on the second floor is a practical difficulty. Ms. Cristiano also stated that not having a side door is a safety issue as she does not want the children entering the home via the front door when they return from school in the future.

Responses to Questions from the ZBA

Mr. Kvapil verified for Chairman Garrity that the petitioners would not require a variation if their garage was detached. Ms. Cristiano responded to Board Member Constantino that all of their immediate neighbors are supportive of the variation request. Architect Lance Weber responded to Board Member Constantino that no water will drain onto the neighbors' property to the west from the Cristianos' property as the neighbors' land is higher than the petitioners' land and there is a retaining wall between the two properties. Mr. Weber added that the back wall of the subject family room and proposed mud room drops off sharply into the back yard. Mr. Weber also responded to Board Member Constantino that no impact on light or air will occur when the addition is constructed and that the proposed addition is minimal. Mr. Arway added that the ridge height of the existing structure will not raise at all with the new addition, and Mr. Weber added that the view from the neighbor to the west will not change.

Persons in Favor of or in Opposition to the Petition

No persons spoke in favor of or in opposition to the petition.

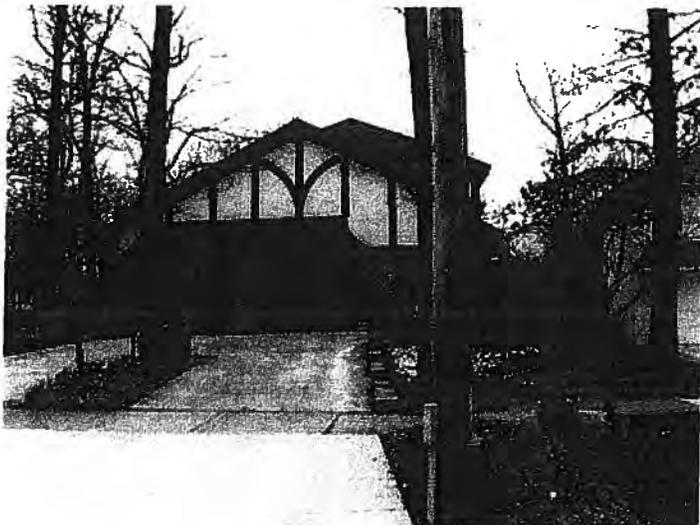
Comments from the ZBA

The ZBA members were in favor of the variation request. Board Member Constantino stated that the variation request is minimal, the neighbors are supportive of the petitioners' request, no drainage issues exist, and there are no adverse effects regarding light or air. Board Member Fried felt that safety and security issues exist as there is no entrance at the side of the home for the petitioners' three small children to enter.

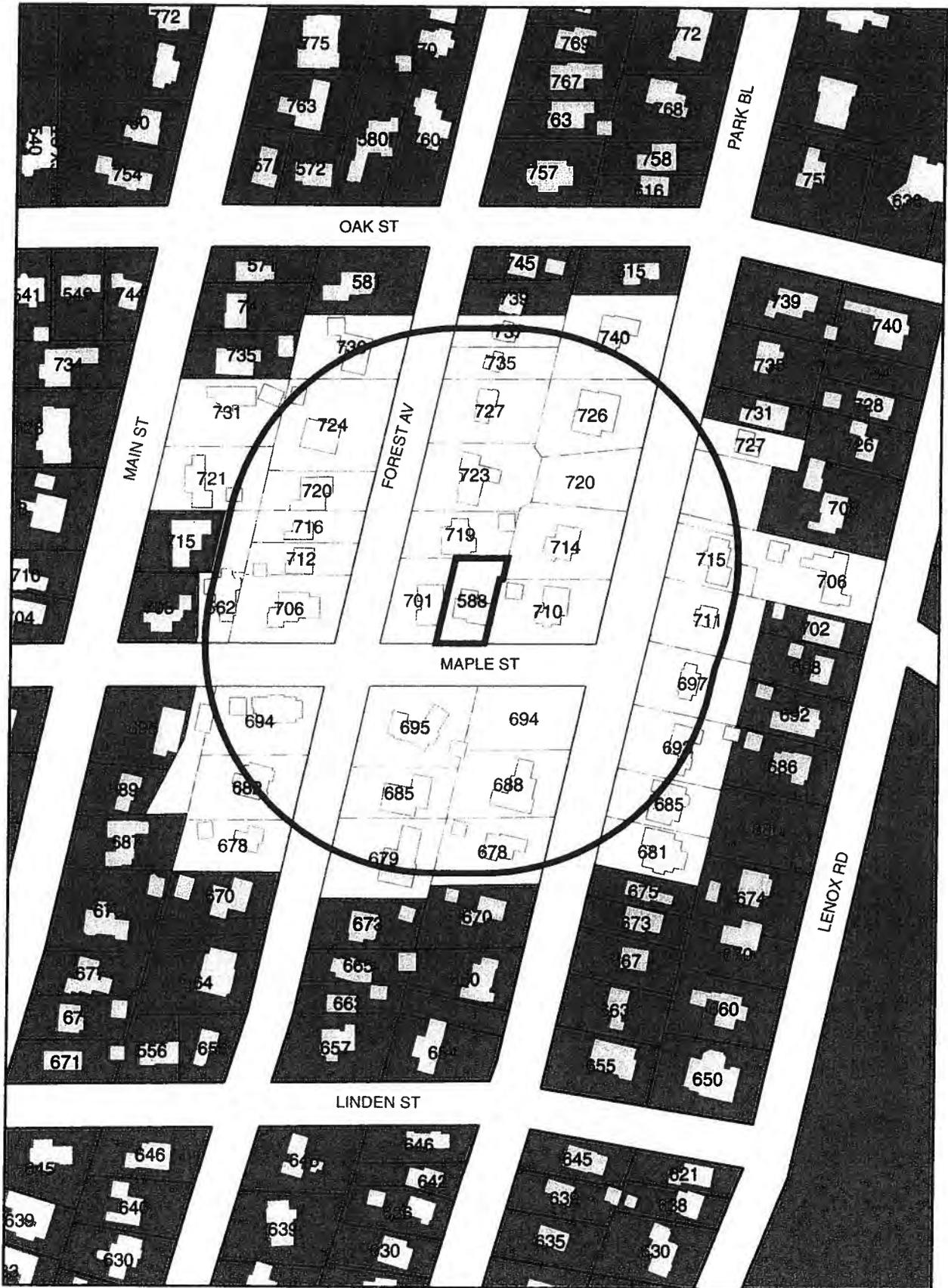
Motion

Board Member Constantino moved, seconded by Board Member Ozog, to recommend that the Village Board approve a variation from Section 10-4-8(E)1 of the Zoning Code at 588 Maple Street to allow the construction of a one-story addition to the existing home that results in a lot coverage ratio of 22.2% in lieu of the maximum permitted lot coverage ratio of 20%. The recommendation for approval is based on the neighbors' approval of the request, no drainage issues exist, no adverse effects exist regarding light or air and the proposed construction will be a minimal amount in excess of the lot coverage ratio requirement. Board Member Constantino added that as a condition of approval, all construction must meet the setback requirements of the property.

The motion carried unanimously with four (4) yes votes and zero (0) no votes as follows: Board Members Constantino, Ozog, Fried and Chairman Garrity voted yes.



588 Maple Street



Prepared By: Michele Stegall
Date Prepared: November 28, 2011



Village of Glen Ellyn

Ordinance No. _____

**An Ordinance Approving a Variation from the
Lot Coverage Ratio Requirements of the Zoning Code
to Allow a One-Story Addition to the Existing House
For Property at 588 Maple Street
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 a Variation from the
Lot Coverage Ratio Requirements of the Zoning Code
to Allow a One-Story Addition to the Existing House
For Property at 588 Maple Street
Glen Ellyn, IL 60137**

Whereas, Susan and Francesco Cristiano, owners of the property at 588 Maple Street, Glen Ellyn, Illinois, which is legally described as follows:

Lot 3 in Fitzgerald's Division of Lot 2 in Block 18 (except the east 5 feet of the south ½ thereof) in Glen Ellyn Addition to Prospect Park, being a subdivision in Section 11, Township 39 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded November 22, 1974 as Document No. R74-59365, in DuPage County, Illinois.

P.I.N.: 05-11-112-021

have petitioned the President and Board of Trustees of the Village of Glen Ellyn for a variation from the Glen Ellyn Zoning Code, Section 10-4-8(E)1, to allow the construction of a one-story addition to the home that results in a lot coverage ratio of 22.2% in lieu of the maximum permitted lot coverage ratio of 20%; and

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 December 13, 2011, at which the petitioners

presented evidence, testimony, and exhibits in support of the variation request and no persons appeared in favor of the variation and no persons appeared in opposition thereto; and

Whereas, based upon the evidence, testimony, and exhibits presented at the public hearing on December 13, 2011, the Zoning Board of Appeals adopted findings of fact and voted on a motion to approve the variation, which carried by a unanimous vote of four (4) “yes” and zero (0) “no,” resulting in a recommendation for approval as set forth in its Minutes dated December 13, 2011, 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 particular physical configuration of the existing house and lot brings practical difficulties and particular hardship upon the owner for access, safety and security to and around the home;
- B. That the variations, if granted, will not alter the essential character of the locality since the addition is compatible with the home and has no significant impact on the neighborhood;
- C. That the conditions upon which the variation is based would not be applicable generally to other property within the same zoning district since the circumstances and configuration of the addition and the home are unique to this property;
- D. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property since the owners have expressed no intention for further development or sale of the property;

E. That the practical difficulty or particular hardship has not been created by any persons presently having an interest in the property since the conditions that generated this request for a variation existed when the owners purchased the property;

F. That the variation 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 proposed use is not a hazard and is consistent with typical residential uses;

G. That the variation will not diminish or impair property values within the neighborhood since the proposed addition is a common residential property improvement; and

H. That the variation is the minimum variation that will make possible the reasonable use of the land, building or structure since the area of the addition is not excessive for the intended use; and

Whereas, the President and Board of Trustees, based on the aforementioned findings of fact, find it appropriate to grant the variation 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 minutes of the December 13, 2011 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 a variation from the Glen Ellyn Zoning Code, Section 10-4-8(E)1, to allow the construction of a one-story addition to the home that results in a lot coverage ratio of 22.2% in lieu of the maximum permitted lot coverage ratio of 20% at 588 Maple Street, Glen Ellyn, Illinois, which is

legally described as follows:

Lot 3 in Fitzgerald's Division of Lot 2 in Block 18 (except the east 5 feet of the south ½ thereof) in Glen Ellyn Addition to Prospect Park, being a subdivision in Section 11, Township 39 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded November 22, 1974 as Document No. R74-59365, in DuPage County, Illinois.

P.I.N.: 05-11-112-021

Section Three: This variation to construct a one-story addition is granted upon the conditions that the construction be completed in substantial conformance with the plans and Application for Variation received by the Planning & Development Department and signed on November 11, 2011 and the testimony and exhibits provided at the December 13, 2011 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 variation 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 variation 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 this variation 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 variation 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 _____, 2011.

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

Susan and Francesco Cristiano, owners of the property at 588 Maple Street, are requesting a public hearing for a variation in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code. The owners would like to modify the existing home by constructing an addition that results in a lot coverage ratio of 22.2 %. The Zoning Code does not allow structures to exceed a lot coverage ratio of 20% for a two story home. The Glen Ellyn Zoning Board of Appeals will conduct a public hearing to consider this Variation on **December 13, 2011** 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 a variation from the Glen Ellyn Zoning Code as follows:

1. Section 10-4-8(E)1 to allow the construction of a one-story addition to an existing home that results in a lot coverage ratio of 22.2% in lieu of the maximum permitted lot coverage ratio of 20% for a two story home.
2. 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 3 in Fitzgerald's Division of Lot 2 in Block 18 (except the east 5 feet of the south ½ thereof) in Glen Ellyn Addition to Prospect Park, being a subdivision in Section 11, Township 39 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded November 22, 1974 as Document No. R74-59365, in DuPage County, Illinois.

P.I.N.: 05-11-112-021

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 Monday, November 28, 2011)

X:\Plandev\BUILDING\ZBA\PUBLIC NOTICE\MAPLE588-LCR.doc

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: Susan Hoepfner Cristiano and Francesco Cristiano
Address: 588 Maple Street, Glen Ellyn, Illinois 60137
Phone No.: 630-347-1222 or 312-375-6017
Fax No.: _____
E-mail: susancristiano@yahoo.com
Ownership Interest in the Property in Question: 100%

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):

Name and address of the person or entity for whom the applicant is acting (if the applicant is acting in a representative capacity):

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: 588 Maple Street, Glen Ellyn, Illinois 60137

Permanent tax index number: 0511112021

Legal description: LOT 3 IN FITZGERALD'S DIVISION OF LOT 2 IN BLOCK 18 (EXCEPT THE EAST 5 FEET OF THE SOUTH HALF THEREOF) IN GLEN ELLYN'S ADDITION TO PROSPECT PARK, BEING A SUBDIVISION IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS.

Zoning classification: R2

Lot size: 75 ft. x 133 ft. Area: _____ sq. ft.

Present use: Single Family Residence

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):

Issue: House to Lot Coverage Ratio Conflict – Owners, Susan and Francesco Cristiano who own and reside at 588 Maple Street, Glen Ellyn, IL 60137 request a Zoning Variation to Zoning Code Section 10-4-8 (E)1 to allow construction of a 97sf addition (approx. 16' by 6'-5" foot room) behind garage on northwest side of home for purposes of a mudroom/laundry/utility room with a side entrance from existing pathway. Proposed addition would not impinge on lot lines, detract from neighboring property or neighborhood in any way. Proposed addition will enhance home and therefore the neighborhood and blend in with home and neighborhood style. In addition, this modification will not utilize any backyard or front yard green space but put an

unused alcove behind garage to reasonable use. Lastly, this small modification will provide a secure entrance/exit for minor children.

Per a Plat of Survey from professional land surveyor, Allen D. Carradus, which was done on 10/26/11(copy attached), home is over allocated by approx. 67 sf. Home footprint was last modified in late 1970's. Since then, the zoning ordinance governing House to Lot Coverage has changed. Proposed addition cannot be done without a zoning variation. Owners believe that this minor change will not detract from the neighborhood or in any way keep neighbors from fully enjoying their property. Indirectly, it will enhance the home and in return enhance the neighborhood.

Neighbors have signed a petition in support of this proposed addition and stated that they have no objections to this variance request and the proposed addition and the petition is attached hereto.

Estimated date to begin construction: pending resolution
Names and addresses of any experts (e.g., planner, architect, engineer, attorney, etc.):
Walt Arway (Contractor) Rite-Way Custom Homes, LLC
540 Duane Street Glen Ellyn, IL 60137 (630) 790-8144 office.
Lance Weber (Architect) 2090 Jericho Road, Aurora, IL. 60506 (630) 264-1705

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:

(Safety) There would be practical difficulties for the owners who are older parents of three small toddlers age 4 (girl) and twin boys who are 2. Due to their inquisitive nature, it is necessary to keep track of them at all times to keep them out of harms way and to keep them safe and secure. In the morning, all the children accompany a parent down to the first floor for the majority of the day. The first floor is the "main living" space in the home. Having a mudroom/laundry/utility room on the first floor would allow a parent to properly supervise and protect the safety of each child while performing necessary daily tasks in the home. If a parent needed to go to another floor to do laundry or to retrieve cleaning supplies etc., this would not allow for proper supervision.

In addition, the owners are older parents of toddlers (nearly 50) and intend on living in home going forward as they enter their more senior years. Having a first floor laundry and utility area will allow for easier access in the years to come and address future needs often required as one ages.

Finally, the current home has no closets on the entire first floor. They were removed and incorporated into an open floor plan by previous owners and updates.

(Future Concerns/Security and Related Difficulties) Currently there are two main ways to access house. The home's main access now is via the overhead garage door with use of coded opener and the front door. Once the children are of school age, and are able to walk to and from school unattended, it would be safer for them to enter the home using a new side entrance. Unfortunately, given the state of our society, the parents/owners are concerned that someone may watch a child entering the home from the front in full view and gain access to the child and home for ill will. In addition, the parents are concerned that children should not routinely use or operate an overhead electric garage door as means to enter the home. It is not as secure or safe as entering via a secure keyed well lit side entrance.

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):

N/A

OR

(b) Provide evidence that the plight of the applicant/owner is due to unique circumstances relating to the property in question:

(Functionality) The circumstances surrounding this request are unique to this residence in that there is currently no closet space at all on the first floor of the home (no closets at all). The home has an open floor plan through previous upgrades. The mudroom/laundry/utility area would allow storage coat lockers for future school supplies, boots, and other sports and outdoor attire for easy access and functionality. Simple lockers would allow children access to their clothing, coats and hats easily. They would not need to traverse upstairs or downstairs to secure outerwear. And again, having first floor laundry and utility storage for mops, cleaning supplies, etc. would allow daily housework tasks accessible while also performing childcare. Current laundry is located in upstairs hallway closet.

3. Provide evidence that the requested variation(s), if granted, will not alter the essential character of the locality of the property in question:

(More Reasonable Use of Land) Granting a zoning variation for this proposed addition would not alter the essential character of the locality of the property, it would enhance it. Current space behind garage is essentially an unused alcove and is presumed to have been a pre-existing patio with a door from garage, and it was adjacent to former

sunroom and porch, which was enclosed, back in late 70's or early 80's into a family room with a deck on the opposite side of the back yard. The alcove in question has two concrete stoops/steps leading to a flagstone patio. It currently has no functional use and it is not easily accessed from back yard to serve a purpose as part of the backyard. New mudroom/laundry would allow owners to better utilize space/land without extending house's clean-cut colonial appearance. It would keep to the current lines of the structure (it would not abut out from the current structure but be set back) and will also keep within property line set backs required by zoning requirements. This addition would keep to style of home, be set back and not viewable from the front and would not detract from neighboring properties. The design would incorporate a low slope hip roof and gutters will be at the same height as they are currently and blend with house design. New addition would not cause water run off to affect neighbors as the house is on lower ground than neighbors. Current property has a natural slope with build in creek/drainage area in back and there is no current flooding issues of this kind. Proposed addition also would not be higher in scope to dwarf other homes or injure neighbors in any way or put their enjoyment of their property in jeopardy. It is a very small space addition request (Approx. 97sf). This is the minimum variation requested.

Owners believe that their minor property improvement will not impact neighboring property negatively but will enhance this property and that of its neighbors. It is for the betterment of the block and neighborhood. Owners are not asking for a "tear down" and their request is modest and will add value to all other existing homes in the area and it makes common sense.

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:

We would lose a secure entrance away from public view for our children to enter property more securely especially later when they are able to enter property on their own without adult supervision.

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:

It is owner's belief that their request is unique to the style of their current home. Other homes may have side entrances and do not have this particular need. Each home with its needs would need to be addressed individually. This addition would keep within the style of the house and neighborhood – again, the new addition will not be visible from the front and it will blend with house and neighborhood. Owners specifically selected Riteway Builders of Glen Ellyn as their contractor as they have built houses for over 40 years and

have built many homes in Glen Ellyn. Riteway has always kept their homes in style with the neighborhood and built aesthetically and thoughtfully to enhance and blend into the neighborhoods throughout Glen Ellyn. They are focused on beautification of neighborhoods as well as in their product.

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:

Owners purchased their home recently. They have no intention on moving and see this as their home for the next 30+ years. This home has the owner's desired location as it is close to schools and town and while it is desirable, owners are seeking to improve on it to provide for their needs and not for capital gains. The owners are not looking to make a financial windfall, just make the home more functional, safe and make reasonable use of an alcove behind the garage that is no longer easily accessible. As longtime Glen Ellyn residents, Owners, Susan and Francesco Cristiano, waited for this home and are excited and feel fortunate to be living in this neighborhood. Again, owners do not have any intentions on selling or moving.

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.

Owners reiterate that their difficulty (hardship) and needs for this modification and improvement were not created; they merely address and solve for their situation in life. Owners desire to provide a safe, secure and functional home for their family to live.

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

Granting this zoning variance and proposed addition will not in any way injure, impinge or degrade neighboring property in any way or keep them from enjoying their property. Neighboring properties on west and north have bordering fences. In particular, the neighbor adjacent on the west side of the property has a 3 foot retaining wall with a 6 foot fence on top (theirs is a tiered property) and they will not view anything different from the proposed addition. Currently, these neighbors see a low pitch roof and will continue to see the same. At present, the gutters are at 9 feet and in line with their fence top and new gutters on the new addition will be at the same height. Again, proposed modification will not alter or detract but enhance the property and add value to all neighboring properties.

6. Provide evidence that the proposed variation will not:
 - a. Impair an adequate supply of light and air to adjacent property;
Not applicable. Light and air will not be affected.
 - b. Substantially increase the hazard from fire or other dangers to the property in question or adjacent property;

Not applicable.

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

Not applicable.

- d. Diminish or impair property values within the neighborhood;

It is the Owner's belief and desire to convey that the Approval of a Variance on their behalf would not affect neighboring property owners negatively.

Owners are mind-full in adding their small addition as to not to distract from the current neighborhood home style (Owners wish to convey that they are not making a mega mansion on a small lot and their small addition will be proportional to the home and in keeping with the home style).

Owners would be building on an existing previous alcove and previous outdoor living space (former patio adjacent to what was at one time a sun room and porch and was made into a family room back in the late 70's early 80's) and are being careful as to not cause any new environmental concerns, or disrupt the personal enjoyment of neighbors and their property. The adjoining neighbor has a retaining wall and fence and is on higher ground than our proposed addition. Backyard is naturally sloping with previously installed rain run off precautions. New addition will not pose any issues for flooding of neighbor's property. Their current enjoyment of their property would not be compromised by our addition.

- e. Unduly increase traffic congestion in the public streets and highway;

Not applicable.

- f. Create a nuisance; or

Not applicable.

- g. Results in an increase in public expenditures.

Not applicable.

- 7. Provide evidence that the variation is the minimum variation that will make possible the reasonable use of the land, building or structure.

The use of this alcove is the minimum variation that makes reasonable use of the land. Requesting a variance for an additional 97sf is the minimum variation needed. Owners are

not taking anything away from the backyard or depleting it in anyway. They are merely utilizing this unused and awkward space for a better and greater purpose with a design that complements the home style, blends with the neighborhood and neighboring property.

8. Please add any comments which may assist the Zoning Board of Appeals of Appeals in reviewing this application.

Previous Knowledge or Lack of Knowledge Statement: Finally, the owners did not have any foreknowledge that the home was currently over the House to Lot Coverage Ratio at time of sale. It was not disclosed nor perceived by owners, as there is ample front and back yard space. Owners did not foresee that they would initially need a first floor utility/laundry/mudroom at time of purchase. The need for this addition and renovation was determined upon review, space planning, security review and basic living needs following the purchase of the home. It is their belief that there is adequate front and back yard (green space) and the addition proposed would not detract or encroach on ample yard space to the existing property. The addition would not take land from the back yard to create a new space. It would merely utilize previous outdoor living space (alcove/former patio) adjacent to the rear of the garage to assist in daily living and needs of the family.

Conclusion and Summary Statement:

As life long residents of Glen Ellyn, Owners appreciate the Zoning Board's adherence to rules and regulations. Owners respect the spirit of the zoning ordinance governing the House to Lot Coverage Ratio but, respectively requests an exception in this matter and approval of a zoning variance.

Owners believe that their minor property improvement will not impact neighboring property negatively but will enhance this property and therefore, that of its neighbors. It is for the betterment of the block and neighborhood. Owners are not asking for a "tear down" and their request is modest.

For the reasons stated above and in this document, the Owners of property located at 588 Maple Street, respectively and graciously request approval of a zoning variance to allow them to add a small mudroom/laundry/utility room on existing former patio behind the garage. Thank you very much. Your time and careful consideration is greatly appreciated.

VI. **EVIDENCE RELATING TO FLOOD HAZARD VARIATION REQUESTS:**

THIS SECTION IS Not Applicable

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.

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.

- 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.

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

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.

4. Provide evidence that the resulting increased flood elevations will not

affect any flood protection structures.

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.

Susan M. Cristiano

Francine Cristiano

Signature of Applicant(s)

11/7/11

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	_____ _____
2. Fee Paid Ord. No.	1904-Z	_____
3. Proof of ownership	10-10-10(B)	_____
4. Current Plat of Survey + floodplain determination (in writing)	10-10-12(E) 10-6-3	_____ _____
5. Legal description of property (may be included in No. 4)	10-10-12(A)2	_____
6. 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	_____
7. Petition signed by neighbors (all within 250 feet)	Optional	_____

AFFIDAVIT OF AUTHORIZATION

I, _____ owner of the property described as

verify that _____
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.

OWNER

NOTARY

OWNERSHIP BY A CORPORATION

Date: _____

Address: _____

Legal Description: _____

LIST ALL SHAREHOLDERS AND OFFICERS/DIRECTORS (AND % OF INTEREST OWNED IN EXCESS OF 5% OF STOCK)

Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____
Name: _____	Address: _____	% _____

LEGEND

- Monumentation Found
- Monumentation Set (PLS 35-2551)
- (50') Record Dimension
- Fence Line

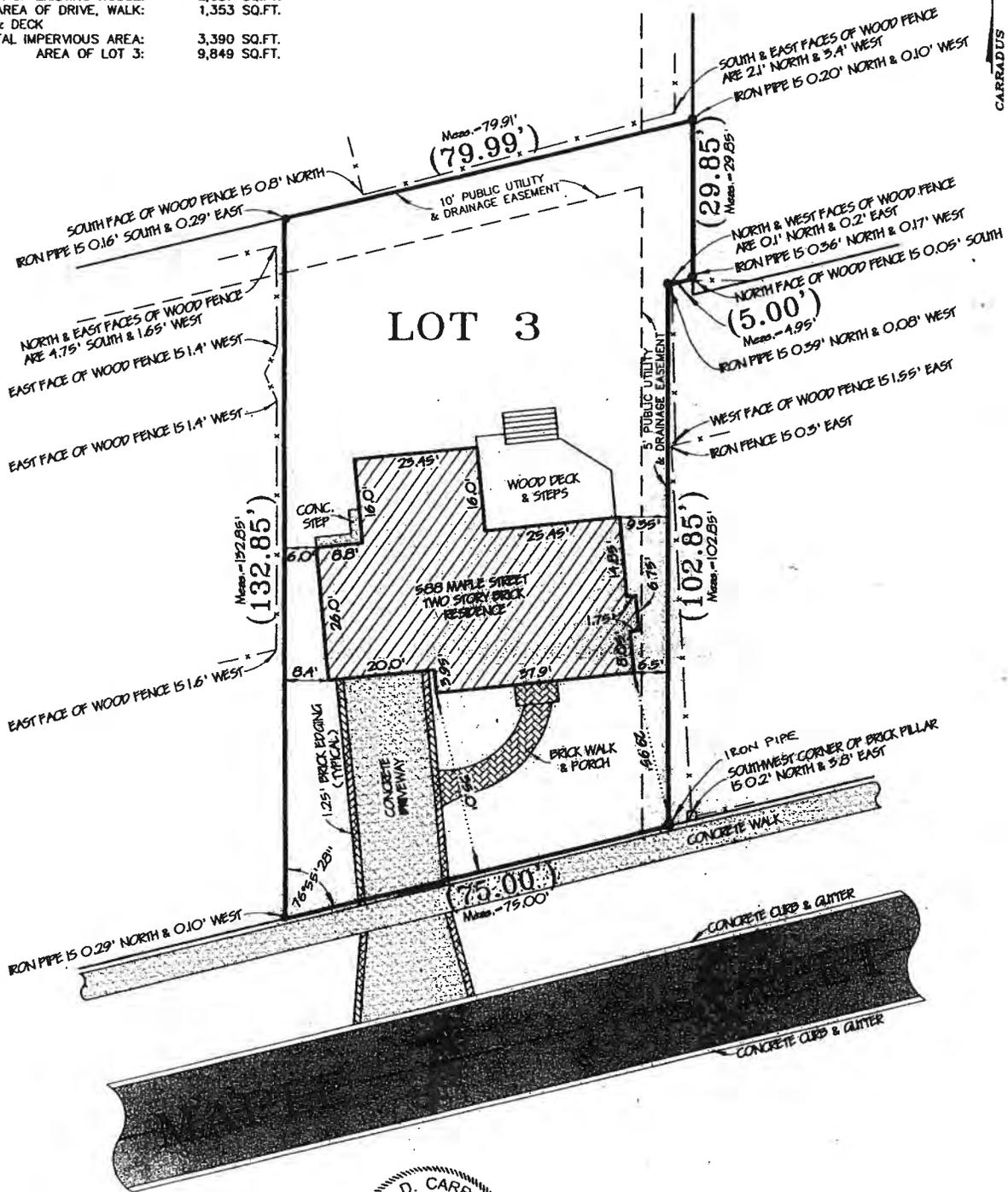
PLAT OF SURVEY

LOT 3 IN FITZGERALD'S DIVISION OF LOT 2 IN BLOCK 18 (EXCEPT THE EAST 5 FEET OF THE SOUTH HALF THEREOF) IN GLEN ELLYN ADDITION TO PROSPECT PARK, BEING A SUBDIVISION IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 22, 1974 AS DOCUMENT R74-59365, IN DU PAGE COUNTY, ILLINOIS.

AREA TABLE

AREA OF EXISTING HOUSE:	2,037 SQ.FT.
AREA OF DRIVE, WALK & DECK:	1,353 SQ.FT.
TOTAL IMPERVIOUS AREA:	3,390 SQ.FT.
AREA OF LOT 3:	9,849 SQ.FT.

CARRADUS



NOTES

- All distances shown hereon are in feet and decimal parts thereof corrected to 68° f. Distances shown along curved lines are Arc Measurements unless otherwise noted.
- Compare the Legal Description, Building Lines, and Easements as shown hereon with your Deed, Title Insurance Policy or Title Commitment.
- Consult local authorities for additional setbacks and restrictions not shown hereon.
- Compare all survey points and report any discrepancies immediately.
- Consult utility companies and municipalities prior to the start of any construction.
- Dimensions to and along buildings are exterior foundation measurements.
- Do Not Assume distances from scaled measurements made hereon.

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

THIS IS TO CERTIFY THAT I, ALLEN D. CARRADUS, A PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF ILLINOIS, HAVE SURVEYED THE PROPERTY AS DESCRIBED HEREON AND THAT THE ANNEXED PLAT IS A CORRECT AND TRUE REPRESENTATION THEREOF, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

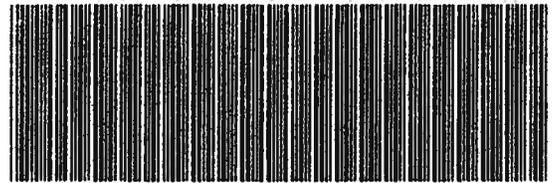
SIGNED AND SEALED AT WHEATON, ILLINOIS THIS 26th DAY OF October, A.D. 2011.
BY Allen D. Carradus ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2551. MY LICENSE EXPIRES NOVEMBER 30, 2012.

ALLEN D. CARRADUS LAND SURVEYOR
 Residential & Commercial Land Surveying Services
 108 W. Liberty Drive, Wheaton, Illinois 60187
 (630) 588-0416 (Fax) 653-7682

PREPARED FOR: **RITE-WAY BUILDERS**

DRAWN BY: CMG DATE OF FIELD WORK: 10/26/11 SCALE: 1" = 20' P.L.S. NO. - PAGE: 297-53 PROJECT NO.: 23409

WARRANTY DEED
Tenants by the Entirety
Statutory (ILLINOIS)



FRED BUCHOLZ

DUPAGE COUNTY RECORDER

JUL 08, 2011 RHSP 2:41 PM
DEED 05-11-112-021
002 PAGES R2011-080620

THE GRANTOR, Michael R. Bleuher and Tracy A. Bleuher, his wife, of 588 Maple Street, Glen Ellyn, County of DuPage, the State of Illinois for and in consideration of \$10.00 DOLLARS in hand paid, convey(s) and warrant(s) to Francesco Cristiano and Susan M. Cristiano, husband and wife, 462 Fairview, Glen Ellyn, Illinois, not as joint tenants nor as tenants in common but as Tenants by the Entirety, the following described Real Estate situated in the County of DuPage, State of Illinois to wit:

SEE ATTACHED LEGAL DESCRIPTION

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 as husband and wife, not as joint tenants nor as tenants in common but as Tenants by the Entirety forever. Subject to the following: general real estate taxes not due and payable at the time of closing, covenants, conditions and restrictions of record, building lines and easements, if any, so long as they do not interfere with the current use and enjoyment of the real estate.

Permanent Index Number: 05-11-112-021
Address of Real Estate: 588 Maple Street, Glen Ellyn, Illinois 60137

PNTN
70 W MADISON STE 1600
CHICAGO IL 60602

Dated this 24th day of June, 2011.

PLEASE PRINT
OR TYPE NAMES
BELOW
SIGNATURES

Michael R. Bleuher (SEAL) Tracy A. Bleuher (SEAL)
MICHAEL R. BLEUHER TRACY A. BLEUHER
_____(SEAL) _____(SEAL)

State of Illinois, County of DuPage ss, I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Michael R. Bleuher and Tracy A. Bleuher, his wife, personally known to me to be the same person(s) 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 official seal, this 24th day of June, 2011.

Commission expires
OFFICIAL SEAL
CARLA J. AIELLO
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES: 06/12/14

Chris J. Aiello, 322 S. Ardmore Avenue, Villa Park, IL 60181

Mail To: THOMAS GUEST
316 Lincoln Hwy
PO Box 150
ROCKFORD, IL 61068

Send Subsequent Bill To: FRANCESCO CRISTIANO
588 MAPLE Street
GLEN ELLYN IL 60137

LOT 3 IN FITZGERALD'S DIVISION OF LOT 2 IN BLOCK 18 (EXCEPT THE EAST 5 FEET OF THE SOUTH 1/2 THEREOF) IN GLEN ELLYN ADDITION TO PROSPECT PARK, BEING A SUBDIVISION IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 22, 1974 AS DOCUMENT NO. R74-59365, IN DUPAGE COUNTY, ILLINOIS.

Village of Glen Ellyn Real Estate Transfer Tax	
014624	
Sale \$	950,000.00
Tax \$	2850.00
Date	6-23-11
Initials	YE

9

STATE & COUNTY TAX	STATE OF ILLINOIS	# 0000010653	REAL ESTATE TRANSFER TAX
	 JUL.-8.11		01425.00
	DUPAGE COUNTY		FP326689

1425.00

79.99

29.85

7.5' SIDE YARD SETBACK

PROPOSED ONE STORY FRAME ADDITION

AC 23.37

EXIST. FRAME 1 STORY FAMILY RM

EXIST. WOOD DECK

25.80

EXIST. GARAGE

#588 EXISTING 2 STORY FRAME RESIDENCE

EXIST. CONCRETE DRIVE

EXIST. CONCRETE WALK

SITE PLAN

1" = 15'-0"

NORTH

MAPLE AVE.

132.85

28.20

19.95

3.907

37.98

15.24

6.70

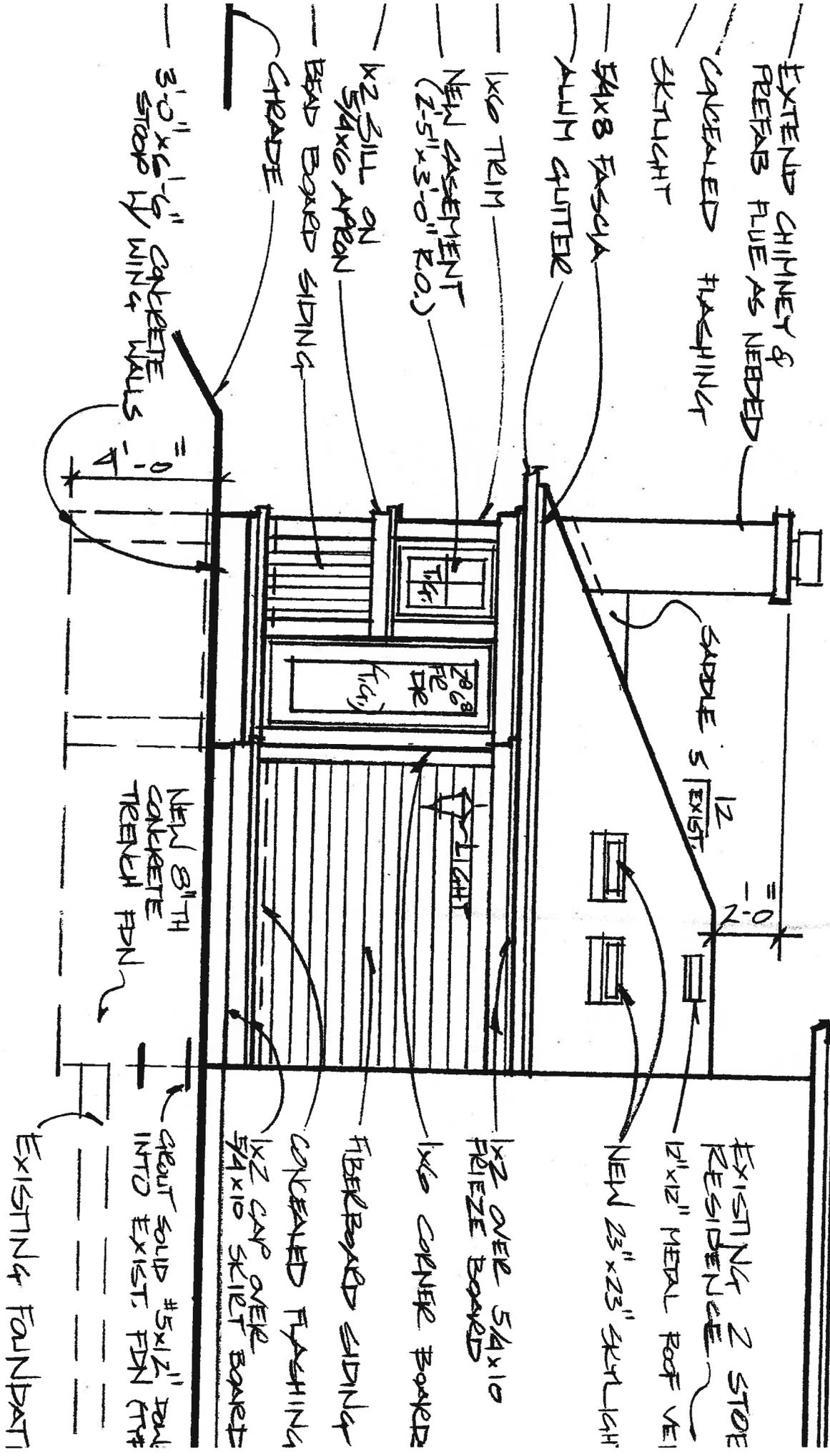
1.75

102.85

75.00

0.427
9.457
23.871
6.50

4.99

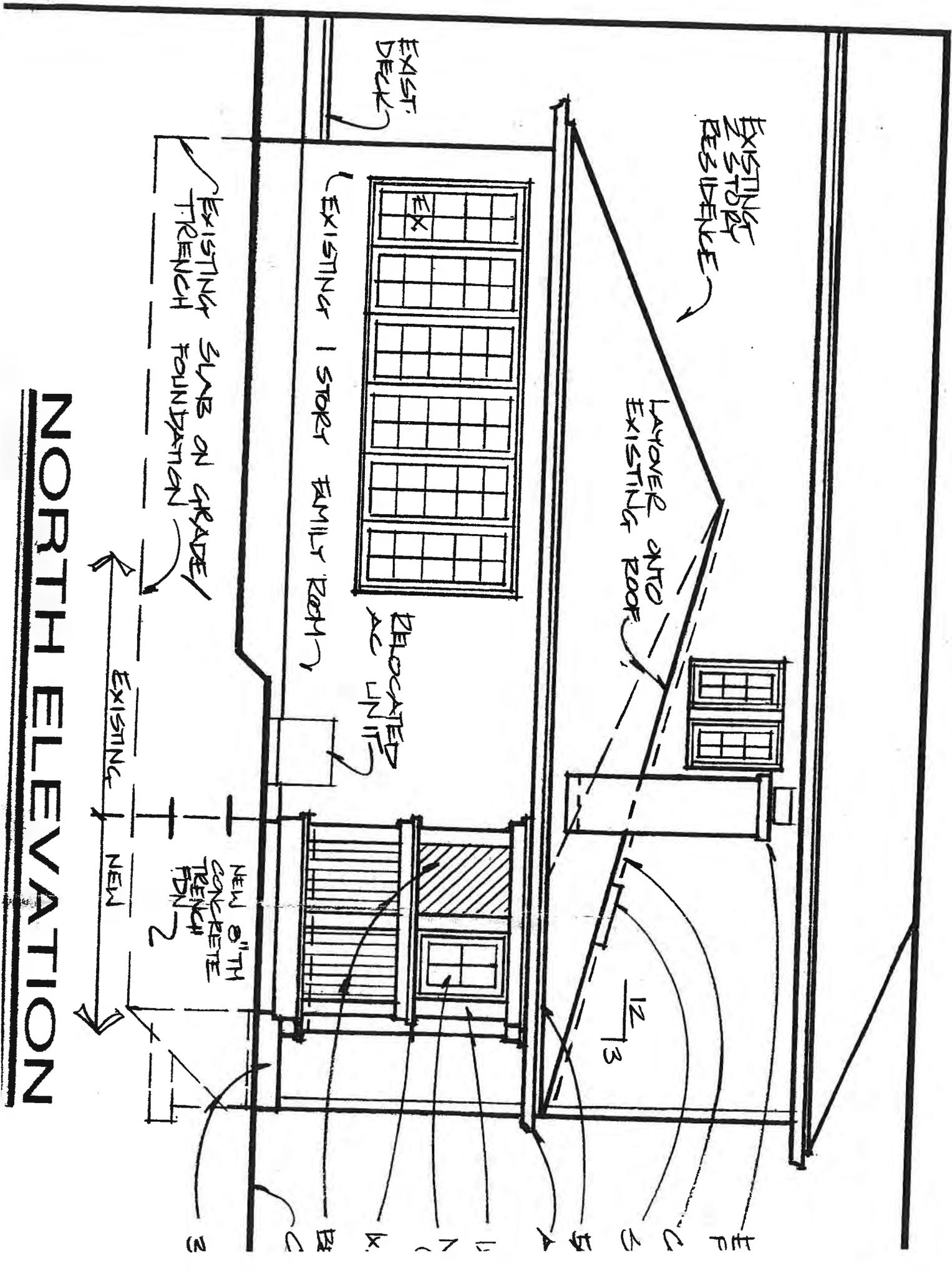


WEST ELEVATION

7' 11" 11"

11"

11"



EXISTING RESIDENCE

LAYOVER ONTO EXISTING ROOF

EXIST. DECK

EXISTING 1 STORY FAMILY ROOM

RELOCATED AC UNIT

EXISTING SLABS ON GRADE / TRENCH FOUNDATION

EXISTING

NEW

NEW 8" CONCRETE TRENCH FDN

12
13

NORTH ELEVATION

3
C
B
A
D
N
C
B
A

PETITION

Date: October 28, 2011

Permit Application No: 20111584

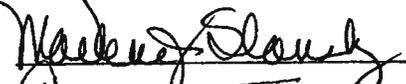
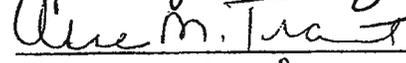
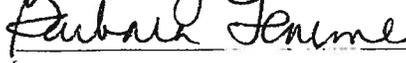
Address of Zoning Variation Request: 588 Maple Street, Glen Ellyn, IL 60137

Issue: House to Lot Coverage Ratio Conflict – Owners, Susan and Francesco Cristiano who own and reside at 588 Maple Street, Glen Ellyn, IL, 60137 request a Zoning Variation to allow construction of a 97sf addition (approx. 16' by 6'-5" foot room) behind garage on northwest side of property for purposes of a mudroom/laundry/utility room with a side entrance to existing pathway. Proposed construction would not impinge on lot lines, detract from neighboring property or neighborhood in any way. Proposed construction will enhance home and neighborhood and blend in with house and neighborhood style. In addition, this construction will not utilize any backyard or front yard green space but put an unused alcove behind garage to reasonable use. Lastly, this small modification will provide a secure entrance/exit for minor children.

Per a Plat of Survey from professional land surveyor, Allen D. Carradus, which was done on 10/26/11, home is over allocated by approx. 67 sf. Home footprint was last modified in late 1970's. Since then, the zoning ordinance governing House to Lot Coverage has changed. Proposed construction cannot be done without a zoning variation. Owners believe that their modification is needed and are confident that this minor change will not detract from the neighborhood or in any way keep neighbors from fully enjoying their property.

We, the undersigned owners of property nearby the requested zoning change described above, do hereby support the granting of a zoning variation to the owners, Susan and Francesco Cristiano. We do not have any objections concerning their proposed construction.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
	Janet Schwank	695 Forest Ave, Glen Ellyn
	Sharon Ogden	710 N. Park Blvd, GE
	Heather Cushing	714 N. Park Blvd, GE
	Marlene J. Slansky	706 Forest GE
	Anne M. Trant	719 Forest, GE
	Barbara J. Chrisman	701 Forest GE
	BARBARA LEMME	688 N. PARK GE

Neighbors to 588 Maple Street, Glen Ellyn, IL 60137

Anne and Bruce Trant (House behind property – North Side)

719 Forest Avenue
Glen Ellyn, IL 60137
630-790-0578
630-793-9121

Sharon and Eric Ogden (Next Door – East Side)

710 N. Park Blvd.
Glen Ellyn, IL 60137
630-469-0778

Barbara and Bruce Chrisman (Next Door – West Side)

701 Forest Avenue
Glen Ellyn, IL 60137
630-858-7860

Dr. Heather A. Cushing (Northwest Side of property - rear)

714 N. Park Blvd.
Glen Ellyn, IL 60137
630-643-5311

Janet and Allen Schwartz (Across the street)

695 Forest Ave
Glen Ellyn, IL 60137
630-790-0202

Barbara H. Lemme (Across the street)

688 N. Park Blvd.
Glen Ellyn, IL 60137
630-469-1139

Marlene and Jerry Slansky (West Side)

706 Forest Avenue
Glen Ellyn, IL 60137-3906
630-858-1312

Petition Re: 588 Maple Street, Glen Ellyn, IL 60137 - Zoning Variation Request - Building Permit No. 20111584

Date: 11/7/11

Contact Name: Susan M. Cristiano

Phone Number: (630) 347-1222 or (312) 375-6017 (Francesco Cristiano)

MEMORANDUM

A-6F

TO: Mark Franz, Village Manager

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

DATE: January 24, 2012

FOR: January 30, 2012 Village Board Meeting

SUBJECT: Adoption of the 2009 ICC International Residential Code

On September 9, 2002, the Village Board passed Resolution 02-22 (attached), a Resolution to Establish a Building Code Adoption Policy for the Village of Glen Ellyn. The Policy requires staff to maintain current and accurate codes and make appropriate updates. Based on the Code Adoption Policy, the Building Board of Appeals conducted public meetings to review and discuss potential codes and amendments for adoption. The Residential Code is one of eight new or updated codes identified for adoption including:

<u>Code</u>	<u>Status</u>
1. 2009 ICC International Property Maintenance Code (new)	adopted 8/23/10
2. 2009 NFPA 101 Life Safety Code (new)	adopted 8/23/10
3. 2009 ICC International Fire Code (update/new)	adopted 11/1/10
4. 2009 ICC International Building Code (update)	pending
5. 2009 ICC International Residential Code (update)	proposed
6. 2009 ICC International Fuel Gas Code (new)	adopted 1/9/12
7. 2009 ICC International Mechanical Code (update)	adopted 10/24/11
8. 2009 ICC International Energy Conservation Code (new)	adopted 8/22/11

2009 ICC International Residential Code

The International Code Council (ICC) is the largest recognized building and fire code development agency with ICC codes adopted in all 50 states. Staff has surveyed suburban municipalities and found that the majority have adopted the International Residential Code. The 2009 ICC International Residential Code prescribes the requirements for the construction of new, and alteration of existing, one and two family dwellings and townhouses. Due to its size, we did not attach a copy of the Residential Code. If Board members are interested in seeing a copy, please contact the Planning & Development Department.

History and Application

The first edition of the ICC International Residential Code was published in 2000. The Village has adopted the 2003 edition of the ICC International Residential Code. The 2009 ICC International Residential Code has been revised by the ICC for the purpose of introducing new technology, products and materials and to address new hazards.

Objectives

The primary objective is to have the latest and best codes at our disposal to insure the health, safety and welfare of the public. The process of adopting new codes and updating existing codes also offers an opportunity to make improvements to the content and format of the Village's Building Code. The proposed local amendments to the Residential Code do not represent new or additional code provisions. Most amendments are existing amendments restated and/or relocated within the code sections to be consistent with the new format. Other amendments are necessary to accomplish the following:

1. The Residential Code provides for the municipality to insert its name, organization and other administrative information into the code.
2. Some sections of the 2009 Residential Code must be deleted or revised to avoid duplication or conflict with similar provisions that currently exist within the Village Code.
3. Some local amendments to the 2003 Residential Code are now addressed elsewhere in the Village Code and must be deleted or relocated to the appropriate section.
4. The 2003 Residential Code local amendments are presently formatted into a complex project classification system that includes 12 classes of construction projects. As these amendments were incorporated into the 2009 Residential Code, terminology was revised to eliminate reference to any project class while maintaining the identical code requirement. It is our intent to clarify and simplify the understanding and application of our local amendments by eliminating these 12 project classes as we continue with the adoption of all other codes.

Public Meetings: The Building Board of Appeals reviewed the 2009 Residential Code at their February 7, 2011, April 4, 2011 and June 6, 2011 meetings. At these meetings, no persons spoke in favor of or in opposition to the proposed code adoptions and amendments. After review, discussion and revisions, the Building Board of Appeals voted on a motion to recommend approval of the 2009 International Residential Code with local amendments at the June 6, 2011 meeting. The motion carried with four (4) "yes" votes and zero (0) "no" votes. A BBA meeting was held on July 25, 2011 to obtain input from local architects and builders about the impact of the new code provisions and amendments. Although 94 architects and builders were notified and received a copy of the amendments, only one builder, Ray Whalen, attended and commented on the fee schedule and other code provisions that did not result in any changes.

Village Board: It is requested that the Village Board consider the recommendation offered by the Building Board of Appeals. Staff has prepared an ordinance to approve the adoption of the 2009 International Residential Code with local amendments as recommended by the Building Board of Appeals.

Staff Recommendation: Staff recommends that the effective date of this Ordinance be March 1, 2012 to allow time for public notification on the Village website and newsletters, issuance of a press release, revision of our current Planning & Development Department forms and guidelines, training and education of building inspectors and the plan examiner, and the completion of construction design work under the prior code.

Attachments:

- **Building Code Adoption Policy – Resolution No. 02-22**
- **Ordinance Adopting the 2009 International Residential Code with Local Amendments**
- **2009 International Residential Code Amendments, Exhibit “A (with text format and comments)”**
- **2009 International Residential Code Amendments Exhibit “A (clean)”**
- **Minutes of Building Board of Appeals Meeting on February 7, 2011, April 4, 2011, June 6, 2011 and July 25, 2011, group Exhibit ‘B’**

C: BBA Members

RESOLUTION NO. 02-22

RESOLUTION TO ESTABLISH A BUILDING CODE ADOPTION POLICY
FOR THE VILLAGE OF GLEN ELLYN

WHEREAS, the Village of Glen Ellyn is a growing and active community which has experienced an increase in the number of construction projects and developments; and

WHEREAS, the Village desires to establish a framework that would adequately safeguard the public health, safety and welfare of the general public and citizens of Glen Ellyn; and

WHEREAS, the Village also desires to establish a framework that would adequately protect and promote the longevity of the building stock and property in the Village; and

WHEREAS, the Village acknowledges the continued advancements in building technology, materials and methods of construction; and

WHEREAS, the existing Village building, mechanical, electrical and fire prevention codes are outdated and sometimes ambiguous and irrelevant with today's needs; and

WHEREAS, the Village recognizes that the national codes provide a consistency for property owners, design teams, builders and Village staff; and

WHEREAS, the Village recognizes the need for a modern, up-to-date comprehensive building code to establish minimum regulations for the design and installation of building systems; and

WHEREAS, the Village has created the Building Board of Appeals and the Electrical Commission to be advisory to the Village Board; and

WHEREAS, the Building Board of Appeals' and Electrical Commission's intent and purpose is to advise the Village Board on standards, specifications, rules, regulations and fees regarding building systems; and

WHEREAS, the Village Board discussed the adoption of the most up-to-date and applicable codes at the time of each new publication or code development cycle that occurs every three years;

NOW, THEREFORE, BE IT RESOLVED 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 purpose of this policy is to establish a framework in which the Village will consider the adoption of up-to-date building codes at the time of each newly published edition for, but not limited to, the following reasons:

- A. To safeguard the public health and safety of the general public and citizens of Glen Ellyn;
- B. To protect and promote the longevity of the building stock and property in Glen Ellyn;
- C. To acknowledge the advancements in technology, building materials and methods of construction;
- D. To establish minimum regulations for the design and installation of building systems; and
- E. To reduce ambiguous regulations that are common in older building code editions.

SECTION TWO: Staff shall gather pertinent information related to the most current building codes to be forwarded to the Village of Glen Ellyn Building Board of Appeals and Electrical Commission. Each appropriate Board or Commission will be requested to assemble to discuss the adoption of the most current edition of the applicable building codes of Glen Ellyn. Staff will prepare a written recommendation from each Board or Commission to the Village Board by March 1, 2003, for enactment.

SECTION THREE: Village staff shall develop and maintain current, accurate information pertaining to the updates and publications of codes and shall forward all pertinent and relevant information to each Board or Commission within three months of publication. The Village of Glen Ellyn Building Board of Appeals and Electrical Commission will be requested to have regular meetings to discuss each newly published edition of the applicable building code as they become available for adoption. Staff will prepare a written recommendation from each Board or Commission to the Village Board for enactment within six months of publication.

SECTION FOUR: The written report from the Building Board of Appeals and Electrical Commission shall include the edition, title and year of the code along with any recommended code additions, modification or deletions including all applicable insertions, if necessary.

SECTION FIVE: Village staff shall develop and maintain current, accurate information concerning the applicable building codes.

SECTION SIX: This resolution shall be in full force and effect from and after its passage and approval.

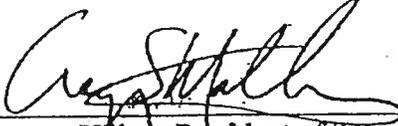
PASSED by the President and Board of Trustees of the Village of Glen Ellyn,
Illinois, this 9TH day of SEPTEMBER, 20 02.

AYES: RILEY, MELDY, LOCH, MULHERN, STRAYER

NAYS: - 0 -

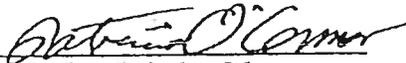
ABSENT: KOHNKE

APPROVED by the Village President of the Village of Glen Ellyn, Illinois, this
9TH day of SEPTEMBER, 20 02.



Village President of the
Village of Glen Ellyn

ATTEST:



Village Clerk of the
Village of Glen Ellyn

G:\BUILDING\BBA\ORDINANCE\CODEADOPTIONPOLICY.doc

Village of Glen Ellyn

Ordinance No. _____ -VC

**An Ordinance Amending Chapter 1 (Building Code) of
Title 4 (Building Regulations) of the Village Code of the
Village of Glen Ellyn, Illinois to
Adopt the 2009 International Residential Code with Local Amendments**

**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 Amending Chapter 1 (Building Code) of
Title 4 (Building Regulations) of the Village Code of the
Village of Glen Ellyn, Illinois to
Adopt the 2009 International Residential Code with Local Amendments**

Whereas, the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, pursuant to the provisions of Division 30 of Article 11 of the Illinois Municipal Code (Chapter 65, Section 5/11-30-1 et seq. of the Illinois Compiled Statutes), have the power and authority to prescribe the strength and manner of constructing all buildings, structures, and their accessories, including life and fire safety requirements, to promote the public health and safety of building occupants and the public; and

Whereas, the President and Board of Trustees of the Village of Glen Ellyn passed Resolution No. 02-22, a Resolution to Establish a Building Code Adoption Policy for the Village of Glen Ellyn on September 9, 2002 to establish a framework in which the Village will consider the adoption of up-to-date building codes at the time of each newly published edition; and

Whereas, the 2009 International Residential Code has been published by the International Code Council for the intended use by municipalities in regulating and governing the construction of new, and alteration of existing, one and two family dwellings and townhouses; and

Whereas, the 2009 International Residential Code is generally regarded as the reference standard used by local building agencies to establish the minimum required construction requirements for one and two family dwellings and townhouses; and

Whereas, the provisions of the 2003 International Residential Code, the current residential code adopted by the Village, are outdated and applicable local amendments have been incorporated into the 2009 International Residential Code or elsewhere into the Village Code; and

Whereas, the Building Board of Appeals conducted public meetings on February 7, 2011, April 4, 2011, and June 6, 2011 for the purpose of considering an amendment to Chapter 1 (Building Code) of Title 5 (Building Regulations) of the Glen Ellyn Village Code to adopt the 2009 International Residential Code with local amendments which are attached hereto as Exhibit "A" (clean); and

Whereas, the Building Board of Appeals has made its recommendations as set forth in its Minutes of its public meetings conducted on February 7, 2011, April 4, 2011, and June 6, 2011 which are attached hereto as group Exhibit "B"; and

Whereas, the President and Board of Trustees of the Village of Glen Ellyn have considered the recommendations of the Building Board of Appeals as set forth in its Minutes of its public meetings conducted on February 7, 2011, April 4, 2011, and June 6, 2011 which are attached hereto as group Exhibit "B"; and

Whereas, the President and Board of Trustees deem it to be in the best interest of the Village of Glen Ellyn to adopt the proposed amendments to Chapter 1 (Building Code) of Title 4 (Building Regulations) of the Glen Ellyn Village Code as recommended by the Building Board of Appeals in order to adopt the 2009 International Residential Code with local amendments, which is attached hereto as Exhibit "A" (clean), as the standards and regulations governing the construction of new, and alteration of existing, one and two family dwellings and townhouses within the Village of Glen Ellyn.

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: Chapter 1 (Building Code) of Title 4 (Building Regulations) of the Glen Ellyn Village Code shall be and is hereby amended as set forth in Exhibit "A" (clean) attached hereto.

Section Two: This Ordinance shall be in full force and effect from and after March 1, 2012 to allow time for notification of the public and incorporation into the Planning & Development Department, Building Division administrative process.

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____).

Exhibit A (with text format and comments)
The 2009 ICC International Residential Code
As Adopted and Amended by the Village of Glen Ellyn, Illinois

Text format:

Normal – change number and description or existing text in the IRC to remain

Bold – new code section, new amendment or new text inserted into an IRC section

~~**Strikethrough**~~ – current text in the Village Code or IRC to be removed

Italics – comments that will be removed from final ordinance document

Village Code format:

1 (title)- 2(chapter)- 3(section)

(A) subsection

1. subsection

(a) subsection

(1) subsection

Delete Village Code Section 4-1-8(A) in its entirety and substitute the following:

- (A) The 2009 ICC international residential code is adopted by reference as the standards and regulations for governing the demolition, construction, enlargement, alteration, restoration or repair of buildings and structures and their appurtenances, as this code is intended, recommended, maintained and published by the International Code Council except such portions thereof as are deleted, modified, or amended in this chapter. At least one copy of the 2009 ICC international residential code shall be maintained on file in the office of the village clerk for inspection and copying as a public record.**

Comments: This is an excerpt from the IRC preface introduction and is consistent with prior adoption ordinances language.

Amend Village Code Section 4-1-8(B) to read as follows:

- (B) The provisions of the 2009 ICC International residential Code, 2003, are hereby deleted, modified, and amended as follows:**

Delete Village Code Sections 4-1-8(B)1 through 4-1-8(B)19 in their entirety and substitute the following:

1. Amend section R101.1 to read as follows:

R101.1 Title. These regulations shall be known as the residential code ~~for one and two family dwellings~~ of the Village of Glen Ellyn, hereinafter referred to as "this code."

Comments: Standard language to be inserted in the code by the municipality.

2. Add new section R102.4.1 to read as follows:

R102.4.1 Plumbing. **Wherever reference to the International Plumbing Code is made, substitute the Plumbing Code, Department of Public Health, State of Illinois.**

Comments: The International Plumbing Code will not be adopted and is superseded by the Illinois Plumbing Code. Replaces section 4-1-8(B)4 and section 4-1-5(G).

3. Add new section R102.4.2 to read as follows:

R102.4.2 Building. **Where "this code" does not address any specific application, material, or method of construction, the 2009 ICC international building code shall be applicable.**

Comments: This is identical to the existing code amendment. Replaces section 4-1-8(B)3.

4. Add new section R102.7.2 to read as follows:
R102.7.2 Partial improvements required. The following improvements within an existing building and on public or private property shall be required when a building addition increases the floor area of an existing building by more than 75%, or when more than 50% of the existing exterior wall and roof structure area is altered, or when interior remodeling work exceeds \$100,000 in hard cost:
1. Abandon the existing water service line between the water main and the existing building or proposed addition and install a new water service line, water meter and copper horn in accordance with current standards, codes and ordinances.
 2. Abandon the existing sanitary service line between the sanitary sewer main and the existing building or proposed addition and install a new sanitary service line if the structural integrity or water-tightness of the service line does not meet current standards, codes and ordinances.
 3. Provide an overhead sanitary service line and sewage ejector pump in accordance with current standards, codes and ordinances.
 4. Remove any existing gravel driveway and provide a hard surface driveway, approach and depressed curb and gutter and in accordance with current standards, codes and ordinances.
 5. Provide a public sidewalk across the frontage of the property if no sidewalk presently exists, or repair any existing damaged sidewalk squares, in accordance with current standards, codes and ordinances.
 6. Repair damaged or disturbed parkway grades and restore parkway groundcover or provide new groundcover where no groundcover exists.

Exception: The existing water and sanitary service lines may remain, upon approval of the public works director, if existing conditions comply with, or are repaired and maintained to comply with current standards, codes and ordinances. Existing sanitary line conditions must be verified by a video and an audio or written report in the format required by the public works department.

Comments: Replaces section 4-1-10(D)2.(a) and 4-1-10(D)2.(b) and Class II additions, alterations and remodeling over \$100,000.

5. Add new section 102.7.3 to read as follows:
R102.7.3 All improvements required. The following improvements within an existing building and on public or private property shall be required when a building addition increases the floor area of an existing building by more than 150%, or when more than 75% of the existing exterior wall and roof structure area is altered, or when interior remodeling work exceeds \$200,000 in hard cost:
1. All improvements included in section R102.7.2
 2. The existing buildings and site shall comply, or be upgraded to comply, with all provisions of the village codes, regulations and ordinances for a new building or structure.

Exception: A fire sprinkler system shall be required for remodeling work only within the remodeled area when the remodeling work exceeds \$300,000 in hard cost.

Comments: Replaces section 4-1-10(D)3 and section 4-1-10(D)4 and Class III additions, alterations and remodeling over \$200,000.

6. Add new section 102.8 to read as follows:
R102.8 Historic buildings. The provisions of this code relating to the construction, repair, alteration, addition, restoration and movement of structures, and change of occupancy

shall not be mandatory for historic buildings where such buildings are judged by the building official to not constitute a distinct life safety hazard.

Comments: *This is identical to code section 3409.1 in the 2009 International Building Code which applies to existing commercial buildings.*

7. Delete section R105.2 in its entirety and substitute the following:

R105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

(a) Property:

- (1) Landscaping work to remove existing or plant new trees, shrubs, plants or grass provided tree removal is completed in accordance with the requirements in the Tree Preservation Ordinance and the disturbed area does not exceed 300 square feet.**
- (2) Paving work to add new or replace existing impervious surface materials upon the ground provided the new paved area does not exceed 100 square feet and complies with all Zoning Code regulations.**
- (3) Grade changes, excavation, or fill, provided the disturbed site area does not exceed 300 square feet and natural existing stormwater runoff from the property is not altered or cause a nuisance, hazard or damage to adjacent property and complies with the requirements of the Countywide Stormwater and Flood Plain Ordinance of DuPage County, IL.**
- (4) Retaining walls that do not exceed 8 inches in height, provided the natural existing stormwater runoff from the property is not altered or cause a nuisance, hazard or damage to adjacent property and complies with the requirements of the Countywide Stormwater and Flood Plain Ordinance of DuPage County, IL.**
- (5) Installation of recreational and play equipment, prefabricated swimming pools that are less than 24 inches deep, and outdoor furnishings that are portable or removed after occasional or seasonal use provided the location and use complies with all Zoning Code regulations.**

(b) Buildings or structures:

- (1) Installation or removal of interior wall, floor or ceiling finishes such as paint, tile, carpet, and wall coverings completed in accordance with the requirements in this code for sanitation and fire resistance and with federal and state regulations governing the removal of lead, asbestos or other hazardous materials.**
- (2) Window awnings that are self supported by the exterior wall which do not project more than 54 inches from the exterior wall.**
- (3) Minor electrical repairs including lamp, receptacle or breaker replacement or the removal of existing and installation of equivalent new electrical fixtures at existing electrical outlets.**
- (4) Electrical wiring, fixtures and equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.**
- (5) Minor mechanical repairs including the removal of existing and installation of equivalent new pumps, motors or other equipment that does not alter approval of the equipment or make it unsafe.**
- (6) Installation of portable electrical or mechanical equipment and appliances with cord and plug electrical connections.**
- (7) Work to stop leaks or clear obstructions in the plumbing system or the removal of existing and installation of equivalent new plumbing fixtures, limited to toilets,**

sinks, tubs and showers without any alteration to existing water supply, drain, waste or vent outlets.

- (8) Replacement or repair of exterior finish materials on wall and roof surfaces up to a maximum of 300 square feet or 20% of the total roof or wall area. (Ord.5762, 5-26-2009)**

Comments: This code provision was deleted from the 2003 IBC but will be included in the 2009 IBC as amended to provide more specific requirements.

8. Amend section R105.3 item 6 to read as follows:

6. Be signed by the applicant ~~or the applicant's authorized agent~~ and by the property owner(s) including the name and registered address of the owner, corporate officer, registered agent, partner, trustee or managing member, upon whom any legal notice, complaint or citation may be served.

Comments: This aids in code enforcement since a citation must be served to the specific person who committed the violation or owns the property.

9. Amend section R105.3 item 7 to read as follows:

7. Give such other data and information as required by the building official including the name(s) and address(s) of all persons with a beneficial interest in the property under a land trust and all shareholders owning in excess of 5% of the stock in a corporation.

Comments: This aids in code enforcement since a citation must be served to a specific person who committed the violation or owns the property.

10. Delete section R105.3.1.1 in its entirety.

Comments: Identical section deleted in the 2003 IRC.

11. Amend section R105.5 to read as follows:

R105.5 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after issuance or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and demonstrate justifiable cause.

1. A permit for new one and two family dwelling units and townhomes is valid for eighteen (18) months after its issuance.

2. A permit for additions, alterations and remodeling of existing one and two family dwelling units and townhomes is valid for twelve (12) months after its issuance.

3. A permit for new residential accessory buildings and structures and for additions, alterations and remodeling of existing residential accessory buildings and structures is valid for twelve (12) months after its issuance.

Comments: This added provision establishes the maximum permit period and has been reduced from 18 months to 12 months for small projects. Replaces section 4-1-5(D)1.

12. Amend section R105.7 to reads as follows:

105.7 Placement of permit. The building permit or copy shall be kept on the site of the work until completion of the project and shall be displayed in a prominent location visible from the public way.

Comments: This aids in code enforcement and notifies the neighbors of possible construction activity.

13. Amend section R108.6 to read as follows:

R108.6 Work commencing before permit issuance. Any person who commences any work on a site, building or structure, or any electrical, gas, mechanical, sprinkler or plumbing system before obtaining the necessary permits shall be subject to an additional fee of 100% of the basic permit fee. ~~a fee established by the building official that shall be in addition to the required permit fees.~~

Comments: This amendment places the required 100% fee in the proper code section and removes it from the inappropriate Village Code Section 4-4-8 Inspections.

14. Delete section R109.3 in its entirety and substitute the following:

R109.3 Inspection requests. It shall be the duty of the permit holder or their agent to notify the building official that such work is ready for inspection and to have the work complete and prepared for AM inspections by 8:00 AM and complete and prepared for PM inspections by noon.

Comments: Provides missing information and direction regarding inspections.

15. Add new section R109.5 to read as follows:

R109.5 Inspection conditions. The work to be inspected must be prepared and complete and an approved means to access the work must be provided to the inspector. The inspector is not authorized to conduct an inspection if these conditions do not exist and the inspection may be cancelled by the inspector. No further work may be completed until a reinspection fee is paid and a reinspection is requested, scheduled, completed and approved.

Comments: Provides missing information and direction regarding inspections.

16. Amend section R110.1 to add exception 3 to read as follows:

3. Additions, alterations and remodeling of existing buildings and structures as determined by the building official.

Comments: It is unnecessary and impractical to issue a certificate of occupancy for minor work or when building occupancy is continuous through the work period.

17. Delete section R110.3 in its entirety and substitute the following:

R110.3 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other regulations, the building official shall issue a certificate of occupancy that contains the following:

1. The address of the structure.
2. The name and address of the owner.
3. A description of the portion of the building for which the certificate is issued.
4. The use and occupancy of the portion of the building for which the certificate is issued.
5. Any special stipulation and conditions of the building permit.
6. The name of the building official.

Comments: Our certificate of occupancy only lists critical information so some information was deleted. Replaces section 4-1-6(B)13.

18. Amend section R112.1 to read as follows:

R112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be a building board of appeals. The structure, responsibilities and procedures of the building board of appeals is established in Chapter 7 Building Board of Appeals, Title 2 Boards and Commissions, in the Glen Ellyn Village Code.

Comments: The regulations in the Village Code apply.

19. Delete section R112.2.1 in its entirety.

Comments: The regulations for buildings and properties in a flood hazard area are specified in Chapter 6, "Flood Hazard and Landscape Use Regulations" in the Zoning Code.

20. Delete section R112.2.2 in its entirety.

Comments: The regulations for buildings and properties in a flood hazard area are specified in Chapter 6, "Flood Hazard and Landscape Use Regulations" in the Zoning Code.

21. Delete section R112.3 in its entirety.

Comments: The structure, responsibilities and procedures of the building board of appeals is established in Chapter 7 Building Board of Appeals, Title 2 Boards and Commissions, in the Glen Ellyn Village Code.

22. Amend section R113.4 to read as follows:

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed in **section 4-1-5(J) in the Village Code.**

Comments: This references the appropriate penalty code section.

23. Amend section R301.2 Table R301.2(1) to add design criteria as follows:

1. Ground snow load:	25 PSF
2. Wind speed:	90 MPH
3. Wind topographic effects:	No
4. Seismic Design Category:	B
5. Weathering:	Severe
6. Frost line depth:	42 inches
7. Termite:	Moderate
8. Winter design temp:	0 degrees F
9. Ice barrier underlayment required:	Yes
10. Flood Hazards:	Yes
11. Air freezing index:	2,000
12. Mean annual temp:	50 degrees F

Comments: Typical local conditions to be added in the table by the municipality for design and engineering information.

24. Amend section R302.2 to read as follows:

R302.2 Townhouses. Each townhouse shall be considered a separate building and shall be separated from each other by fire-resistant-rated wall and/or floor-ceiling assemblies meeting the requirements of Section R302.1 for exterior walls, having not less than a 2 hour fire resistance rating when tested in accordance with ASTM E 119 or UL 263. Fire resistant rated wall assemblies shall be rated for fire exposure from both sides and shall extend to and be tight against the exterior wall and roof deck.

Comments: This is identical to the 2003 IRC amendment. Replaces section 4-1-8(B)2

25. Amend section R302.6 to delete the exception in its entirety.

Comments: This is identical to the 2003 IRC amendment. Replaces section 4-1-8(B)2

26. Amend table R302.6 to read as follows:

separation
From the residence and attics

material
Not less than $\frac{5}{8}$ inch **type X** gypsum board or equivalent applied to the garage side **with all joints flat taped**

Garages located less than ~~3~~ **20** feet from a dwelling unit on the same lot

Not less than $\frac{1}{2}$ inch gypsum board or equivalent applied to the interior side of **all exterior walls that are within this area and ceilings with all joints flat taped**

Comments: This provision is identical to the 2003 IRC requirements. Replaces 4-1-8(B)15 and 4-1-8(B)16.

27. Add new section R305.1.2 to read as follows:

R305.1.2 Crawl Spaces. Crawl spaces below the floor of any part of a building or structure shall have a clear height of not less than 3 feet, except beams, girders, ducts or other obstructions may project to within 2 feet of the crawlspace floor.

Comments: This is a reasonable minimum space requirement for maintenance and repair access within the crawl space but is not required in the code, but added by many other municipalities.

28. Add new section R312.5 to read as follows:

R312.5 Safety and security fence. The demolition or construction of a principal building or structure, or part thereof, or an excavation over 30 inches deep, shall require the installation of a safety and security fence, with a latching gate, that encloses the work area. The fencing shall be a minimum of 4 feet high and constructed of chain link fabric, plastic mesh, or wooden slats secured to steel posts not to exceed 8 feet on center or equivalent materials approved by the building and zoning official. The fence shall be maintained in an upright, stable and secure condition and the gate shall be latched closed at all times the demolition or construction site is unattended.

Comments: This establishes the minimum requirements for the construction of a security fence which was not previously specified in the code.

29. Add new section R312.6 to read as follows:

R312.6 Window well guards. Window and door wells that extend more than 30 inches below the adjacent grade shall be provided with bars, grilles, covers, screens or similar devices that are designed and listed to resist human impact unless other guards that comply with section R312 of this code are provided. Window well guards enclosing emergency escape and rescue openings shall meet the minimum opening area requirement and be operable from the inside of the well without the use of keys, tools, or special knowledge or effort.

Comments: This is intended to protect persons and children from injury by falling into unprotected window wells and also to provide some protection from potential flooding and animal entrapment.

30. Amend section R313.1.1 to read as follows:

R313.1.1 Design and Installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with ~~section P2904~~ **NFPA 13D standards.**

Comments: This is consistent with requirements in the latest edition of NFPA 13D.

31. Add new section R313.3 to read as follows:

R313.3 Attic automatic fire sprinkler systems. An automatic fire sprinkler system shall be installed in habitable attic spaces in one-and two-family dwellings and townhouses.

Comments: Code section R311.4 requires a permanent fixed code compliant stairway to habitable attic space even if it is unfinished but likely to be used for storage or living purposes (similar to a basement). Attic spaces that are not habitable (low ceiling or small area) are not required to be sprinklered. Finished and unfinished basements are required to be sprinklered per NFPA 13D standards.

32. Add new section R403.1.3.3 to read as follows:

R403.1.3.3 Foundations for accessory structures. One-story frame detached accessory structures are permitted on trench wall and slab foundations monolithically poured, consisting of a minimum 4" concrete slab, with minimum 40 pounds per 100 square foot welded wire fabric reinforcing, on a minimum 4" compacted gravel base, with a continuous thickened minimum 20" wide perimeter edge, and extending down a minimum of 10" to undisturbed subsoil.

Comments: This 2003 IBC amendment is slightly revised for clarification and incorporated into the 2009 IRC. Replaces section 4-1-6(B)29.

33. Amend section R404.1 to read as follows:

R404.1 Concrete and masonry foundation walls. Concrete foundation walls shall be selected and constructed in accordance with the provisions of Section R404.1.2. Masonry foundation walls shall not be permitted. ~~selected and constructed in accordance with the provisions of Section R404.1.1.~~

Comments: Only concrete foundations are permitted, masonry foundations are prohibited.

34. Delete sections R404.1.1 and R404.1.1.1 in their entirety.

Comments: Only concrete foundations are permitted, masonry foundations are prohibited.

35. Amend section R404.2 to read as follows:

R404.2 Wood foundation walls. Wood foundations walls shall not be permitted. ~~constructed in accordance with the provisions of Sections R404.2.1 through R404.2.6 and with the details shown in Figures R403.1(2) and R403.1(3).~~

Comments: Only concrete foundations are permitted, wood foundations are prohibited.

36. Delete sections R404.2.1 through R404.2.6 in their entirety.

Comments: Only concrete foundations are permitted, wood foundations are prohibited.

37. Add new section R502.1.8 to read as follows:

R502.1.8 Light-weight floor framing. Light-weight floor framing including, but not limited to, wood floor trusses, parallel chord trusses, wood I-beams, box beams, metal trusses, or bar joists shall be permitted only in dwellings or parts thereof equipped throughout with an automatic fire sprinkler system installed in accordance with NFPA standards. (Ord. 5214 12-15-2003, eff. 3-1-2004; amd. Ord. 5352, eff. 4-25-2005)

Comments: This is identical to the 2003 IRC amendment.

38. Amend section R801.3 to read as follows:

R801.3 Roof drainage. ~~In areas where expansive or collapsible soils are known to exist, all~~ All dwellings shall have a controlled method of water disposal from roofs, consisting of gutters and downspouts, that will collect and discharge roof drainage to the ground surface at least 5 feet (1524 mm) from the foundation walls or to an approved drainage system.

Comments: Gutters and downspouts provide control of storm water discharges and reduce the possibility of soil erosion and storm water runoff problems.

39. Amend section G2406.2 item 4 to read as follows:

4. A single wall-mounted unvented room heater is installed in a bedroom and such unvented room heater is equipped as specified in section G2445.6 and has an input rating not greater than 10,000 Btu/h (2.93kW). The bedroom shall meet the required volume criteria of Section G2407.5 and be provided with a carbon monoxide detector that is listed, labeled and complies with the standards of an approved testing agency.

Comments: While the code requires these heaters and fireplaces to be provided with an oxygen depletion sensitive safety shutoff system, a carbon monoxide detector is a reasonable additional safety precaution.

40. Delete section P2501.1 in its entirety and substitute the following:

P2901.1 Scope. The design, construction, installation, alteration, repair and maintenance of plumbing systems and their components shall comply with the standards and regulations established in the Illinois Department of Public Health Plumbing Code as currently adopted.

Comments: This 2003 IBC amendment is unchanged and incorporated into the 2009 IBC. Replaces section 4-1-6(B)30.

41. Delete section P2501.2 in its entirety and substitute the following:

P2902.1 Structure protection. In the process of installing or repairing any part of a plumbing and drainage installation, the structural framing members shall not be cut, bored or notched beyond the limitations in this code unless restored to a safe structural condition in accordance with the building requirements in this code.

Comments: This protection is added since it is not adequately addressed in the Plumbing Code.

42. Add new section P2501.3 to read as follows:

P2501.3 Piping protection. In concealed locations, where piping, other than cast iron or galvanized steel, is installed through holes or notches in studs, joists, rafters or similar members less than 1 ½ inches from the nearest edge of the member, the pipe shall be protected by steel shield plates. Such shield plates shall have a thickness of not less than .0575 inch (No.16 gauge). Such plates shall cover the area of the pipe where the member is notched or bored, and shall extend a minimum of 2 inches above sole plates and below top plates.

Comments: This protection is added since it is not adequately addressed in the Plumbing Code.

43. Add new section P2501.4 to read as follows:

P2501.4 Through wall protection. Any pipe that passes through a foundation wall shall pass through a pipe sleeve two pipe sizes greater than the pipe passing through. All annular spaces between sleeves and pipes shall be filled and water sealed in accordance with the building requirements in this code or as approved by the building official.

Comments: This protection is added since it is not adequately addressed in the Plumbing Code.

44. Add new section P2501.5 to read as follows:

P2501.5 Tank leak protection. Where water heaters or hot water storage tanks are installed in locations where leakage of the tanks or connections will cause damage, the tank or water heater shall be installed in a galvanized steel pan having a material thickness of not less than .0236 inch (No.24 gauge) or other pans approved for such use. Listed pans shall comply with CSA LC3. The pan shall be not less than 1-1/2 inches deep and drained by an indirect waste pipe having a minimum diameter of ¾ inch and terminate over a suitably located indirect waste receptor or shall extend to the exterior of the building and discharge not more than 24 inches or less than 6 inches from grade.

Comments: This protection is added since it is not adequately addressed in the Plumbing Code.

45. Delete section P2502 in its entirety.

Comments: This 2003 IBC amendment is unchanged and incorporated into the 2009 IBC. Replaces section 4-1-6(B)30.

46. Delete section P2503 in its entirety.

Comments: This 2003 IBC amendment is unchanged and incorporated into the 2009 IBC. Replaces section 4-1-6(B)30.

47. Delete Chapters 26, 27, 28, 29, 30, 31, and 32 in their entirety.

Comments: These chapters specify plumbing requirements that may be contrary to the requirements in the State of Illinois Plumbing Code which supersedes this code.

48. Delete Chapters 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43 in their entirety.

Comments: These chapters specify electrical requirements that are redundant and identical to the requirements in the currently adopted 2008 National Electrical Code.

Exhibit A (clean)
The 2009 ICC International Residential Code
As Adopted and Amended by the Village of Glen Ellyn, Illinois

Delete Village Code Section 4-1-8(A) in its entirety and substitute the following:

- (A) The 2009 ICC international residential code is adopted by reference as the standards and regulations for governing the demolition, construction, enlargement, alteration, restoration or repair of buildings and structures and their appurtenances, as this code is intended, recommended, maintained and published by the International Code Council except such portions thereof as are deleted, modified, or amended in this chapter. At least one copy of the 2009 ICC international residential code shall be maintained on file in the office of the village clerk for inspection and copying as a public record.

Amend Village Code Section 4-1-8(B) to read as follows:

- (B) The provisions of the 2009 ICC International residential Code, are hereby deleted, modified, and amended as follows:

Delete Village Code Sections 4-1-8(B)1 through 4-1-8(B)19 in their entirety and substitute the following:

1. Amend section R101.1 to read as follows:
R101.1 Title. These regulations shall be known as the residential code of the Village of Glen Ellyn, hereinafter referred to as "this code."
2. Add new section R102.4.1 to read as follows:
R102.4.1 Plumbing. Wherever reference to the International Plumbing Code is made, substitute the Plumbing Code, Department of Public Health, State of Illinois.
3. Add new section R102.4.2 to read as follows:
R102.4.2 Building. Where "this code" does not address any specific application, material, or method of construction, the 2009 ICC international building code shall be applicable.
4. Add new section R102.7.2 to read as follows:
R102.7.2 Partial improvements required. The following improvements within an existing building and on public or private property shall be required when a building addition increases the floor area of an existing building by more than 75%, or when more than 50% of the existing exterior wall and roof structure area is altered, or when interior remodeling work exceeds \$100,000 in hard cost:
 1. Abandon the existing water service line between the water main and the existing building or proposed addition and install a new water service line, water meter and copper horn in accordance with current standards, codes and ordinances.
 2. Abandon the existing sanitary service line between the sanitary sewer main and the existing building or proposed addition and install a new sanitary service line if the structural integrity or water-tightness of the service line does not meet current standards, codes and ordinances.
 3. Provide an overhead sanitary service line and sewage ejector pump in accordance with current standards, codes and ordinances.
 4. Remove any existing gravel driveway and provide a hard surface driveway, approach and depressed curb and gutter and in accordance with current standards, codes and ordinances.

5. Provide a public sidewalk across the frontage of the property if no sidewalk presently exists, or repair any existing damaged sidewalk squares, in accordance with current standards, codes and ordinances.

6. Repair damaged or disturbed parkway grades and restore parkway groundcover or provide new groundcover where no groundcover exists.

Exception: The existing water and sanitary service lines may remain, upon approval of the public works director, if existing conditions comply with, or are repaired and maintained to comply with current standards, codes and ordinances. Existing sanitary line conditions must be verified by a video and an audio or written report in the format required by the public works department.

5. Add new section 102.7.3 to read as follows:

R102.7.3 All improvements required. The following improvements within an existing building and on public or private property shall be required when a building addition increases the floor area of an existing building by more than 150%, or when more than 75% of the existing exterior wall and roof structure area is altered, or when interior remodeling work exceeds \$200,000 in hard cost:

1. All improvements included in section R102.7.2

2. The existing buildings and site shall comply, or be upgraded to comply, with all provisions of the village codes, regulations and ordinances for a new building or structure.

Exception: A fire sprinkler system shall be required for remodeling work only within the remodeled area when the remodeling work exceeds \$300,000 in hard cost.

6. Add new section 102.8 to read as follows:

R102.8 Historic buildings. The provisions of this code relating to the construction, repair, alteration, addition, restoration and movement of structures, and change of occupancy shall not be mandatory for historic buildings where such buildings are judged by the building official to not constitute a distinct life safety hazard.

7. Delete section R105.2 in its entirety and substitute the following:

R105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

(a) Property:

(1) Landscaping work to remove existing or plant new trees, shrubs, plants or grass provided tree removal is completed in accordance with the requirements in the Tree Preservation Ordinance and the disturbed area does not exceed 300 square feet.

(2) Paving work to add new or replace existing impervious surface materials upon the ground provided the new paved area does not exceed 100 square feet and complies with all Zoning Code regulations.

(3) Grade changes, excavation, or fill, provided the disturbed site area does not exceed 300 square feet and natural existing stormwater runoff from the property is not altered or cause a nuisance, hazard or damage to adjacent property and complies with the requirements of the Countywide Stormwater and Flood Plain Ordinance of DuPage County, IL.

(4) Retaining walls that do not exceed 8 inches in height, provided the natural existing stormwater runoff from the property is not altered or cause a nuisance, hazard or

damage to adjacent property and complies with the requirements of the Countywide Stormwater and Flood Plain Ordinance of DuPage County, IL.

- (5) Installation of recreational and play equipment, prefabricated swimming pools that are less than 24 inches deep, and outdoor furnishings that are portable or removed after occasional or seasonal use provided the location and use complies with all Zoning Code regulations.
- (b) Buildings or structures:
 - (1) Installation or removal of interior wall, floor or ceiling finishes such as paint, tile, carpet, and wall coverings completed in accordance with the requirements in this code for sanitation and fire resistance and with federal and state regulations governing the removal of lead, asbestos or other hazardous materials.
 - (2) Window awnings that are self supported by the exterior wall which do not project more than 54 inches from the exterior wall.
 - (3) Minor electrical repairs including lamp, receptacle or breaker replacement or the removal of existing and installation of equivalent new electrical fixtures at existing electrical outlets.
 - (4) Electrical wiring, fixtures and equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
 - (5) Minor mechanical repairs including the removal of existing and installation of equivalent new pumps, motors or other equipment that does not alter approval of the equipment or make it unsafe.
 - (6) Installation of portable electrical or mechanical equipment and appliances with cord and plug electrical connections.
 - (7) Work to stop leaks or clear obstructions in the plumbing system or the removal of existing and installation of equivalent new plumbing fixtures, limited to toilets, sinks, tubs and showers without any alteration to existing water supply, drain, waste or vent outlets.
 - (8) Replacement or repair of exterior finish materials on wall and roof surfaces up to a maximum of 300 square feet or 20% of the total roof or wall area. (Ord.5762, 5-26-2009)

8. Amend section R105.3 item 6 to read as follows:

6. Be signed by the applicant and by the property owner(s) including the name and registered address of the owner, corporate officer, registered agent, partner, trustee or managing member, upon whom any legal notice, complaint or citation may be served.

9. Amend section R105.3 item 7 to read as follows:

7. Give such other data and information as required by the building official including the name(s) and address(s) of all persons with a beneficial interest in the property under a land trust and all shareholders owning in excess of 5% of the stock in a corporation.

10. Delete section R105.3.1.1 in its entirety.

11. Amend section R105.5 to read as follows:

R105.5 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after issuance or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and demonstrate justifiable cause.

1. A permit for new one and two family dwelling units and townhomes is valid for eighteen (18) months after its issuance.
2. A permit for additions, alterations and remodeling of existing one and two family dwelling units and townhomes is valid for twelve (12) months after its issuance.
3. A permit for new residential accessory buildings and structures and for additions, alterations and remodeling of existing residential accessory buildings and structures is valid for twelve (12) months after its issuance.

12. Amend section R105.7 to read as follows:

105.7 Placement of permit. The building permit or copy shall be kept on the site of the work until completion of the project and shall be displayed in a prominent location visible from the public way.

13. Amend section R108.6 to read as follows:

R108.6 Work commencing before permit issuance. Any person who commences any work on a site, building or structure, or any electrical, gas, mechanical, sprinkler or plumbing system before obtaining the necessary permits shall be subject to an additional fee of 100% of the basic permit fee.

14. Delete section R109.3 in its entirety and substitute the following:

R109.3 Inspection requests. It shall be the duty of the permit holder or their agent to notify the building official that such work is ready for inspection and to have the work complete and prepared for AM inspections by 8:00 AM and complete and prepared for PM inspections by noon.

15. Add new section R109.5 to read as follows:

R109.5 Inspection conditions. The work to be inspected must be prepared and complete and an approved means to access the work must be provided to the inspector. The inspector is not authorized to conduct an inspection if these conditions do not exist and the inspection may be cancelled by the inspector. No further work may be completed until a reinspection fee is paid and a reinspection is requested, scheduled, completed and approved.

16. Amend section R110.1 to add exception 3 to read as follows:

3. Additions, alterations and remodeling of existing buildings and structures as determined by the building official.

17. Delete section R110.3 in its entirety and substitute the following:

R110.3 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other regulations, the building official shall issue a certificate of occupancy that contains the following:

1. The address of the structure.
2. The name and address of the owner.
3. A description of the portion of the building for which the certificate is issued.
4. The use and occupancy of the portion of the building for which the certificate is issued.
5. Any special stipulation and conditions of the building permit.
6. The name of the building official.

18. Amend section R112.1 to read as follows:

R112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there

shall be a building board of appeals. The structure, responsibilities and procedures of the building board of appeals is established in Chapter 7 Building Board of Appeals, Title 2 Boards and Commissions, in the Glen Ellyn Village Code.

19. Delete section R112.2.1 in its entirety.
20. Delete section R112.2.2 in its entirety.
21. Delete section R112.3 in its entirety.
22. Amend section R113.4 to read as follows:
Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed in section 4-1-5(J) in the Village Code.

23. Amend section R301.2 Table R301.2(1) to add design criteria as follows:

1. Ground snow load:	25 PSF
2. Wind speed:	90 MPH
3. Wind topographic effects:	No
4. Seismic Design Category:	B
5. Weathering:	Severe
6. Frost line depth:	42 inches
7. Termite:	Moderate
8. Winter design temp:	0 degrees F
9. Ice barrier underlayment required:	Yes
10. Flood Hazards:	Yes
11. Air freezing index:	2,000
12. Mean annual temp:	50 degrees F

24. Amend section R302.2 to read as follows:

R302.2 Townhouses. Each townhouse shall be considered a separate building and shall be separated from each other by fire-resistant-rated wall and/or floor-ceiling assemblies having not less than a 2 hour fire resistance rating when tested in accordance with ASTM E 119 or UL 263. Fire resistant rated wall assemblies shall be rated for fire exposure from both sides and shall extend to and be tight against the exterior wall and roof deck.

25. Amend section R302.6 to delete the exception in its entirety.

26. Amend table R302.6 to read as follows:

separation	material
From the residence and attics	Not less than 5/8 inch type X gypsum board or equivalent applied to the garage side with all joints flat taped
Garages located less than 3 20 feet from a dwelling unit on the same lot	Not less than ½ inch gypsum board or equivalent applied to the interior side of all exterior walls and ceilings with all joints flat taped

27. Add new section R305.1.2 to read as follows:
R305.1.2 Crawl Spaces. Crawl spaces below the floor of any part of a building or structure shall have a clear height of not less than 3 feet, except beams, girders, ducts or other obstructions may project to within 2 feet of the crawlspace floor.
28. Add new section R312.5 to read as follows:
R312.5 Safety and security fence. The demolition or construction of a principal building or structure, or part thereof, or an excavation over 30 inches deep, shall require the installation of a safety and security fence, with a latching gate, that encloses the work area. The fencing shall be a minimum of 4 feet high and constructed of chain link fabric, plastic mesh, or wooden slats secured to steel posts not to exceed 8 feet on center or equivalent materials approved by the building and zoning official. The fence shall be maintained in an upright, stable and secure condition and the gate shall be latched closed at all times the demolition or construction site is unattended.
29. Add new section R312.6 to read as follows:
R312.6 Window well guards. Window and door wells that extend more than 30 inches below the adjacent grade shall be provided with bars, grilles, covers, screens or similar devices that are designed and listed to resist human impact unless other guards that comply with section R312 of this code are provided. Window well guards enclosing emergency escape and rescue openings shall meet the minimum opening area requirement and be operable from the inside of the well without the use of keys, tools, or special knowledge or effort.
30. Amend section R313.1.1 to read as follows:
R313.1.1 Design and Installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with NFPA 13D standards.
31. Add new section R313.3 to read as follows:
R313.3 Attic automatic fire sprinkler systems. An automatic fire sprinkler system shall be installed in habitable attic spaces in one-and two-family dwellings and townhouses.
32. Add new section R403.1.3.3 to read as follows:
R403.1.3.3 Foundations for accessory structures. One-story frame detached accessory structures are permitted on trench wall and slab foundations monolithically poured, consisting of a minimum 4" concrete slab, with minimum 40 pounds per 100 square foot welded wire fabric reinforcing, on a minimum 4" compacted gravel base, with a continuous thickened minimum 20" wide perimeter edge, and extending down a minimum of 10" to undisturbed subsoil.
33. Amend section R404.1 to read as follows:
R404.1 Concrete and masonry foundation walls. Concrete foundation walls shall be selected and constructed in accordance with the provisions of Section R404.1.2. Masonry foundation walls shall not be permitted.
34. Delete sections R404.1.1 and R404.1.1.1 in their entirety.
35. Amend section R404.2 to read as follows:
R404.2 Wood foundation walls. Wood foundations walls shall not be permitted.
36. Delete sections R404.2.1 through R404.2.6 in their entirety.

37. Add new section R502.1.8 to read as follows:

R502.1.8 Light-weight floor framing. Light-weight floor framing including, but not limited to, wood floor trusses, parallel chord trusses, wood I-beams, box beams, metal trusses, or bar joists shall be permitted only in dwellings or parts thereof equipped throughout with an automatic fire sprinkler system installed in accordance with NFPA standards. (Ord. 5214 12-15-2003, eff. 3-1-2004; amd. Ord. 5352, eff. 4-25-2005)

38. Amend section R801.3 to read as follows:

R801.3 Roof drainage. All dwellings shall have a controlled method of water disposal from roofs, consisting of gutters and downspouts, that will collect and discharge roof drainage to the ground surface at least 5 feet (1524 mm) from the foundation walls or to an approved drainage system.

39. Amend section G2406.2 item 4 to read as follows:

4. A single wall-mounted unvented room heater is installed in a bedroom and such unvented room heater is equipped as specified in section G2445.6 and has an input rating not greater than 10,000 Btu/h (2.93kW). The bedroom shall meet the required volume criteria of Section G2407.5 and be provided with a carbon monoxide detector that is listed, labeled and complies with the standards of an approved testing agency.

40. Delete section P2501.1 in its entirety and substitute the following:

P2901.1 Scope. The design, construction, installation, alteration, repair and maintenance of plumbing systems and their components shall comply with the standards and regulations established in the Illinois Department of Public Health Plumbing Code as currently adopted.

41. Delete section P2501.2 in its entirety and substitute the following:

P2902.1 Structure protection. In the process of installing or repairing any part of a plumbing and drainage installation, the structural framing members shall not be cut, bored or notched beyond the limitations in this code unless restored to a safe structural condition in accordance with the building requirements in this code.

42. Add new section P2501.3 to read as follows:

P2501.3 Piping protection. In concealed locations, where piping, other than cast iron or galvanized steel, is installed through holes or notches in studs, joists, rafters or similar members less than 1 ½ inches from the nearest edge of the member, the pipe shall be protected by steel shield plates. Such shield plates shall have a thickness of not less than .0575 inch (No.16 gauge). Such plates shall cover the area of the pipe where the member is notched or bored, and shall extend a minimum of 2 inches above sole plates and below top plates.

43. Add new section P2501.4 to read as follows:

P2501.4 Through wall protection. Any pipe that passes through a foundation wall shall pass through a pipe sleeve two pipe sizes greater than the pipe passing through. All annular spaces between sleeves and pipes shall be filled and water sealed in accordance with the building requirements in this code or as approved by the building official.

44. Add new section P2501.5 to read as follows:

P2501.5 Tank leak protection. Where water heaters or hot water storage tanks are installed in locations where leakage of the tanks or connections will cause damage, the tank or water heater shall be installed in a galvanized steel pan having a material thickness of not less than .0236 inch (No.24 gauge) or other pans approved for such use. Listed pans shall comply with CSA LC3. The

pan shall be not less than 1-1/2 inches deep and drained by an indirect waste pipe having a minimum diameter of ¾ inch and terminate over a suitably located indirect waste receptor or shall extend to the exterior of the building and discharge not more than 24 inches or less than 6 inches from grade.

45. Delete section P2502 in its entirety.

46. Delete section P2503 in its entirety.

47. Delete Chapters 26, 27, 28, 29, 30, 31, and 32 in their entirety.

48. Delete Chapters 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43 in their entirety.

X:\Plandev\BUILDING\BBA\ORDINANCE\2009 IRC A&A 020612 clean.doc

BUILDING BOARD OF APPEALS
MINUTES
FEBRUARY 7, 2011

The meeting was called to order by Acting Chairman James Bredfeldt at 7:36 p.m. Board Members Michaelene Burke Hoeh, Scott Raffensparger and Mike Morange were present. Chairman James Ryan and Board Members John Lustrup and James McGinley were excused. Also present were Trustee Liaison Carl Henninger, Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Board Member Raffensparger moved, seconded by Acting Chairman Bredfeldt, to approve the minutes of the December 6, 2010 BBA meeting. The motion carried with four (4) "yes" votes as follows: Board Members Raffensparger, Burke Hoeh, Morange and Acting Chairman Bredfeldt voted yes.

Board Member Raffensparger moved, seconded by Board Member Morange, to approve the minutes of the January 3, 2011 BBA meeting. The motion carried with four (4) "yes" votes as follows: Board Members Raffensparger, Morange, Burke Hoeh and Acting Chairman Bredfeldt voted yes.

Building and Zoning Official Joe Kvapil reviewed a proposed text amendment regarding changes to the Building Board of Appeals membership requirements.

Building and Zoning Official Joe Kvapil reviewed a fire sprinkler text amendment to the 2009 ICC International Fire Code that was recently approved by the Village Board. Mr. Kvapil stated that the changes pertained to fire sprinkler requirements for remodeling projects and the definition of "hard cost."

2009 ICC INTERNATIONAL BUILDING CODE. CONTINUED DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL BUILDING CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Building and Zoning Official Joe Kvapil distributed and reviewed Exhibit A to the 2009 ICC International Building Code that included proposed amendments discussed at the previous BBA meeting and some new changes.

In Village Code Section 4-1-3, "change of use" is proposed to be "change of occupancy," which is the correct term. Also, the criteria that establishes the demolition classes is proposed to be changed to reflect the square footage rather than the type of class. The BBA was in favor of these recommendations. Village Code Section 4-1-5(C)4 regarding deposit released is proposed to be revised so that deposit money can be refunded to a homeowner if a contractor does not complete the work. Mr. Kvapil stated that the Village Attorney believes it would be acceptable for the Village to give deposit money to homeowners so they can finish the work themselves if the homeowners agree to sign a release to hold the Village harmless and defend the Village from a lawsuit. Board Member Raffensparger commented that the Village would incur legal fees if a lawsuit

resulted from a refund to a homeowner. Mr. Kvapil responded to Trustee Henninger that if work is not completed on a property owned by a contractor, the Village would have the option to hire a contractor to complete the work with the deposit money or a portion of the money can be used toward the project. The BBA was in favor of this recommendation. Section 105.5 regarding expiration of permits is proposed to be amended to include the period of time that a permit is valid (540 days/18 months). The BBA was in favor of this recommendation.

Mr. Bredfeldt inquired about whether or not to include the term "wetland buffers" in Section 4-1-5(F) regarding proximity to special flood hazard areas as discussed at a previous BBA meeting. Mr. Kvapil stated that the Zoning Code currently includes "wetland buffers," and he displayed a sketch he prepared that illustrated various stormwater terms. Regarding Village Code Section 4-1-5(G) Construction Hours, Board Member Morange asked if idling trucks and/or deliveries should be included in the construction hours, and Mr. Kvapil suggested adding wording regarding construction traffic. Chief Raffensparger suggested adding in parentheses "including evacuation and delivery of construction materials." Mr. Kvapil stated he will expand construction hours to add other disturbing noises. Mr. Kvapil stated that the prior code amendment is proposed to be incorporated into Section 406.1, 4 Item 1, regarding fire separation between parking garages and dwellings. The BBA was in favor of this recommendation.

Motion

Chief Raffensparger moved, seconded by Board Member Morange, to recommend that the Village Board approve the adoption of the 2009 ICC International Building Code with amendments as recommended by the Building Board of Appeals. The motion carried with four "yes" and zero (0) "no" votes as follows: Board Members Raffensparger, Morange, Bredfeldt and Burke Hoeh voted yes.

2009 ICC INTERNATIONAL RESIDENTIAL CODE. DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL RESIDENTIAL CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Building and Zoning Official Joe Kvapil distributed Exhibit A and reviewed proposed amendments to the 2009 ICC International Residential Code. Village Code Section 4-1-2(D) is proposed to be amended to reflect the proposed adopted code edition. The BBA was in favor of this recommendation. Village Code Section 4-1-3 is proposed to be amended to delete the definitions of classes of additions, alterations and remodeling indicating scope of work performed. The deleted classes will be replaced by percentage of work performed. The BBA was in favor of this recommendation.

Village Code Section 4-1-8(A) is proposed to be deleted with standard language substituted that reflects adoption of the new code. The BBA was in favor of this recommendation.

Village Code Section 4-1-8(B) is proposed to be amended to reflect changes made to the 2009 ICC International Residential Code.

Section R101.1 Title is proposed to be amended to insert standard language into the code by the municipality. The BBA was in favor of this recommendation.

New Section R102.4.1 Plumbing is recommended to be added to reflect that wherever reference is made to the International Plumbing Code, the Plumbing Code, Department of Public Health, State of Illinois will be substituted. The International Plumbing Code will not be adopted, and Sections 4-1-8(B)4 and 4-1-5(G)) will be replaced. The BBA was in favor of this recommendation. New Section R102.4.2 Building is proposed that states where the Residential Code does not address a specific application, material or method of construction, the International Building Code shall apply. This section replaces Section 4-1-8(B)3 and is identical to the existing code amendment. The BBA was in favor of this recommendation. New Section R102.4.2 Building and Property Improvements is proposed be relocated to a more appropriate section of the code and is also proposed to have Class II language deleted and replaced with proposed percentage language for scope of projects Board Member Burke Hoeh commented that the phrase "at the sole discretion of" which, in this case, references the Public Works Director, could mean "at the whim of." Trustee Henninger responded that much input is received from others prior to the Public Works Director making final decisions. At Board Member Morange's suggestion, Mr. Kvpil stated he will relocate information regarding underground electrical systems from the Zoning Code to Section R102.7.2 Building and Property Improvements. The BBA was in favor of these recommendations. New Section 102.7.3 Building and Property Improvements is proposed to be relocated to a more appropriate section of the code and is also proposed to have Class III language deleted and replaced with proposed percentage language for scope of projects. Mr. Kvpil stated that an exception based on a newly passed amendment to the Fire Code regarding the requirement of a sprinkler system for remodeling projects is also proposed to be included.

Section R105.2 Work Exempt from Permit had been deleted from the 2003 IBC but is proposed to be included in the 2009 IBC as amended to provide more specific requirements regarding awnings and low-voltage equipment. Mr. Kvpil responded to Board Member Burke Hoeh that fire pits do not require permits but are subject to zoning regulations and that sport courts require permits if the impervious surface exceeds 100 square feet. The BBA was in favor of this recommendation. Section 105.3 Item 6 is proposed to be amended to require additional applicant/owner signatures on building permits for code enforcement purposes. Mr. Kvpil agreed with Board Member Burke Hoeh's recommendation to add the requirement of signatures, if applicable, for partner of a partnership and manager/member of an LLC, and the BBA was in favor of these recommendations. Section 105.3 Item 7 is proposed to be amended to require that additional name and address information is provided for all persons with a beneficial interest in the property for code enforcement purposes. Board Member Burke Hoeh recommended that the Village Attorney review this amendment. Section R105.3.1.1 regarding flood hazard areas was deleted in the 2003 IRC and is again proposed to be deleted in its entirety. Flood hazard information is covered in the Zoning Code and the DuPage County Stormwater Ordinance. Section R105.5 regarding expiration (of permits) is proposed to be amended to include the number of days that a permit is valid after it has

been issued. Mr. Kvapil added that he is in the process of reviewing for errors or omissions the 2006/2009 amendments adopted by several other municipalities. Mr. Kvapil also felt that the time limit for smaller projects should be reduced, and Trustee Henninger was interested in finding a solution to resolve the issue of "perpetual" construction projects. Section R105.7 Placement of Permit is proposed to be amended to require the display of a permit in a prominent location for code enforcement and neighbor notification purposes. The BBA was in agreement with this recommendation.

Section R108.6 Work Commencing Before Permit Issuance is proposed to be relocated as is to the proper code section. The BBA was in favor of this recommendation.

Section R110.3 Certificate Issued is proposed to replace Section 4-1-6(B)13 as is. The BBA was in favor of this recommendation.

Section R112.1 General is proposed to be amended to delete some language regarding the Building Board of Appeals as information regarding the Building Board of Appeals is established in the Glen Ellyn Village Code. The BBA was in favor of this recommendation. Sections R112.2.1 and R112.2.2 regarding determination of substantial improvement in areas prone to flooding and criteria for issuance of a variance for areas prone to flooding are proposed to be amended in their entirety because these regulations are specified in the Zoning Code. The BBA was in favor of this recommendation. Board Member Burke Hoeh recommended striking Section R112.3 Qualifications (of the BBA) because that information is included in the Building Board of Appeals chapter in the Glen Ellyn Village Code. The BBA was in agreement with this recommendation.

Section R113.4 is proposed to be amended to reference the appropriate penalty code section. The BBA was in favor of this recommendation.

Section R301.2 Table R301.2(1) Climatic and Geographic Design Criteria is proposed to be amended to add general design and engineering criteria. The BBA was in favor of this recommendation. Section R302.2 Fire-Resistant Construction Townhouse is proposed to be amended as per the 2003 IRC amendment. The BBA was in favor of this recommendation.

Section R303.2 Fire-Resistant Construction is proposed to be amended to delete the exception in its entirety as per the 2003 IRC amendment. The BBA was in favor of this recommendation.

Two items in Table R302.6 Dwelling/Garage Separation are proposed to be amended as per the 2003 IRC amendment. The BBA was in favor of this recommendation. Section

R403.1.3.3 Foundations for Accessory Structures is proposed to be revised per the 2003 IBC amendment. The BBA was in favor of this recommendation.

Section R404.1 is proposed to be revised to prohibit masonry foundations for new construction and allow concrete foundations only. The BBA was in favor of this recommendation. Sections R404.1.1, R404.1.1.1, R404.2, and R404.2.1 through R404.2.6 are proposed to be deleted in their entirety because masonry foundations, wood

foundation walls and wood foundations are not permitted for new construction; only concrete foundations are permitted. The BBA was in favor of this recommendation.

New Section R502.1.8 Light-Weight Floor Framing is proposed to be added as per the 2003 IRC amendment. The BBA was in favor of this recommendation.

Chapters 25, 26, 27, 28, 29, 30, 31 and 32 regarding plumbing requirements of the ICC are proposed to be deleted in their entirety because they may contradict the State of Illinois Plumbing Code which the Village follows.

Village Code Section 4-1-8(B) is proposed to be amended to delete Residential Code Amendments 4-1-8(B)2 through 4-1-8(B)19 in their entirety because they have been incorporated into the 2009 IRC or are no longer applicable. The BBA was in favor of this recommendation.

Trustee Report

Trustee Henninger reported on the status of three top-level vacancies currently in the Village. He also stated that the budget is currently in process and that Village finances continue to be a challenge. Trustee Henninger also reported on the status of the proposed ethics ordinance.

Staff Report

Mr. Kvapil stated that the International Building Code will be forwarded to the Village Board for their review.

There being no further business before the BBA, the meeting was adjourned at 9:56 p.m.

Submitted by:
Barbara Utterback
Recording Secretary

Reviewed by:
Joe Kvapil
Building and Zoning Official

BUILDING BOARD OF APPEALS
MINUTES
APRIL 4, 2011

The meeting was called to order by Chairman James Ryan at 7:33 p.m. Board Members Thomas Bredfeldt (who arrived at 8:35 p.m.), Michaelene Burke Hoeh, John Lustrup, Scott Raffensparger (who arrived at 7:40 p.m.) and Mike Morange were present. Board Member James McGinley was excused. Also present were Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

A vote to approve the minutes of the February 7, 2011 Building Board of Appeals meeting was tabled because there were not enough members present to vote that had been at the February 7, 2011 meeting.

Building and Zoning Official Joe Kvapil reviewed a memorandum from Interim Village Manager Terry Burghard regarding Board and Commission membership and Building Board of Appeals quorum changes. The BBA members felt that because five members instead of seven members vote on appeals, the majority should be three members.

Mr. Kvapil reviewed a February 2011 summary update of the Stormwater Ordinance by the DuPage County Stormwater Committee.

Mr. Kvapil referred the BBA to a memorandum regarding a motion approved by the Historic Preservation Commission in January of 2011 to recommend a local amendment to the 2009 ICC International Residential Code. The proposed amendment would help ensure that the Village is able to maintain its historic character. Mr. Kvapil stated that he removed the phrase "eligible for designation as" historic because he felt that a home should be clearly designated as a landmark to avoid confusion. Chairman Ryan felt that the proposed language seemed to suggest that a homeowner could be forced into having their home designated as a landmark, and he recommended not including the HPC's amended language in the IRC. The BBA members agreed with Chairman Ryan's recommendation.

2009 ICC INTERNATIONAL BUILDING CODE. CONTINUED DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL BUILDING CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Building and Zoning Official Joe Kvapil distributed and reviewed Exhibit A to the 2009 ICC International Building Code that included proposed amendments discussed at the previous BBA meeting and some new changes.

Village Code Section 3-32-6(A) regarding Tax Imposed and Village Code Section 3-32-6(B) regarding Definitions - Demolition Contractor are proposed to be amended to

eliminate project class terms and instead provide specifications. Village Code Section 4-1-3 is proposed to be amended to expand the definition of Hard Cost for clarification purposes. Mr. Kvapil also suggested adding "appliances" to the definition and Ms. Burke Hoeh suggested adding awnings to the definition, and the BBA agreed with these recommendations. Village Code Section 4-1-3 was amended to reflect the role of the Historic Preservation Commission. Chairman Ryan asked if the Historical Sites Commissions established a list of historic homes that require the Village Trustees to say yes to it, and Mr. Kvapil was uncertain about that process. Chairman Ryan stated there are so few landmark cases because the property owner should decide if he/she wants to apply for the landmark case. Chairman Ryan stated that if a home is labeled as a historic sites structure, the homeowner is being saddled with several responsibilities that limits their use of the property. Mr. Kvapil stated that he will check to see if a homeowner can opt out of landmark status.

In Village Code Section 4-1-4(A)3(a), Class II demolitions has been amended by Mr. Kvapil to read "Demolition of a building or structure...". In Village Code Section 4-1-4(A)3(b), Class III demolitions has been amended by Mr. Kvapil to read "Demolition of a building or structure...". In Village Code Section 4-1-4(A)3(c), Class IV demolitions has been amended by Mr. Kvapil to read "Demolition of a building or structure...". Mr. Kvapil stated that he will research large demolition fees. In Village Code Section 4-1-4(A)13, Taxes; Mr. Kvapil added "demolition applies to any project when..." (class II alteration or greater and any class III demolition or greater was removed).

Mr. Kvapil recommended deleting Village Code Section 4-1-5(A) in its entirety and substituted the following last phrase "...and no change to the permitted work may be completed until revised submittal documents are approved by the building official, unless the work is exempt from a permit as specified in this code." Village Code Section 4-1-5(B) adds that no building permit shall be issued until certain conditions are added. "Related to the property" shall be added to paragraph 3 after "All outstanding debts to the Village...". Number 4 will be forwarded to the Village Attorney for his legal opinion regarding permit fees and taxes. Mr. Kvapil stated that Number 5 will be required for permit applicants to submit a sworn statement from each contractor and supplier listing their hard cost for their improvements; however, Chairman Ryan stated that each project should have one sworn statement from each independent contractor. Mr. Kvapil will reword this section. Paragraph 4 regarding Deposit Release to Village was added to Village Code Section 4-1-5(C) per Stewart Diamond. Also language was added to Paragraph 5, Deposit Award to Owner, that the owner will be awarded an amount of the released deposit up to the approved cost upon the owner's scheduled completion of the work. Ms. Burke Hoeh suggested including on the receipt a statement that the deficits may be forfeited, and Mr. Kvapil agreed. A statement was added to Village Code Section 4-1-5(D), Permit Suspension or Revocation, that, 2. A building permit may be suspended or revoked if any one of the conditions required in Section 4-1-5(B) is not in compliance. Village Code Section 4-1-5(E) is proposed to be deleted in its entirety and the \$15,000 threshold which was difficult to verify is eliminated with the need for professional certification based upon the structural and life safety risk assessment by the building official. The BBA was in favor of this recommendation. Regarding Village Code

Section 4-1-5(G), Mr. Kvapil added a more detailed list regarding work-related activities on a site. Village Code Section 4-1-5(I) shall be revised to add a more progressive fee structure for the judge per the Village Prosecuting Attorney.

The name of Section 105.1.1 Site Development Permit has been changed. This is a phased approval permit typically issued for large commercial projects that has never before been identified in the code, however, a fee for this permit is in the fee schedule.

Section 105.2(1) has been changed to remove wording that a permit is not required to place decorative ornaments and accessories upon the ground.

Section 105.3, Item 6, has been revised to aid in code enforcement since a citation must be served to the specific person who committed a violation or owns the property.

Section R113.3 is deleted in its entirety because the structure, responsibilities and procedures of the Building Board of Appeals are established in Chapter 7, Building Board of Appeals, Title 2 Boards and Commissions, in the Glen Ellyn Village Code.

Section 406.1.4, Item 1, regarding an attached private garage, has been changed, and the BBA was comfortable with the amendment.

Amend Section 1408.4 Weather Resistance. EFIS shall...and include the installation of a drainage medium layer incorporated into the system as specified by the manufacturer.

Amend Section 1408.5, Installation. Installation of EFIS...provides additional protection that the system will be installed by appropriate personnel. Chairman Ryan recommended adding "or other manufacturer's certifications," and Mr. Kvapil agreed to add that language.

Amend Section 2901.1 Scope adopts the Illinois Department of Public Health Plumbing Code as currently adopted. Add new Section 2901.2 regarding structure protection. Add new Section 2901.3 regarding Piping protection. Add new Section 2901.4 regarding through wall protection. Sections 2902 and 2903 are deleted in their entirety.

New Section 3302.3 regarding Safety and Security Fencing is being added.

Regarding the Exception to Section 3403.6, "upon approval of the public works director" is being added in the paragraph.

Section 4-1-9, Reserved, will be entered into the Energy Conservation Code in the future.

Village Code Section 7-9-64 Applicability to New Construction Projects removed terminology for project class terms, and specifications are provided. Village Code

Section 7-10-9(D)3 and 4 have project class terms eliminated and specifications are provided. Village Code Section 7-10-20(C) states that a Class II is consistent with all other upgrades.

Village Code Section 8-1-20(A) removed Class I and II addition terminology and put it in as a specification.

Chairman Ryan reviewed that the outstanding issues are the historic issues, charging new homeowners for old homeowners' costs, and research from Mr. Kvapil about demolition fines/penalties being higher.

Mr. Ryan felt that 12 months should be the maximum allowed for a permit.

There being no further business before the BBA, the meeting was adjourned at 9:44 p.m.

Submitted by:
Barbara Utterback
Recording Secretary

Reviewed by:
Joe Kvapil
Building and Zoning Official

BUILDING BOARD OF APPEALS
MINUTES
JUNE 6, 2011

The meeting was called to order by Chairman James Ryan at 7:41 p.m. Board Members Thomas Bredfeldt, Michaelene Burke Hoeh and James McGinley were present. Board Members Pete Campbell, John Lustrup and Mike Morange were excused. Also present were Building and Zoning Official Joe Kvpil and Recording Secretary Barbara Utterback.

Board Member Bredfeldt moved to approve the minutes of the February 7, 2011 Building Board of Appeals meeting. Board Member Burke Hoeh, asked that the phrase "from a legal standpoint" be removed from a statement she made in the minutes and changed to "at the discretion of." Board Member Bredfeldt amended the motion accordingly and Board Member Burke Hoeh seconded the motion. The minutes were approved by four (4) "yes" votes and zero (0) "no" votes as follows: Board Members Bredfeldt, Burke Hoeh, McGinley and Chairman Ryan voted yes.

Board Member Bredfeldt moved to approve the minutes of the April 4, 2011 Building Board of Appeals meeting, and Board Member Burke Hoeh seconded the motion. The minutes were approved by four (4) "yes" votes and zero (0) "no" votes as follows: Board Members Bredfeldt, Burke Hoeh, McGinley and Chairman Ryan voted yes.

Building and Zoning Official Joe Kvpil reviewed proposed changes to Ordinance 5919-VC Amending Village Code Section 2-7-4 BBA Membership/Quorum. Chairman Ryan offered to advise the Village Board of Mr. Kvpil's graphic regarding eligible members, quorum and majority voters, however, Mr. Kvpil stated he could forward the information to the Village Board for their review.

Mr. Kvpil reviewed a Summary of Landmark Properties Designation. Mr. Kvpil verified for Chairman Ryan that no action is required on this subject.

Mr. Kvpil stated that a question had arisen regarding demolition work occurring without first obtaining a demolition permit. He stated that Wheaton charges large fines to builders who do demolition work without getting a demolition permit, and Glen Ellyn has a fine for working without a permit that can be as high as \$1,000 by doubling the cost of the permit fee. Mr. Kvpil stated that not obtaining a demolition permit is a very rare occurrence, and he recommended keeping the status quo regarding this topic. The BBA members were in favor of Mr. Kvpil's recommendation.

Mr. Kvpil stated that the proposed amendment to Village Code Section 4-1-5(B) for Property Debts is in the general section of the Building Code and applies to all construction/building codes. Mr. Kvpil stated he has inserted language from the Wheaton Code into this section that prohibits issuing a building permit to a person who is indebted to the city or to a property that has any outstanding debts. Mr. Kvpil added that Village Attorney Diamond stated that a conservative community would not adopt

such language. Mr. Kvapil suggested breaking this item into two sections—415B and 415C. 415B states that no building permit(s) would be issued until all debts related to the Village regarding that property have been paid (if incurred by the current owner). Mr. Kvapil recommended eliminating Section 415C regarding debts of prior owners. The BBA members agreed with Mr. Kvapil's recommendations.

2009 ICC INTERNATIONAL BUILDING CODE. CONTINUED DISCUSSION, CONSIDERATION AND RECOMMENDATIONS REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL BUILDING CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Building and Zoning Official Joe Kvapil stated that the only change to the 2009 ICC International Building Code is to delete Section 415(B)4 regarding debts of prior owners. Mr. Kvapil responded to Board Member Bredfeldt that if a person owes the Village money, the Village can put a lien on the property.

Motion

Board Member McGinley moved, seconded by Board Member Bredfeldt, to approve the 2009 ICC International Building Code as amended with four (4) "yes" votes and zero (0) "no" votes as follows: Board Members McGinley, Bredfeldt, Burke Hoeh and Chairman Ryan voted yes.

2009 ICC INTERNATIONAL RESIDENTIAL CODE. CONTINUED DISCUSSION, CONSIDERATION AND RECOMMENDATIONS REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL RESIDENTIAL CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Mr. Kvapil referred to the draft Exhibit A of the 2009 ICC International Residential Code and stated that there are no changes proposed from that document that were discussed at the April 8, 2011 BBA meeting.

Board Member Burke Hoeh moved, seconded by Board Member McGinley, to approve the 2009 ICC International Residential Code as amended at the April 8, 2011 BBA meeting with four (4) "yes" votes and zero (0) "no" votes as follows: Board Members Burke Hoeh, McGinley, Bredfeldt and Chairman Ryan voted yes.

Staff Report

Mr. Kvapil distributed a draft ordinance amending Chapter 1 of Title 4 (Building Regulations) of the Village Code of the Village of Glen Ellyn, Illinois Adopting the 2009 International Energy Conservation Code with Local Amendments for discussion at a

future meeting. Due to absences by BBA members on regularly scheduled meeting dates, subsequent meetings have been scheduled for July 11, 2011 and August 8, 2011.

Mr. Kvapil stated that packets of information regarding proposed amendments to the International Building Code and International Residential Code packets will be forwarded to local builders for their review. Mr. Kvapil added that the builders will be invited to the next BBA meeting or a special meeting for the builders could be held. Mr. Kvapil responded to Chairman Ryan that input from the builders will be received before recommendations are forwarded to the Village Board.

There being no further business before the BBA, the meeting was adjourned at 8:21 p.m.

Submitted by:
Barbara Utterback
Recording Secretary

Reviewed by:
Joe Kvapil
Building and Zoning Official

BUILDING BOARD OF APPEALS
MINUTES
JULY 25, 2011

The meeting was called to order by Chairman James Ryan at 7:37 p.m. Board Members Thomas Bredfeldt, Michaelene Burke Hoeh and Mike Morange were present. Board Members Pete Campbell and James McGinley were excused. Also present were Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Board Member Bredfeldt moved, seconded by Board Member Burke Hoeh, to approve the minutes of the June 6, 2011 Building Board of Appeals meeting. The minutes were approved with four (4) yes votes and zero (0) no votes as follows: Board Members Bredfeldt, Burke Hoeh, Morange and Chairman Ryan voted yes.

2009 ICC INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE. PUBLIC DISCUSSION AND OPPORTUNITY FOR LOCAL BUILDERS AND ARCHITECTS TO QUESTION AND CLARIFY THE PROVISIONS AND AMENDMENTS TO THESE CODES THAT ARE PROPOSED FOR ADOPTION.

Chairman Ryan stated that the public has been asked to respond to the 2009 ICC International Building Code and International Residential prior to a formal recommendation being forward to the Village Board.

Ray Whalen, a local builder, was present at the meeting. Mr. Whalen requested clarification regarding the fee schedule for a house with a crawl space and each basement floor. Mr. Kvapil clarified that each basement floor should mean each lower level below the grade and that if the grade is above half, it's a basement and if it's below half, it's a first floor (the halfway point being the divider). Mr. Kvapil responded to Board Member Bredfeldt that there is no cost for a crawl space because it is not habitable. Mr. Whalen commented that the Village will lose money on permit fees because a third floor is typically 700-900 square feet on a 3,800-square foot house. In response to Mr. Whalen's claim that the total figure for a house would be the same but different per the floors, Mr. Kvapil responded that he will compare the fees from the previous chart to the new chart for a 3-story home as he thought both figures were the same. Mr. Kvapil reminded those present that the lot coverage square foot area for the first floor includes everything covered by a roof, including porches and that all of the other floors include the gross square feet of the living area. Mr. Kvapil responded to Mr. Whalen that a walkout basement is 20 cents per square foot if the basement floor is below the halfway point. Chairman Ryan commented that the intention of the fee schedule is to make the process more simple. Mr. Whalen stated that he likes the new fee process but feels it will cause a builder to save a minimal amount of money in permit fees. Mr. Kvapil responded that he will again research this process and forward a sample of the results to interested parties. Mr. Whalen stated that a demolition tax must be paid if a roof is removed from a ranch house and a second story is added. Mr. Kvapil responded that the Building and Zoning Department is currently not charging for that fee because it is his understanding that it

relates to total teardowns only, however, he read the definition of Demolition Taxes which includes partially demolished projects. Mr. Kvapil added that in the Demolition Tax section, only the reference to classes will be removed and the tax will remain applicable to partial demolition projects that qualify. Mr. Whalen commented that some will view charging a demolition tax for partial projects as perpetuating teardowns. Mr. Kvapil agreed with Mr. Whalen that construction hours could be limited or excluded on federal holidays. Chairman Ryan, however, felt it was not the purpose of government to limit work hours and because the issue is not an existing problem, stated that the BBA should not try to solve a problem that doesn't exist. Board Member Morange also stated that homeowners sometimes need to work on projects during their holidays from work. Mr. Kvapil stated that construction hours will remain as is. Mr. Kvapil stated that Section 105.2 regarding work exempt from permits assists regarding enforcement.

Please note that the BBA has previously passed motions regarding the above codes.

VILLAGE CODE SECTION 4-1-4(A)1a BASE PERMIT FEE TABLE. REVIEW AND RECOMMENDATIONS FOR CHANGES TO THIS CODE SECTION THAT WAS PREVIOUSLY APPROVED AT THE JUNE 6, 2011 BBA MEETING.

In response to Chairman Ryan, Mr. Kvapil responded that he will revise any discrepancies in the fee code.

VILLAGE CODE SECTION 2-7-4 REGARDING BBA QUORUM REQUIREMENTS. REVIEW OF AN ORDINANCE THAT REVISES THE LANGUAGE OF THESE REQUIREMENTS FOR CLARIFICATION.

Chairman Ryan stated this code section has been previously discussed.

2009 ICC INTERNATIONAL ENERGY CONSERVATION CODE. DISCUSSION, CONSIDERATION AND RECOMMENDATIONS REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL ENERGY CONSERVATION CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Mr. Kvapil referred to the index and ordinance related to adopting the 2009 ICC International Energy Conservation Code with no proposed changes. Mr. Kvapil also referred to the attached summary regarding the Energy Conservation Code from the State of Illinois that applies to commercial and residential buildings. He stated that municipalities have no latitude in making any changes and added that he found nothing in the material that would require the Village to petition the State for a change(s) or amendment(s). Mr. Kvapil recommended adopting the code as is. He added that there are significant changes from the previous code and that the Village had amendments in place regarding roof and ceiling insulation requirements. At Mr. Kvapil's request, Board Member Morange stated that R11 is current for walls and R30 is current for ceilings; Mr. Kvapil added that those figures have been changed to R21 for walls and R38 for ceilings.

Board Member Bredfeldt asked if there are requirements on the efficiency of heating equipment, and Mr. Kvapil responded that that information would be in the mechanical code.

Motion

Board Member Burke Hoeh moved, seconded by Board Member Morange to approve the adoption of the International Energy Conservation Code to be the Glen Ellyn Code. The motion carried unanimously with four (4) "yes" votes as follows: Board Members Morange, Burke Hoeh, Bredfeldt and Chairman Ryan voted yes.

Staff Report

Mr. Kvapil updated the BBA regarding the College of DuPage. After a discussion, it was decided that the next BBA meeting will be held on September 12, 2011.

Chairman's Report

Chairman Ryan asked Mr. Kvapil to provide the BBA members with letters documenting their time spent on this process.

There being no further business before the BBA, Chairman Ryan moved, seconded by Board Member Burke Hoeh, to adjourn the meeting at 8:35 p.m.

Submitted by:

Barbara Utterback

Recording Secretary

Reviewed by:

Joe Kvapil

Building and Zoning Official

MEMORANDUM

A-6G

TO: Mark Franz, Village Manager 

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

DATE: January 24, 2012

FOR: January 30, 2012 Village Board Meeting

SUBJECT: Adoption of the 2009 ICC International Building Code

On September 9, 2002, the Village Board passed Resolution 02-22 (attached), a Resolution to Establish a Building Code Adoption Policy for the Village of Glen Ellyn. The Policy requires staff to maintain current and accurate codes and make appropriate updates. Based on the Code Adoption Policy, the Building Board of Appeals conducted public meetings to review and discuss potential codes and amendments for adoption. The Building Code is one of eight new or updated codes identified for adoption including:

<u>Code</u>	<u>Status</u>
1. 2009 ICC International Property Maintenance Code (new)	adopted 8/23/10
2. 2009 NFPA 101 Life Safety Code (new)	adopted 8/23/10
3. 2009 ICC International Fire Code (update/new)	adopted 11/1/10
4. 2009 ICC International Building Code (update)	proposed
5. 2009 ICC International Residential Code (update)	pending
6. 2009 ICC International Fuel Gas Code (new)	adopted 1/9/12
7. 2009 ICC International Mechanical Code (update)	adopted 10/24/11
8. 2009 ICC International Energy Conservation Code (new)	adopted 8/22/11

2009 ICC International Building Code

The International Code Council (ICC) is the largest recognized building and fire code development agency with ICC codes adopted in all 50 states. Staff has surveyed suburban municipalities and found that the majority have adopted the International Building Code. The 2009 ICC International Building Code prescribes the requirements for the construction of new, and alteration of existing buildings and structures except one and two family dwellings and townhouses. Due to its size, we did not attach a copy of the Building Code. If Board members are interested in seeing a copy, please contact the Planning & Development Department.

History and Application

The first edition of the ICC International Building Code was published in 1996. The Village has adopted the 2003 edition of the ICC International Building Code. The 2009 ICC International Building Code has been revised by the ICC for the purpose of introducing new technology, products and materials and to address new hazards.

Objectives

The primary objective is to have the latest and best codes at our disposal to insure the health, safety and welfare of the public. The process of adopting new codes and updating existing codes also offers an opportunity to make improvements to the content and format of the Village's Building Code. The majority of the proposed local amendments to the Building Code do not represent new or additional code provisions. Most amendments are existing amendments restated and/or relocated within the code sections to be consistent with the new format. Other amendments are necessary to accomplish the following:

1. The Building Code provides for the municipality to insert its name, organization and other administrative information into the code.
2. Some sections of the 2009 Building Code must be deleted or revised to avoid duplication or conflict with similar provisions that currently exist within the Village Code.
3. Some local amendments to the 2003 Building Code are now addressed elsewhere in the Village Code and must be deleted or relocated to the appropriate section.
4. The 2003 Building Code local amendments are presently formatted into a complex project classification system that includes 12 classes of construction projects. As these amendments were incorporated into the 2009 Building Code, terminology was revised to eliminate reference to any project class while maintaining the identical code requirement. It is our intent to clarify and simplify the understanding and application of our local amendments by eliminating these 12 project classes as we continue with the adoption of all other codes.

Public Meetings: The Building Board of Appeals reviewed the 2009 Building Code at their November 1, 2010, December 6, 2010, January 3, 2011, February 7, 2011 April 4, 2011, and June 6, 2011 meetings. At these meetings, no persons spoke in favor of or in opposition to the proposed code adoptions and amendments. After review, discussion and revisions, the Building Board of Appeals voted on a motion to recommend approval of adoption of the 2009 International Building Code with local amendments at the June 6, 2011 meeting. The motion carried with four (4) "yes" votes and zero (0) "no" votes. A BBA public meeting was held on July 25, 2011 to obtain input from local architects and builders about the impact of the new code provisions and amendments. Although 94 architects and builders were notified and received a copy of the amendments, only one builder, Ray Whalen, attended and commented on the fee schedule and other code provisions that did not result in any changes.

Village Board: It is requested that the Village Board consider the recommendation offered by the Building Board of Appeals. Staff has prepared an ordinance to approve the adoption of the 2009 International Building Code with local amendments as recommended by the Building Board of Appeals.

Staff Recommendation: Staff recommends that the effective date of this Ordinance be March 1, 2012 to allow time for public notification on the Village website and newsletters, issuance of a press release, revision of our current Planning & Development Department forms and guidelines, training and education of building inspectors and the plan examiner, and the completion of construction design work under the prior code.

Attachments:

- **Building Code Adoption Policy – Resolution No. 02-22**
- **Ordinance Adopting the 2009 International Building Code with Local Amendments**
- **2009 International Building Code Amendments, Exhibit “A (with text format and comments)”**
- **2009 International Building Code Amendments Exhibit “A (clean)”**
- **Minutes of Building Board of Appeals Meeting on November 1, 2010, December 6, 2010, January 3, 2011, February 7, 2011, April 4, 2011, June 6, 2011 and July 25, 2011, group Exhibit ‘B’**

C: BBA Members

RESOLUTION NO. 02-22

RESOLUTION TO ESTABLISH A BUILDING CODE ADOPTION POLICY
FOR THE VILLAGE OF GLEN ELLYN

WHEREAS, the Village of Glen Ellyn is a growing and active community which has experienced an increase in the number of construction projects and developments; and

WHEREAS, the Village desires to establish a framework that would adequately safeguard the public health, safety and welfare of the general public and citizens of Glen Ellyn; and

WHEREAS, the Village also desires to establish a framework that would adequately protect and promote the longevity of the building stock and property in the Village; and

WHEREAS, the Village acknowledges the continued advancements in building technology, materials and methods of construction; and

WHEREAS, the existing Village building, mechanical, electrical and fire prevention codes are outdated and sometimes ambiguous and irrelevant with today's needs; and

WHEREAS, the Village recognizes that the national codes provide a consistency for property owners, design teams, builders and Village staff; and

WHEREAS, the Village recognizes the need for a modern, up-to-date comprehensive building code to establish minimum regulations for the design and installation of building systems; and

WHEREAS, the Village has created the Building Board of Appeals and the Electrical Commission to be advisory to the Village Board; and

WHEREAS, the Building Board of Appeals' and Electrical Commission's intent and purpose is to advise the Village Board on standards, specifications, rules, regulations and fees regarding building systems; and

WHEREAS, the Village Board discussed the adoption of the most up-to-date and applicable codes at the time of each new publication or code development cycle that occurs every three years;

NOW, THEREFORE, BE IT RESOLVED 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 purpose of this policy is to establish a framework in which the Village will consider the adoption of up-to-date building codes at the time of each newly published edition for, but not limited to, the following reasons:

- A. To safeguard the public health and safety of the general public and citizens of Glen Ellyn;
- B. To protect and promote the longevity of the building stock and property in Glen Ellyn;
- C. To acknowledge the advancements in technology, building materials and methods of construction;
- D. To establish minimum regulations for the design and installation of building systems; and
- E. To reduce ambiguous regulations that are common in older building code editions.

SECTION TWO: Staff shall gather pertinent information related to the most current building codes to be forwarded to the Village of Glen Ellyn Building Board of Appeals and Electrical Commission. Each appropriate Board or Commission will be requested to assemble to discuss the adoption of the most current edition of the applicable building codes of Glen Ellyn. Staff will prepare a written recommendation from each Board or Commission to the Village Board by March 1, 2003, for enactment.

SECTION THREE: Village staff shall develop and maintain current, accurate information pertaining to the updates and publications of codes and shall forward all pertinent and relevant information to each Board or Commission within three months of publication. The Village of Glen Ellyn Building Board of Appeals and Electrical Commission will be requested to have regular meetings to discuss each newly published edition of the applicable building code as they become available for adoption. Staff will prepare a written recommendation from each Board or Commission to the Village Board for enactment within six months of publication.

SECTION FOUR: The written report from the Building Board of Appeals and Electrical Commission shall include the edition, title and year of the code along with any recommended code additions, modification or deletions including all applicable insertions, if necessary.

SECTION FIVE: Village staff shall develop and maintain current, accurate information concerning the applicable building codes.

SECTION SIX: This resolution shall be in full force and effect from and after its passage and approval.

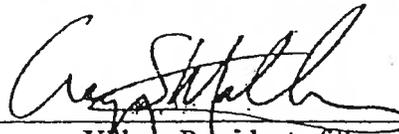
PASSED by the President and Board of Trustees of the Village of Glen Ellyn,
Illinois, this 9TH day of SEPTEMBER, 2002.

AYES: RILEY, MELROY, LOCH, MULHERIN, STRAYER

NAYS: - 0 -

ABSENT: KOTHNIKE

APPROVED by the Village President of the Village of Glen Ellyn, Illinois, this
9TH day of SEPTEMBER, 2002.



Village President of the
Village of Glen Ellyn

ATTEST:



Village Clerk of the
Village of Glen Ellyn

G:\BUILDING\BBA\ORDINANCE\CODE\ADOPTION\POLICY.doc

Village of Glen Ellyn

Ordinance No. _____ -VC

**An Ordinance Amending
Chapter 32 (Business Regulations) of Title 3 (Occupational Taxes)
Chapter 1 (Building Code) of Title 4 (Building Regulations)
Chapter 4 (Building Inspection) of Title 4 (Building Regulations)
Chapter 9 (Sewer Use Regulations) of Title 7 (Health and Sanitation)
Chapter 10 (Water System Regulations) of Title 7 (Health and Sanitation)
Chapter 1 (Streets and Sidewalks) of Title 8 (Public Ways and Properties)
of the Village Code of the Village of Glen Ellyn, Illinois to
Adopt the 2009 International Building Code with Local Amendments**

**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 Amending
Chapter 32 (Business Regulations) of Title 3 (Occupational Taxes)
Chapter 1 (Building Code) of Title 4 (Building Regulations)
Chapter 4 (Building Inspection) of Title 4 (Building Regulations)
Chapter 9 (Sewer Use Regulations) of Title 7 (Health and Sanitation)
Chapter 10 (Water System Regulations) of Title 7 (Health and Sanitation)
Chapter 1 (Streets and Sidewalks) of Title 8 (Public Ways and Properties)
of the Village Code of the Village of Glen Ellyn, Illinois to
Adopt the 2009 International Building Code with Local Amendments**

Whereas, the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, pursuant to the provisions of Division 30 of Article 11 of the Illinois Municipal Code (Chapter 65, Section 5/11-30-1 et seq. of the Illinois Compiled Statutes), have the power and authority to prescribe the strength and manner of constructing all buildings, structures, and their accessories, including life and fire safety requirements, to promote the public health and safety of building occupants and the public; and

Whereas, the President and Board of Trustees of the Village of Glen Ellyn passed Resolution No. 02-22, a Resolution to Establish a Building Code Adoption Policy for the Village of Glen Ellyn on September 9, 2002 to establish a framework in which the Village will consider the adoption of up-to-date building codes at the time of each newly published edition; and

Whereas, the 2009 International Building Code has been published by the International Code Council for the intended use by municipalities in regulating and governing the construction of new,

and alteration of existing, buildings and structures except one and two family dwellings and townhouses; and

Whereas, the 2009 International Building Code is generally regarded as the reference standard used by local building agencies to establish the minimum required construction requirements for commercial buildings and structures; and

Whereas, the provisions of the 2003 International Building Code, the current building code adopted by the Village, are outdated and applicable local amendments have been incorporated into the 2009 International Building Code or elsewhere into the Village Code; and

Whereas, the Building Board of Appeals conducted public meetings on November 11, 2010, December 6, 2010, January 3, 2011, February 7, 2011, April 4, 2011, and June 6, 2011 for the purpose of considering an amendment to Chapter 1 (Building Code) of Title 5 (Building Regulations) of the Glen Ellyn Village Code to adopt the 2009 International Building Code with local amendments which are attached hereto as Exhibit "A" (clean); and

Whereas, the Building Board of Appeals has made its recommendations as set forth in its Minutes of its public meetings conducted on November 11, 2010, December 6, 2010, January 3, 2011, February 7, 2011, April 4, 2011, and June 6, 2011 which are attached hereto as group Exhibit "B"; and

Whereas, the President and Board of Trustees of the Village of Glen Ellyn have considered the recommendations of the Building Board of Appeals as set forth in its Minutes of its public meetings conducted on November 11, 2010, December 6, 2010, January 3, 2011, February 7, 2011, April 4, 2011, and June 6, 2011 which are attached hereto as group Exhibit "B"; and

Whereas, the President and Board of Trustees deem it to be in the best interest of the

Village of Glen Ellyn to adopt the proposed amendments to Chapter 32 (Business Regulations) of Title 3 (Occupational Taxes), Chapter 1 (Building Code) of Title 4 (Building Regulations), Chapter 4 (Building Inspection) of Title 4 (Building Regulations), Chapter 9 (Sewer Use Regulations) of Title 7 (Health and Sanitation), Chapter 10 (Water System Regulations) of Title 7 (Health and Sanitation) and Chapter 1 (Streets and Sidewalks) of Title 8 (Public Ways and Properties) as recommended by the Building Board of Appeals in order to adopt the 2009 International Building Code with local amendments, which is attached hereto as Exhibit "A" (clean), as the standards and regulations governing the construction of new, and alterations to existing, buildings and structures except one and two family dwellings and townhouses within the Village of Glen Ellyn.

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: Chapter 32 (Business Regulations) of Title 3 (Occupational Taxes), Chapter 1 (Building Code) of Title 4 (Building Regulations), Chapter 4 (Building Inspection) of Title 4 (Building Regulations), Chapter 9 (Sewer Use Regulations) of Title 7 (Health and Sanitation), Chapter 10 (Water System Regulations) of Title 7 (Health and Sanitation) and Chapter 1 (Streets and Sidewalks) of Title 8 (Public Ways and Properties) of the Glen Ellyn Village Code shall be and is hereby amended as set forth in Exhibit "A" (clean) attached hereto.

Section Two: This Ordinance shall be in full force and effect from and after March 1, 2012 to allow time for notification of the public and incorporation into the Planning & Development Department, Building Division administrative process.

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____).

Exhibit A *(with text format and comments)*
The 2009 ICC International Building Code
And Related Sections of the Village Code
As Adopted and Amended by the Village of Glen Ellyn, Illinois

Text format:

Normal – change number and description or existing text in the IBC to remain

Bold – new code section, new amendment or new text inserted into an IBC section

~~Strikethrough~~ – current text in the Village Code or IBC to be removed

Italics – comments that will be removed from final ordinance document

Village Code format:

1 (title)- 2(chapter)- 3(section)

(A) subsection

1. subsection

(a) subsection

(1) subsection

Amend Village Code Section 3-32-6(A) to read as follows:

(A) Tax Imposed: In addition to any other payment required for the procurement of a permit to demolish or partially demolish any building or structure in the village **when the building or structure, or part thereof exceeds one thousand (1,000) square feet in area, or exceeds forty five (45) feet in height, or more than fifty percent (50%) of the exterior wall and roof area is structurally altered,** ~~which meets the standards for a class II alteration or greater or a class III demolition or greater as they may be defined in the village of Glen Ellyn building code,~~ any building demolition contractor shall pay a tax of five hundred fifty dollars (\$550.00), which shall be payable at the time of the issuance of a ~~demolition~~ permit, into the special programs fund. In the absence of the above referenced alteration or demolition standards, this section shall apply to any demolition or partial demolition of a structure containing more than five hundred (500) square feet of interior area where more than fifty percent (50%) of the exterior walls of a building or structure are demolished. ~~{Ord. 5154, 3-24-2003}~~

Comments: Project Class terms are eliminated and specifications are provided instead.

Amend Village Code Section 3-32-6(B) to read as follows:

(B) Definitions: A "demolition contractor" is hereby defined as a person, firm, corporation, or other entity which accepts a fee or contract sum, or provides services without charge, resulting in the partial or complete demolition of any building or structure within the village **when the building or structure, or part thereof exceeds one thousand (1,000) square feet in area, or exceeds forty five (45) feet in height, or more than fifty percent (50%) of the exterior wall and roof area is structurally altered.** ~~which meets the standards for a class II alteration or greater or a class III demolition or greater as they may be defined in the village of Glen Ellyn building code.~~ In the absence of the above referenced alteration or demolition standards, a "demolition contractor" is hereby defined as a person, firm, corporation, or other entity as described above which provides services resulting in the demolition or partial demolition of a structure containing more than five hundred (500) square feet of interior area where more than fifty percent (50%) of the exterior walls of a building or structure are demolished.

Comments: Project Class terms are eliminated and specifications are provided instead.

Amend Village Code Section 4-1-2(B) to read as follows:

(B) Adopt the provisions, as amended herein, of the **2009 ICC International Building Code, 2003**;

Comments: This reflects the proposed adopted code edition.

Amend Village Code Section 4-1-2(C) to read as follows:

(C) Adopt the provisions, as amended herein, of the **BOCA 2009 ICC International Mechanical Code, 2003**;

Comments: This reflects the current adopted code edition.

Amend Village Code Section 4-1-2(D) to read as follows:

(D) Adopt the provisions, as amended herein, of the **BOCA 2009 ICC International Residential Code, 2003**;

Comments: This reflects the proposed adopted code edition.

Delete Village Code Section 4-1-2(E) in its entirety and substitute the following:

(E) Adopt the provisions, as amended herein, of the **2009 ICC International Energy Conservation Code**;

Comments: This reflects the current adopted code edition.

Add new Village Code Section 4-1-2(F) to read as follows:

(F) Adopt the provisions, as amended herein, of the **2009 ICC International Property Maintenance Code**;

Comments: This reflects the current adopted code edition.

Add new Village Code Section 4-1-2(G) to read as follows:

(G) Adopt the provisions, as amended herein, of the **2009 ICC Fuel Gas Code**;

Comments: This reflects the current adopted code edition.

Add new Village Code Section 4-1-2(H) to read as follows:

(H) References:

- 1. Whenever the ICC international codes reference the ICC electrical code, the provisions of the currently adopted NFPA 70 national electrical code shall apply.**
- 2. Whenever the ICC international codes reference the ICC plumbing code, the provisions of the currently adopted IDPH Illinois plumbing code shall apply.**
- 3. Whenever the ICC international codes reference the ICC Existing Building Code, the provisions of the currently adopted ICC international codes and the NFPA 101 Life Safety Code shall apply.**

Comments: The provisions of the unadopted ICC Codes are adequately addressed in other adopted codes. (replaces section 4-1-2 (E))

Amend Village Code Section 4-1-3 to add the definition of Development as follows:

DEVELOPMENT: Any man-made change to improved or unimproved real estate including, but not limited to, construction of or improvements to buildings or other structures, the placement of mobile homes, mining, dredging, filling, grading, paving, excavation or drilling operations.

Comments: This term is used in the building code and this definition is identical to the definition in the zoning code.

Amend Village Code Section 4-1-3 to add the definition of Residential as follows:

RESIDENTIAL: One and two family dwellings and townhouses not more than three stories above grade with a separate means of egress and their accessory structures regulated under the International Residential Code.

Comments: No definition previously existed for this common term used in the building code amendments.

Amend Village Code Section 4-1-3 to add the definition of Commercial as follows:

COMMERCIAL: All buildings and structures, except those defined as residential, regulated under the International Building Code.

Comments: No definition previously existed for this common term used in the building code amendments and clarifies that multi-family buildings such as condos and apartments are regulated under the International Building Code.

Amend Village Code Section 4-1-3 definition of Hard Cost to read as follows:

HARD COST: The cost of all labor, materials, overhead and profit to complete the remodeling of an existing building. Remodeling work includes, but is not limited to, improvements and alterations to foundations, walls, roofs, floors, ceilings, stairs, doors and windows, and electrical, mechanical, plumbing and fire protection systems, fixtures and equipment. Remodeling work does not include demolition work or the removal and installation of interior wall, floor or ceiling finishes, decorative wall, base, door and window trim, counters, cabinets and casework, kitchen and laundry appliances, and commercial merchandise display and sales fixtures and process equipment.

Comments: The prior definition has been re-written for clarification and accuracy.

Amend Village Code Section 4-1-3 to delete the following definitions:

Addition, Class I:
Addition, Class II:
Addition, Class III:
Alteration Class I:
Alteration Class II:
Alteration Class III:
Change of use:
Change of use, Class I:
Change of use, Class II:
Demolition, Class I:
Demolition, Class II:
Demolition, Class III:
Demolition, Class IV:
Remodeling Class I:
Remodeling Class II:
Remodeling Class III:

Comments: The criteria that establish addition, alteration and remodeling classes have been included in the specific applicable sections of the code. For example, instead of referencing a building addition as a "Class II", the code sections now specifically state a building addition "that increases the floor area of an existing building by more than 75%". The criteria that establish the demolition classes have been included in the specific applicable sections of the code. For example, instead of referencing a building demolition as a "Class II", the code sections now specifically state the demolition of "a building or structure, or part thereof, greater than three hundred (300) and up to one thousand (1,000) square feet in area". The correct term is change of occupancy (not use) and is addressed in 2009 IBC code section 3408. (see comments under 4-1-10(E)).

Amend Title to Village Code Section 4-1-4: FEE SCHEDULE to read as follows:

4-1-4: FEE AND DEPOSIT SCHEDULE

Comments: This more accurately reflects the content of this code section.

Amend Village Code Section 4-1-4(A)1 as follows:

1. ~~Basic permit fee Permit Fees: building fees and plan review fees; new principal and accessory buildings, additions, and porches~~

Delete Village Code Sections 4-1-4(A)1(a) in its entirety and substitute the following:

- (a) **The permit fee table applies to all new or reconstructed buildings and structures and new additions to existing buildings and structures unless otherwise specified. The permit fee is the sum of the building fees and plan review fees calculated from the lot coverage square foot area for the first floor and the gross square foot floor area for all other floors multiplied by the square foot fees established in the following table:**

PERMIT FEE TABLE

	One and Two Family Dwellings And Townhouses		All Other Buildings and Structures	
	building fee	plan review fee	building fee	plan review fee
Each Basement Floor	0.20	0.10	0.50	0.10
First Floor	0.50	0.10	0.50	0.10
Second Floor	0.40	0.10	0.50	0.10
Third Floor	0.30	0.05	0.50	0.05
Each Additional Floor	not applicable		0.40	0.00

Comments: The fee has been clarified and the calculation simplified by using the area of each floor as opposed to the prior method that established the fee by building type with basement exceptions.

Delete Village Code Sections 4-1-4(A)1(b) in its entirety and substitute the following:

- (b) **The building fee for all remodeling and alterations of existing buildings, structures, utilities, and site improvements shall be as follows:**
 - (1) **\$75 and,**
 - (2) **\$10 for each \$1,000 of estimated hard cost over \$1,000 for all commercial roofing, siding and pavement replacement work and,**
 - (3) **\$20 for each \$1,000 of estimated hard cost over \$1,000 for all other work.**

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Delete Village Code Sections 4-1-4(A)1(c) in its entirety and substitute the following:

- (c) **The minimum building fee shall be \$50.**

Delete Village Code Sections 4-1-4(A)1(d) in its entirety.

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Delete Village Code Sections 4-1-4(A)1(e) in its entirety.

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Delete Village Code Sections 4-1-4(A)1(f) in its entirety.

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Delete Village Code Sections 4-1-4(A)1(g) in its entirety.

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Delete Village Code Sections 4-1-4(A)1(h) in its entirety.

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Delete Village Code Section 4-1-4(A)2 in its entirety and substitute the following:

2. Plan Review Fees and Deposits:

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Delete Village Code Sections 4-1-4(A)2(a) in its entirety and substitute the following:

- (a) The plan review fee for all new or reconstructed buildings and structures and new additions to existing buildings and structures shall be as specified in the permit fee table in section 4-1-4(A)1(a).**

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Delete Village Code Sections 4-1-4(A)2(b) in its entirety and substitute the following:

- (b) The plan review fee for all remodeling and alterations of existing buildings, structures, utilities, and site improvements exceeding an estimated total hard cost of \$15,000 shall be \$150.**

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Add new Section 4-1-4(A)2(c) to read as follows:

- (c) The minimum plan review fee shall be \$30.**

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Add new Section 4-1-4(A)2(d) to read as follows:

- (d) The plan review fee for each plan review completed after the second review shall be \$50.**

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Add new Section 4-1-4(A)2(e) to read as follows:

- (e) The plan review fee for a review completed by a consultant shall be 100 percent of the consultant's cost (see subsection (B) of this section).**

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Add new Section 4-1-4(A)2(f) to read as follows:

- (f) The stormwater facilities and engineering plan review fee shall be as follows:**
- (1) \$150 for any development from 300 to 1,500 square feet or any development located within the principal building side yard setbacks, excluding a driveway approach.**
 - (2) \$450 for a single family home or townhome development over 1,500 square feet.**
 - (3) \$600 for a commercial development over 1,500 square feet.**

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Add new Section 4-1-4(A)2(g) to read as follows:

- (g) The plan review deposit for new residential structures and additions shall be \$240 (see subsection (D) of this section).**

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Add new Section 4-1-4(A)2(h) to read as follows:

- (h) The plan review deposit for a commercial development completed by a consultant shall be \$2,000 (see subsection (B) of this section).**

Comments: Fees unchanged but formatted into different sections of 4-1-4(A)

Amend Village Code Section 4-1-4(A)3 to read as follows:

1. ~~Basic permit~~ **Permit fee**; miscellaneous items:
Comments: Terminology changed for clarity and consistency.

Amend Village Code Section 4-1-4(A)3(a) to read as follows:

- (a) ~~Class II demolitions~~ **Demolition of a building or structure, or part thereof, not less than 75.00 three hundred (300) and not more than one thousand (1,000) square feet in area.**

Comments: Project Class terms are eliminated and specifications are provided instead.

Amend Village Code Section 4-1-4(A)3(b) to read as follows:

- (b) ~~Class III demolitions~~ **Demolition of a building or structure, or part thereof, not less than 225.00 one thousand (1,000) and not more than four thousand (4,000) square feet in area and not exceeding (45) feet in height.**

Comments: Project Class terms are eliminated and specifications are provided instead.

Amend Village Code Section 4-1-4(A)3(c) to read as follows:

- (c) ~~Class IV demolitions~~ **Demolition of a building or structure, or part thereof, not less than 400.00 four thousand (4,000) square feet in area or exceeding forty five (45) feet in height.**

Comments: Project Class terms are eliminated and specifications are provided instead.

Amend Village Code Section 4-1-4(A)3(i) to read as follows:

- (i) **shed or other accessory structure less than 150 square feet in area** 60.00

Comments: Now applies to other similar structures.

Delete Village Code Section 4-1-4(A)3(l) in its entirety and substitute the following:

- (l) Roofing or siding over 300 square feet on residential buildings** 60.00

Comments: New appropriate fixed fee for common permit work.

Amend Village Code Section 4-1-4(A)11(d) to read as follows:

- (d) ~~Demolition site restoration (see subsection 4-1-10(A)3)~~ **4-1-5(C)2 of this chapter** 1,500.00

Comments: Same requirement referencing appropriate section.

Amend Village Code Section 4-1-4(A)11(e) to read as follows:

- (e) ~~Demolition~~ **Special conditions (see subsection 4-1-10(A)3(h) 4-1-5(C)3 of this chapter)** *Varies*

Comments: Same requirement referencing appropriate section. Special conditions expanded to apply to any project not just a demolition project.

Amend Village Code Section 4-1-4(A)11(g) to read as follows:

- (g) **Stormwater facilities/grading** *Varies based on engineer's estimate*
110% of stormwater facilities costs and 150% of erosion/sediment control costs

Comment: The fee can be better expressed by the required percentage.

Amend Village Code Section 4-1-4(A) 13 to read as follows:

- 13. Taxes; demolition** 550.00

(applies to any class II alteration or greater and any class III demolition or greater) project when over 50% of the exterior roof and wall area is structurally altered or when a building or structure, or part thereof, greater than 1,000 and up to 4,000 square feet is demolished).

Comments: Project Class terms are eliminated and specifications are provided.

Add new Section 4-1-4(A)22 to read as follows:

- 22. Permit, annual outdoor beautification display** 25.00

Amend Village Code Section 4-1-5 Enforcement to read as follows:

4-1-5 Enforcement General Requirements:

The following general requirements shall apply to all property within the Village of Glen Ellyn municipal limits in addition to the requirements in all adopted building codes and ordinances.

Comments: The contents of this section has been changed to include all general code provision applicable to all work so that these sections will not need to be duplicated in each code as it is adopted.

Delete Village Code Section 4-1-5(A) in its entirety and substitute the following:

- (A) Building Permit Required: No demolition, relocation, site improvements, construction, alteration, addition, remodeling, restoration or repair work to any building or structure or associated site grading or improvements of any kind shall be undertaken until a building permit has been issued, and no change to the permitted work may be completed until revised submittal documents are approved by the building official, unless the work is exempt from a permit as specified in this code.**

Comments: [delete similar section 4-1-10(A)1]

Delete Village Code Section 4-1-5(B) in its entirety and substitute the following:

- (B) Building Permit Conditions: No building permit shall be issued until all the following conditions are met:**
- 1. A building permit application is completed, submitted and certified by the permit applicant and the property owner with their dated signatures.**
 - 2. All required building permit submittals have been received and reviewed for code compliance by all applicable Village departments and governmental agencies with jurisdiction.**
 - 3. All contractors who are required to comply with the contractor registration requirements are listed on the permit application and registered (see Village Code section 4-1-11).**
 - 4. All applicable permit fees and taxes are paid in full and all required deposits are received.**
 - 5. All actual expenses incurred by the village for legal, engineering, plan review and inspection services required beyond the reasonable and customary permit fees, taxes and deposits assessed at the time a permit is issued are paid in full. This condition applies until such time as a certificate of occupancy has been issued for the subject property. (Ord. 4746, 8-9-1999; amd. Ord. 5214, 12-15-2003, eff. 3-1-2004)**
 - 6. All outstanding debts to the village, related to the property, incurred by the current property occupant, owner or owner's agent who are individuals, partnerships, corporations, land trusts, or other business entities, are paid in full.**
 - 7. The hard costs, as defined in this code, for all remodeling work improvements are listed on the permit application, and upon request, sworn statements listing the hard cost from all contractors and suppliers is received and approved by the building and zoning official.**

Comments: [delete similar section 4-1-10(A)2]

Delete Village Code Section 4-1-5(C) in its entirety and substitute the following:

- (C) Deposits Required: Deposits shall be required, submitted and released in accordance with the following conditions:**
- 1. Restoration Deposit. A refundable cash deposit is required for the items listed in subsection 4-1-4(A)11 of this chapter at the time a building permit is obtained for all new principal buildings, additions to existing buildings that increase the floor area over 75%, alterations to existing buildings that structurally alter over 50% of the exterior wall and roof area, demolition of any building or structure, or part thereof, with a gross floor area over 1,000 square feet or where otherwise required in the Village Code.**
 - 2. Demolition Site Restoration Deposit. The demolition site restoration deposit (4-1-4(A)11(d)) may be credited toward the stormwater facilities/grading deposit if commencement of construction of a new structure is planned to occur within ninety (90) days after completion of the demolition. (Ord. 5432, 2-13-2006)**

3. **Special Conditions Deposit.** In the event a project is determined to have a significant impact on the public health, safety and welfare of the surrounding property, the planning and development director may require an additional deposit to be posted by the applicant (4-1-4-(A)11(e)). Said deposit shall be for the purpose of completing any unfinished work or for the cost of any unforeseen expenses associated with the work which require immediate response when the applicant has not completed the work at the request of the village, or is unable to be contacted, or to return the site to a safe and clean condition.
4. **Deposit Refund to Depositor.** After all final inspections have been completed and approved, deposits shall be refunded to the depositor, less any fines or costs incurred by the Village for damages to public trees or other public property, in accordance with applicable rules, ordinances and regulations.
5. **Deposit Release to Village.** Where the permitted work has not been completed in accordance with applicable rules, ordinances and regulations and the depositor has failed to complete the work, repair damages or obtain final approved inspections after due notice has been served and reasonable opportunity has been given to the depositor and permit applicant, the deposit shall be forfeited by the depositor and released to the village. The village may use the deposit, or award all or part of the deposit to others, to complete the work or repair damages. Any remaining deposit balance shall be refunded to the depositor.
6. **Deposit Award to Owner.** The property owner or any other person or entity with a possessory interest in a property may request the village award them any released deposits for their use to complete the work, repair damages or restore the site. Such request shall include a written description of the work to be completed, a schedule and contractor proposals that include all applicable costs, submitted for review and approval by the planning and development director. Upon the owner's scheduled completion of the work, proof of payment for the work, final approved inspections, and execution of an indemnity agreement with the Village, the owner will be awarded an amount of the released deposit up to the approved cost.

Comments: [delete similar sections 4-1-10(A)3 and 4-1-10(A)4]

Delete Village code Section 4-1-5(D) in its entirety and substitute the following:

(D) Permit Suspension or Revocation:

1. A building permit shall be suspended and no work shall be performed upon receipt of an application request from the property owner or agent for a zoning variation or construction necessitated variation from the Glen Ellyn zoning code.
2. A building permit may be suspended or revoked if any one of the conditions required in section 4-1-5(B) is not in compliance.

Comments: [delete similar section 4-1-5(D)]

Delete Village code Section 4-1-5(E) in its entirety and substitute the following:

- (E) Professional Certification:** The construction documents required for a building permit shall be prepared and certified by an architect or structural engineer licensed in the State of Illinois, or prepared, reviewed and approved under his or her direction, and bear the seal and signature of the architect or engineer and a statement that the construction documents comply with all provisions of the adopted codes and ordinances of the Village of Glen Ellyn and all other applicable laws and regulations governing the design and engineering of the work. Such seal, signature and statement shall be affixed to every page or sheet of the submittal documents or affixed to a table of contents page or sheet indicating the certification applies to each document listed in the table of contents. Professional certification is required for all new buildings, structures and additions, and for all alteration and remodeling of existing buildings and

structures that includes changes to the structural, fire protection, and life safety conditions as determined by the building official.

Exception: Professional certification shall not be required for new residential accessory buildings and structures or for alteration or remodeling of existing residential buildings provided the permit documents or construction plans include a complete description of the work and adequate structural and life safety information to verify code compliance.

Comments: [delete similar section 4-1-5(E) and the \$15,000 threshold which was difficult to verify, and base the need for professional certification upon the structural and life safety risk assessment by the building official]

Delete Village code Section 4-1-5(F) in its entirety and substitute the following:

(F) Stormwater Management: All developments including the construction of new and the alteration of all existing buildings and structures and site improvements shall meet the following stormwater management requirements prior to the issue of a building permit:

1. **Special Flood Hazard Areas.** All development in, or within a designated distance from, a special flood hazard area, including flood plains, wetlands, wetland buffers, and riparian environments, shall meet all requirements specified in the Village of Glen Ellyn Zoning Code, Chapter 6, Flood Hazard and Land Use Regulation.
2. **Stormwater Permit.** All developments that disturb over 1,500 square feet of ground cover, or a drainage easement, shall require the submittal and approval of a stormwater management permit in accordance with the DuPage County Countywide Stormwater and Flood Plain Ordinance as amended and adopted by the Village of Glen Ellyn.
3. **Drainage Plan.** All developments that disturb between 300 square feet and 1,500 square feet of ground cover shall require the submittal and approval of a drainage plan indicating the direction of existing and proposed stormwater flow on the site and other information as necessary to verify compliance with the DuPage County Countywide Stormwater and Flood Plain Ordinance as amended and adopted by the Village of Glen Ellyn.

Comments: [Delete similar section 4-1-5(F)]

Delete Village code Section 4-1-5(G) in its entirety and substitute the following:

(G) Tree Preservation: All work on public and private property must comply with the tree preservation requirements in the Village Code, Title 8 Public Ways and Property, Chapter 4 Forestry Management, and Title 4 Building Regulations, Chapter 8 Tree Preservation.

Comments: This is a new provision primarily intended to make permit applicants aware of the tree preservation requirements that were never referenced in this section of the building code.

Delete Village code Section 4-1-5(H) in its entirety and substitute the following:

(H) Construction Hours: Construction, demolition, excavation, grading, deliveries, hauling, loading, staging, operating portable engines and other construction related work activities on the site may only be completed between the hours of seven o'clock (7:00) A.M. to seven o'clock (7:00) P.M. Monday through Saturday and between the hours of eight o'clock (8:00) A.M. to five o'clock (5:00) P.M. on Sundays, except in case of urgent necessity in the interest of public health and safety.

Comments: [delete same section 4-1-5(C)]

Add new Village code Section 4-1-5(I) to read as follows:

(I) Inspections: All construction being performed pursuant to a building permit under the provisions of this code may be inspected by the building official or his representative at any reasonable time and shall be subject to inspections in accordance with the adopted codes and the following requirements:

1. **Foundation Survey.** The applicant shall submit a foundation location survey prepared by a registered surveyor upon completion of the foundation for all new buildings, additions or

roofed over accessory structures that are located within two feet (2') of the minimum required zoning setback, and no further work shall be done, other than installing drain tile and waterproofing the foundation, until the location survey and a backfill inspection have been approved.

2. **Height Certification.** The applicant shall submit a ridge and eave height certification prepared by a registered surveyor upon completion of the framework for all new principal buildings or additions that are constructed within two feet (2') of the maximum permitted zoning heights, and no further work shall be done, other than rough electrical, mechanical, and plumbing work, until the ridge and eave height certification has been approved.

Comments: [delete similar section 4-1-5(B)]

Add new Village Code Section 4-1-5(J) to read as follows:

- (J) **Penalty:** Any person, firm or corporation violating any provision of this code or other provisions of the building code of the Village of Glen Ellyn shall be guilty of a business offense punishable by a fine of not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00) for each offense. Each day that a violation continues shall constitute a separate offense.

Comments: [delete same section 4-1-5(A)]

Delete Village Code Section 4-1-6(A) in its entirety and substitute the following:

- (A) **The 2009 ICC international building code is adopted by reference as the standards and regulations for governing the demolition, construction, enlargement, alteration, restoration or repair of buildings and structures and their appurtenances, as this code is intended, recommended, maintained and published by the International Code Council except such portions thereof as are deleted, modified, or amended in this chapter. At least one copy of the 2009 ICC international building code shall be maintained on file in the office of the village clerk for inspection and copying as a public record.**

Comments: This is an excerpt from the IBC preface introduction and is consistent with prior adoption ordinances language.

Amend Village Code Section 4-1-6(B) to read as follows:

- (B) The provisions of the **2009 ICC International Building Code, 2003**, are hereby deleted, modified, and amended as follows:

Delete Village Code Sections 4-1-6(B)1 through 4-1-6(B)33 in their entirety and substitute the following:

1. Amend section 101.1 to read as follows:
101.1 Title. These regulations shall be known as the Building Code of the Village of Glen Ellyn, hereinafter referred to as "this code."

Comments: Standard language to be inserted in the code by the municipality.

2. Delete section 101.4.3 in its entirety and substitute the following:
101.4.3 Plumbing. **Wherever reference to the International Plumbing Code is made, substitute the Plumbing Code, Department of Public Health, State of Illinois.**

Comments: The International Plumbing Code will not be adopted and is superseded by the Illinois Plumbing Code.

3. Delete section 105.1.1 in its entirety and substitute the following:
105.1.1 **Site development permit. The building official is authorized to issue a site development permit for site clearing, rough grading, excavation, trenching, footings, foundation walls, underground utilities and temporary power and facilities after submittal and approval of applicable construction documents, approved site inspections, and payment of all applicable fees and deposits, subject to the provisions of section 107.3.3 of this code.**

Comments: This is a phased approval permit typically issued for large commercial projects that has never before been identified in the code, however, a fee for this permit is in the fee schedule.

4. Delete section 105.1.2 in its entirety.

Comments: This provision for annual permit records is not applicable.

5. Delete section 105.2 in its entirety and substitute the following:

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

(a) Property:

- (1) Landscaping work to remove existing or plant new trees, shrubs, plants or grass provided tree removal is completed in accordance with the requirements in the Tree Preservation Ordinance and the disturbed area does not exceed 300 square feet.**
- (2) Paving work to add new, or replace existing, impervious surface materials upon the ground provided the new paved area does not exceed 100 square feet and complies with all Zoning Code regulations.**
- (3) Grade changes, excavation or fill provided the disturbed site area does not exceed 300 square feet and the natural existing stormwater runoff from the property is not altered or cause a nuisance, hazard or damage to adjacent property and complies with the requirements of the Countywide Stormwater and Flood Plain Ordinance of DuPage County, IL.**
- (4) Retaining walls that do not exceed 8 inches in height provided the natural existing stormwater runoff from the property is not altered or cause a nuisance, hazard or damage to adjacent property and complies with the requirements of the Countywide Stormwater and Flood Plain Ordinance of DuPage County, IL.**
- (5) Installation of recreational and play equipment, prefabricated swimming pools that are less than 24 inches deep, and outdoor furnishings, that are portable or removed after occasional or seasonal use provided the location and use complies with all Zoning Code regulations.**

(b) Buildings and Structures:

- (1) Installation or removal of interior wall, floor or ceiling finishes such as paint, tile, carpet, and wall coverings completed in accordance with the requirements in this code for sanitation and fire resistance and with federal and state regulations governing the removal of lead, asbestos or other hazardous materials.**
- (2) Placement of free standing partitions, fixtures, cases, racks, counters, or furnishings not to exceed 5 feet 9 inches in height.**
- (3) Minor electrical repairs including lamp, receptacle and breaker replacement or the removal of existing and installation of equivalent new electrical fixtures at existing electrical outlets.**
- (4) Electrical wiring, fixtures and equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy, except alarm systems.**
- (5) Minor mechanical repairs including the removal of existing and installation of equivalent new pumps and motors that do not alter approval of the equipment or make it unsafe.**
- (6) Installation of portable electrical or mechanical equipment with cord and plug electrical connections.**
- (7) Work to stop leaks or clear obstructions in the plumbing system or the removal of existing and installation of equivalent new plumbing fixtures, limited to toilets, sinks, tubs and showers without any alteration to existing water supply, drain, waste or vent outlets.**

(8) Replacement or repair of exterior finish materials on wall and roof surfaces up to a maximum of 300 square feet or 20% of the total roof or wall area. (Ord.5762, 5-26-2009)

Comments: This code provision was deleted from the 2003 IBC but will be included in the 2009 IBC as amended to provide more specific requirements.

6. Amend section 105.3 item 6 to read as follows:

6. Be signed by the applicant ~~or the applicant's authorized agent~~ and by the property owner(s), including the name and registered address of the owner, corporate officer, registered agent, partner, trustee or managing member, upon whom any legal notice, complaint or citation may be served.

Comments: This aids in code enforcement since a citation must be served to the specific person who committed the violation or owns the property.

7. Amend section 105.3 item 7 to read as follows:

7. Give such other data and information as required by the building official including the name(s) and address(s) of all persons with a beneficial interest in the property under a land trust and all shareholders owning in excess of 5% of the stock in a corporation.

Comments: This aids in code enforcement since a citation must be served to a specific person who committed the violation or owns the property.

8. Amend section 105.5 to read as follows:

105.5 Expiration. A permit for commercial buildings, structures, and site improvements is valid for eighteen (18) months after its issuance. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Comments: This retains the current permit period and replaces section 4-1-5(D)1.

9. Amend section 105.7 to read as follows:

105.7 Placement of permit. The building permit or copy shall be kept on the site of the work until completion of the project and shall be displayed in a prominent location visible from the public way.

Comments: This aids in code enforcement and notifies the neighbors of possible construction activity.

10. Amend section 109.4 to read as follows:

109.4 Work commencing before permit issuance. Any person who commences any work on a site, building or structure, or on any electrical, gas, mechanical, fire protection or plumbing system before obtaining the necessary permits shall be subject to an additional fee of 100% of the building permit fee. ~~a fee established by the building official that shall be in addition to the required permit fees.~~

Comments: This amendment places the required 100% fee in the proper code section and removes it from the inappropriate Village Code Section 4-4-8 Inspections.

11. Delete section 111.2 in its entirety and substitute the following:

111.2 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws, the building official shall issue a certificate of occupancy that contains the following:

- 1. The address of the structure.**
- 2. The name and address of the owner.**

3. A description of the portion of the building for which the certificate is issued.
4. The use and occupancy of the portion of the building for which the certificate is issued.
5. Any special stipulation and conditions of the building permit.
6. The name of the building official.

Comments: Our certificate of occupancy only lists critical information so some information was deleted. Replaces section 4-1-6(B)13.

12. Amend section 113.1 to read as follows:

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be a **building board of appeals. The structure, responsibilities and procedures of the building board of appeals is established in Chapter 7 Building Board of Appeals, Title 2 Boards and Commissions, in the Glen Ellyn Village Code.**

Comments: The regulations in the Village Code apply.

13. Delete section R113.3 in its entirety.

Comments: The structure, responsibilities and procedures of the building board of appeals is established in Chapter 7 Building Board of Appeals, Title 2 Boards and Commissions, in the Glen Ellyn Village Code.

14. Delete section 202 definition Historic Buildings in its entirety and substitute the following: **HISTORIC BUILDINGS: Buildings that are listed in the National Register of Historic Places, or designated as historic under appropriate state law, or buildings, structures, works of art, or other objects surveyed and identified as having historic or architectural significance by the Historic Preservation Commission in accordance with Glen Ellyn Village Code, Chapter 13.**

Comments: The definition of historic buildings was amended to reflect the role of the Historic Preservation Commission.

15. Amend section 406.1.4 item 1 to read as follows:

1. **The attached private garage that shares a common wall with a dwelling unit, or the detached private garage that is within 20 feet of a dwelling unit, shall be separated from a dwelling unit and its attic area by means of a minimum 1/2 inch gypsum board applied to ~~the garage side~~ all walls and ceilings in the garage.** Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than 5/8 inch type x gypsum board or equivalent. **All joints shall be flat taped.** Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than 1-3/8 inches thick, or doors in compliance with section 715.4.3. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Doors shall be self closing and self-latching.

Comments: This 2009 IBC amendment has been simplified and clarified and I believe meets the intent of the 2003 IBC amendment. This applies to condominiums, apartments and other multi-family buildings but not to single family homes. Garages attached to multi-family buildings must be sprinklered. Replaces section 4-1-6(B)17 and section 4-1-6(B)18.

16. Delete section 706.6 exception 4 in its entirety.

Comments: This 2003 IBC amendment is unchanged and incorporated into the 2009 IBC. Replaces section 4-1-6(B)19.

17. Delete section 902 DEFINITIONS in its entirety.

Comments: These code provisions are an identical duplicate of the provisions in the Fire Code and if not deleted would need to be amended as in the Fire Code.

18. Delete section 903 AUTOMATIC SPRINKLER SYSTEMS in its entirety.

Comments: These code provisions are an identical duplicate of the provisions in the Fire Code and if not deleted would need to be amended as in the Fire Code.

19. Delete section 904 ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS in its entirety.
Comments: These code provisions are an identical duplicate of the provisions in the Fire Code and if not deleted would need to be amended as in the Fire Code.

20. Delete section 905 STANDPIPE SYSTEMS in its entirety.
Comments: These code provisions are an identical duplicate of the provisions in the Fire Code.

21. Delete section 906 PORTABLE FIRE EXTINGUISHERS in its entirety.
Comments: These code provisions are an identical duplicate of the provisions in the Fire Code and if not deleted would need to be amended as in the Fire Code.

22. Delete section 907 FIRE ALARM AND DETECTOR SYSTEMS in its entirety.
Comments: These code provisions are an identical duplicate of the provisions in the Fire Code and if not deleted would need to be amended as in the Fire Code.

23. Delete section 908 EMERGENCY ALARM SYSTEMS in its entirety.
Comments: These code provisions are an identical duplicate of the provisions in the Fire Code and if not deleted would need to be amended as in the Fire Code.

24. Delete section 910 SMOKE AND HEAT VENTS in its entirety.
Comments: These code provisions are an identical duplicate of the provisions in the Fire Code and if not deleted would need to be amended as in the Fire Code.

25. Delete section 911 FIRE COMMAND CENTER in its entirety.
Comments: These code provisions are an identical duplicate of the provisions in the Fire Code and if not deleted would need to be amended as in the Fire Code.

26. Delete section 912 FIRE DEPARTMENT CONNECTIONS in its entirety.
Comments: These code provisions are an identical duplicate of the provisions in the Fire Code and if not deleted would need to be amended as in the Fire Code.

27. Delete section 913 FIRE PUMPS in its entirety.
Comments: These code provisions are an identical duplicate of the provisions in the Fire Code and if not deleted would need to be amended as in the Fire Code.

28. Delete section 914 EMERGENCY RESPONDER SAFETY FEATURES in its entirety.
Comments: These code provisions are an identical duplicate of the provisions in the Fire Code and if not deleted would need to be amended as in the Fire Code.

29. Delete section 915 EMERGENCY RESPONDER RADIO COVERAGE in its entirety.
Comments: These code provisions are an identical duplicate of the provisions in the Fire Code and if not deleted would need to be amended as in the Fire Code.

30. Add new section 1204.2 to read as follows:

1204.2 Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either express or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 15 to maintain a room temperature of not less than sixty five degrees Fahrenheit (65°F) (18°C), in all habitable spaces, bathrooms and toilet rooms.

Exception: When the exterior temperature falls below zero degrees Fahrenheit (0°F) (-18°C) and the heating system is operating at its full capacity, a minimum room temperature of sixty degrees Fahrenheit (60°F) (16°C) shall be maintained at all times.

Comments: These current code provisions have been edited to correspond to new code terminology and placed in the appropriate section of the building code without any reduction in the requirements.

31. Amend section 1408.4 to read as follows:

1408.4 Weather resistance. EIFS shall comply with Section 1403 and shall be designed and constructed to resist wind and rain in accordance with this section and the manufacturer's application instructions and include the installation of a drainage medium layer incorporated into the system as specified by the product manufacturer.

Comments: This extra layer provides additional protection from poor quality workmanship or material failure, both of which have been cited as the cause of past system failures.

32. Amend section 1408.5 to read as follows:

1408.5 Installation. Installation of the EIFS and EIFS with drainage shall be in accordance with the EIFS manufacturer's instructions and completed by trained and qualified installers. A copy of the installer's current certification as an EIFS Mechanic, issued by the Association of the Wall and Ceiling Industry, or other certification, must be submitted with the permit application for approval by the building official.

Comments: This certification provides additional protection that the system will be installed by appropriate personnel.

33. Amend table 1505.1 to reads as follows:

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	B	B	B	B	B	B

Comments: This 2003 IBC amendment is unchanged and incorporated into the 2009 IBC. Replaces section 4-1-6(B)26.

34. Amend section 1612.3 to read as follows:

To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as defined by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for the Village of Glen Ellyn", ~~dated~~, as amended or revised with the accompanying Floodway Map (FBFM) Flood Insurance Rate Map (FIRM) panels 502, 503, 505, 506, 508, 509 and 604 and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

Comments: Added more specific information.

35. Add new section 1808.6.5 to read as follows:

1808.6.5 Slab on grade foundation. One-story frame detached accessory structures are permitted on trench wall and slab foundations monolithically poured, consisting of a minimum 4" concrete slab with minimum 40 pounds per 100 square foot welded wire fabric reinforcing on a compacted minimum 4" gravel base with a continuous thickened perimeter edge minimum 20" wide and extending down a minimum of 10" below grade or to undisturbed subsoil.

Comments: This 2003 IBC amendment is slightly revised for clarification and incorporated into the 2009 IBC. Replaces section 4-1-6(B)29.

36. Amend section 1809.5 item 1 to read as follows:

1. Extending **three (3) feet six (6) inches** below the **adjacent finished grade** ~~the frost line of the locality;~~

Comments: This 2003 IBC amendment is unchanged and incorporated into the 2009 IBC. Replaces section 4-1-6(B)28.

37. Delete section 1809.9 in its entirety.

Comments: This 2003 IBC amendment is unchanged and incorporated into the 2009 IBC. Replaces section 4-1-6(B)27.

38. Delete section 1809.12 in its entirety.

Comments: This 2003 IBC amendment is unchanged and incorporated into the 2009 IBC. Replaces section 4-1-6(B)27.

39. Delete section 2901.1 in its entirety and substitute the following:

2901.1 Scope. The design, construction, installation, alteration, repair and maintenance of plumbing systems and their components shall comply with the standards and regulations established in the Illinois Department of Public Health Plumbing Code as currently adopted.

Comments: This 2003 IBC amendment is unchanged and incorporated into the 2009 IBC. Replaces section 4-1-6(B)30.

40. Add new section 2901.2 to read as follows:

2901.2 Structure protection. In the process of installing or repairing any part of a plumbing and drainage installation, the structural framing members shall not be cut, bored or notched beyond the limitations in this code unless restored to safe structural condition in accordance with the building requirements in this code.

Comments: This protection is added since it is not adequately addressed in the Plumbing Code.

41. Add new section 2901.3 to read as follows:

2901.3 Piping protection. In concealed locations, where piping, other than cast iron or galvanized steel, is installed through holes or notches in studs, joists, rafters or similar members less than 1 ½ inches from the nearest edge of the member, the pipe shall be protected by steel shield plates. Such shield plates shall have a thickness of not less than .0575 inch (No.16 gauge). Such plates shall cover the area of the pipe where the member is notched or bored, and shall extend a minimum of 2 inches above sole plates and below top plates.

Comments: This protection is added since it is not adequately addressed in the Plumbing Code.

42. Add new section 2901.4 to read as follows:

2901.4 Through wall protection. Any pipe that passes through a foundation wall shall pass through a pipe sleeve two pipe sizes greater than the pipe passing through. All annular spaces between sleeves and pipes shall be filled or tightly caulked in accordance with the building requirements in this code or as approved by the building official.

Comments: This protection is added since it is not adequately addressed in the Plumbing Code.

43. Delete section 2902 in its entirety.

Comments: This 2003 IBC amendment is unchanged and incorporated into the 2009 IBC. Replaces section 4-1-6(B)30.

44. Delete section 2903 in its entirety.

Comments: This 2003 IBC amendment is unchanged and incorporated into the 2009 IBC. Replaces section 4-1-6(B)30.

45. Delete section 3001.2 in its entirety and substitute the following:
3001.2 Reference standards. **The design, construction, installation, alteration, repair and maintenance of elevators and conveying systems and their components shall comply with the standards and regulations established by the Office of the Illinois State Fire Marshall.**

Comments: This reflects the State of Illinois regulations. Replaces section 4-1-6(B)33.

46. Delete Chapter 32 Encroachments into the public right-of-way in its entirety.

Comments: This 2003 IBC amendment is unchanged and incorporated into the 2009 IBC. Replaces section 4-1-6(B)32.

47. Add new section 3302.3 to read as follows:

3302.3 Safety and security fencing. The demolition or construction of a principal building or structure, or part thereof, or an excavation over 30 inches deep, shall require the installation of a safety and security fence, with a latching gate, that encloses the work area. The safety and security fencing shall be a minimum of 4 feet high and constructed of chain link fabric and steel pipe posts and rails or equivalent materials approved by the building and zoning official. The fence shall be maintained in an upright, stable and secure condition and the gate shall be latched closed at all times the demolition or construction site is unattended. A safety and security fence shall not reduce or eliminate any other safeguards required in this code.

48. Add new section 3403.5 to read as follows:

3403.5 Fire protection improvements. All exposed combustible framing members, combustible voids or similar spaces throughout an existing building or structure shall be covered with five-eighths (5/8") inch type x gypsum board, or provided with equivalent protection, when any addition to the building or structure is constructed that exceeds \$15,000 in hard cost and the building or structure is not equipped throughout with an approved fire sprinkler system.

Comments: Replaces section 4-1-10(D)1(c)(2) and Class I additions.

49. Add new section 3403.6 to read as follows:

3403.6 Building and property improvements. The following improvements within an existing building and on public or private property shall be required when a building addition increases the floor area of an existing building by more than 75%:

- 1. All improvements included in section 3403.5.**
- 2. Abandon the existing water service line between the water main and the existing building or proposed addition and install a new water service line, water meter and copper horn in accordance with current standards, codes and ordinances.**
- 3. Abandon the existing sanitary service line between the sanitary sewer main and the existing building or proposed addition and install a new sanitary service line if the structural integrity or water-tightness of the service line does not meet current standards, codes and ordinances.**
- 4. Provide an overhead sanitary service line and sewage ejector pump in accordance with current standards, codes and ordinances.**
- 5. Remove any existing gravel driveway and provide a hard surface driveway, approach and depressed curb and gutter and in accordance with current standards, codes and ordinances.**
- 6. Provide a public sidewalk across the frontage of the property if no sidewalk presently exists, or repair any existing damaged sidewalk squares, in accordance with current standards, codes and ordinances.**
- 7. Repair damaged or disturbed parkway grades and restore parkway groundcover or provide new groundcover where no groundcover exists.**

Exception: The existing water and sanitary service lines may remain, upon approval of the public works director, if existing conditions comply with, or are repaired and maintained to comply with

current standards, codes and ordinances. Existing sanitary line conditions must be verified by a video and an audio or written report in the format required by the public works department.

Comments: Replaces section 4-1-10(D)2(a) and 4-1-10(D)2(b) and Class II additions.

50. Add new section 3403.7 to read as follows:

3403.7 Building and property improvements. The following improvements within an existing building and on public or private property shall be required when a building addition increases the floor area of an existing building by more than 150%:

1. All improvements included in section 3403.6.

2. The existing building or structure on the property shall comply, or be upgraded to comply, with all provisions of the village codes, regulations and ordinances for a new building or structure.

Comments: Replaces section 4-1-10(D)3 and Class III additions.

51. Add new section 3404.7 to read as follows:

3404.7 Fire protection improvements. All exposed combustible framing members, combustible voids or similar spaces throughout an existing structure shall be covered with five-eighths (5/8") inch type x gypsum board, or provided with equivalent protection, when the existing exterior wall and roof surface area is structurally altered and the work exceeds \$15,000 in hard cost.

Comments: Replaces section 4-1-10(D)1(c)2 and Class I alterations.

52. Add new section 3404.8 to read as follows:

3404.8 Building and property improvements. The following improvements within an existing building and on public or private property shall be required when over 50% of the existing exterior wall and roof area is structurally altered or when interior remodeling work exceeds \$100,000 in hard cost:

1. All improvements included in section 3404.7.

2. Abandon the existing water service line between the water main and the existing building or proposed addition and install a new water service line, water meter and copper horn in accordance with current standards, codes and ordinances.

3. Abandon the existing sanitary service line between the sanitary sewer main and the existing building or proposed addition and install a new sanitary service line if the structural integrity or water-tightness of the service line does not meet current standards, codes and ordinances.

4. Provide an overhead sanitary service line and ejector pump in accordance with current standards, codes and ordinances.

5. Remove any existing gravel driveway and provide a hard surface driveway, approach and depressed curb and gutter and in accordance with current standards, codes and ordinances.

6. Provide a public sidewalk across the frontage of the property if no sidewalk presently exists, or repair any existing damaged sidewalk squares, in accordance with current standards, codes and ordinances.

7. Repair damaged or disturbed parkway grades and provide or restore parkway groundcover where no ground is established.

Exception: The existing water and sanitary service lines may remain, upon approval of the public works director, if existing conditions comply with, or are repaired and maintained to comply with current standards, codes and ordinances. Existing sanitary line conditions must be verified by a video and an audio or written report in the format required by the public works department.

Comments: Replaces section 4-1-10(D)2(a) and 4-1-10(D)2(b) and Class II alterations and Class II remodeling over \$100,000.

53. Add new section 3404.9 to read as follows:

3404.9 Building and property improvements. The following improvements within an existing building and on public or private property shall be required when over 75% of the existing exterior wall and roof area is structurally altered:

1. All improvements included in section 3404.8.
2. The existing building and structure on the property shall comply, or be upgraded to comply, with all provisions of the village codes, regulations and ordinances for a new building or structure.

Comments: Replaces section 4-1-10(D)3 and Class III alterations.

54. Add new section 3404.10 to read as follows:

3404.10 Building and property improvements. The following improvements within an existing building and on public or private property shall be required when the hard cost of all remodeling work exceeds \$1,000,000 or 25% of the market value of the building or structure:

1. All improvements included in section 3404.8.
2. The remodeled area shall comply, or be upgraded to comply, with all provisions of the village codes, regulations and ordinances for a new building or structure.

Comments: Replaces section 4-1-10(D) 4 and Class III remodeling.

Amend Village Code Section 4-1-10 LOCAL AMENDMENTS to read as follows:

~~4-1-10 Local Amendments Demolition Requirements: The following local amendments demolition requirements shall apply to all property within Glen Ellyn municipal limits in addition to the adopted codes and ordinances. A building permit is required prior to starting any construction, alteration, addition, removal, demolition or restoration of any building, structure or its service equipment and prior to occupying the same. A building permit is not required for ordinary repairs and maintenance work (see section 4-1-3, "Definitions", of this chapter) except if the work includes the removal and replacement of more than twenty percent (20%) of the exterior roofing or siding surface material. (Ord. 5762, 5-26-2009)~~

Comments: The current demolitions requirements specified in section 4-1-10(B) have been reformatted into this section with minor changes to simplify and clarify the intent.

Delete Village Code Sections 4-1-10(A)1 through 4-1-10(A)4 in their entirety and substitute the following:

- (A) A building permit for demolition work shall be required for the removal of any building, structure or any part thereof, except for the removal of any residential accessory building or for the removal of a principal building, or any part thereof, less than three hundred (300) square feet in area.**

Comments: The current demolitions requirements specified in section 4-1-10(B) have been reformatted to eliminate Class I designations with minor changes to simplify and clarify the intent.

Delete Village Code Section 4-1-10(B)1 through 4-1-10(B)4 in their entirety and substitute the following:

- (B) A building permit for the demolition of a building or structure, or part thereof, greater than three hundred (300) and less than one thousand (1,000) square feet in area shall require the following supporting documents:**

1. Building permit application.
2. Plat of survey (except for interior only demolitions).
3. Written statement or drawings describing the work. (Ord. 4746, 8-9-1999; amd. Ord. 5214, 12-15-2003, eff. 3-1-2004)

Comments: The current demolitions requirements specified in section 4-1-10(B) have been reformatted to eliminate Class II designations with minor changes to simplify and clarify the intent.

Delete Village Code Section 4-1-10(C) in its entirety and substitute the following:

- (C) A building permit for the demolition of a building or structure, or part thereof, greater than thousand (1,000) and less than four thousand (4,000) square feet in area, and not exceeding (45)**

feet in height, shall require the following supporting documents and is subject to the following requirements and submittals:

1. A building permit application for the demolition work.
2. A plat of survey of the property (except for interior only demolitions).
3. A building permit application for the demolition work and for a new building or structure if construction is to commence within ninety (90) days from the issuance of the building permit for the demolition work.
4. A site management plan shall be submitted for review and approval if new construction is to commence within ninety (90) days from the issuance of the building permit for the demolition work, and indicate the following items:
 - (a) The property drawn to a scale of not less than one inch equals twenty (20) feet.
 - (b) Existing buildings and structures to be removed or retained.
 - (c) All easements, existing utility lines, well and septic systems on the subject property and all adjacent parkways and property within twenty feet (20).
 - (d) Trees on the subject property, adjacent parkway and within fifteen (15) feet on adjacent properties in accordance with the tree preservation ordinance.
 - (e) Silt fencing, protective tree fencing, and perimeter safety fencing in required locations.
 - (f) Means of primary ingress/egress from the public ways to the site and points for emergency access, traffic control devices and measures, and onsite and offsite parking areas.
 - (g) Temporary areas for the storage or staging of debris, soil, construction materials and construction equipment.
 - (h) Portable toilets, dumpsters and refuse container locations.
5. A site restoration plan shall be submitted for review and approval if new construction will not commence within ninety (90) days from the issuance of the building permit for the demolition work, and indicate the following items:
 - (a) The property drawn to a scale of not less than one inch equals twenty (20) feet.
 - (b) Measures to restore the site in accordance with the DuPage County countywide storm water and floodplain ordinance to the natural grade, establish soil stabilization or groundcover, and an itemized cost estimate to complete the work.
 - (c) Any existing underground structures or utilities to remain or be abandoned including any foundation walls that are required to be removed to a level not less than four feet (4') below the restored grade.
 - (d) A statement indicating that the site restoration work will be completed within a required ninety (90) day period after substantial completion of the demolition work. An extension of time may be granted by the director of planning and development or the building official if unforeseen circumstances are determined to impede the completion of the restoration.
6. A certificate of insurance acceptable to the village attorney. Said certificate shall establish that the applicant or property owner has insurance coverage in a minimum amount of five hundred thousand dollars (\$500,000.00) per occurrence for damages to adjacent private and public property resulting from the work by the applicant, contractor, or subcontractor, owner, or other agent of the applicant or owner.
7. A photograph of the front of the structure and a second photograph of the rear of the structure or part thereof that is to be demolished.
8. The name, address, and cell phone numbers of the primary contact for the developer and for the demolition contractor who will be working on the site and controlling or managing the demolition work.
9. A copy of applications and permits from all applicable agencies including, but not limited to, the federal emergency management agency, Illinois environmental protection agency, state fire marshal, and DuPage County in the event the demolition work involves lead,

asbestos or other hazardous materials, underground fuel tanks, well and septic systems, special flood hazard areas, historic structures or other work under the jurisdiction of other authorities.

10. A written description of how the utility lines will be removed or abandoned, wells sealed and capped, and septic systems abandoned in accordance with all applicable codes, ordinances and regulations of the village and the DuPage County health department.
11. Public notices and a waiting period shall be provided as follows:
 - (a) The village shall provide written notification within fifteen (15) days of receipt of the demolition application to all property owners within two hundred fifty feet (250') of the subject property.
 - (b) The contractor shall provide written notification to the village and surrounding property owners by mail no more than ten (10) days or less than seven (7) days prior to the scheduled demolition. The notice shall state a window of three (3) possible days for the demolition. The first date will be the anticipated date of demolition and the second and third dates are reserved for delays. The notice shall follow the format provided by the village and shall include the developer's contact information. The village will provide the contractor with the sample notice, the map of addresses, and mailing labels. The contractor shall mail the notices to the properties listed and a signed certification statement shall be delivered to the village confirming that the notices were mailed. If the demolition does not occur within the specified window of three (3) possible days, the contractor shall provide another notice of the rescheduled dates as required above.
 - (c) Upon receipt of a complete application and supporting documents, a minimum waiting period of thirty (30) calendar days shall be established prior to issue of a building permit for demolition work to ensure all surrounding property owners have been notified and all departments of the village and fire company have completed a review of the application and plans.
12. Demolition preparation work shall be completed prior to the issuance of the building permit for demolition work as follows:
 - (a) The applicant contacts the public works department to request installation of a hydrant meter in accordance with village code section 7-10-9(B). A minimum prior notice of forty eight (48) hours is required and the applicant schedules and coordinates the work directly with the public works department.
 - (b) The applicant installs tree protection fencing, silt fencing and security fencing as indicated on the site management plan, restoration plan or tree preservation plan and contacts the public works department to request an inspection of the fencing. A minimum prior notice of forty eight (48) hours is required and the applicant schedules and coordinates the inspection directly with the public works department.
 - (c) The applicant completes a water and sewer disconnect to the property and contacts the public works department to request an inspection of the work. A minimum prior notice of twenty four (24) hours is required and the applicant schedules and coordinates the inspection directly with the public works department. No water or sewer disconnection work may be completed in the right of way until a work in the parkway application has been approved by the public works director or designee and the building permit for demolition has been issued.

Comments: The current demolitions requirements specified in section 4-1-10(B) have been reformatted to eliminate Class III designations with minor changes to simplify and clarify the intent.

Delete Village Code Sections 4-1-10(D)1 through 4-1-10(D)5 in their entirety and substitute the following:

- (D) A building permit for the demolition of a building or structure, or part thereof, greater than four thousand (4,000) square feet in area or exceeding forty five (45) feet in height shall require the following supporting documents and is subject to the following requirements:

1. All requirements and submittals identified in code section 4-1-10 (C) shall apply except the minimum insurance amount shall be increased to one million dollars (\$1,000,000).
2. The applicant, contractor and all subcontractors shall conduct a pre-demolition meeting with the appropriate village representatives a minimum of seven (7) days prior to commencement of demolition. (Ord. 5432, 2-13-2006)

Comments: The current demolitions requirements specified in section 4-1-10(B) have been reformatted to eliminate Class IV designations with minor changes to simplify and clarify the intent.

Delete Village Code Section 4-1-10(E) in its entirety and substitute the following:

(E) All demolition work shall be completed as follows:

1. All demolition work shall be performed in compliance with the applicable provisions of the 2009 International Building Code including Chapter 33, Safeguards During Construction.
2. The use of a village water hydrant shall be required per subsection 7-10-9(D) of the village code for the purpose of controlling dust and other airborne particles during the demolition, cleaning vehicles prior to leaving the site, and maintaining the public ways free and clear of debris and accumulation of dirt at all times. The public works department shall install the hydrant meter. The contractor shall provide the watering hose. Watering shall be dispensed throughout the demolition process, during the collection and disbursement of debris and during the loading of any hauling vehicle. The use of a watering truck is permissible, but it shall not eliminate the requirement for a hydrant meter, which will provide a backup source of water for use during demolition or for refilling the watering truck, cleaning vehicles prior to leaving the site and maintaining the public ways free and clear of debris and the accumulation of dirt or erosion at all times. When the outdoor temperature is thirty two degrees (32°) or less, a hydrant meter shall not be required for demolition unless authorized by the public works director, and in lieu thereof a watering truck must be provided as a source of water to control dust and airborne particles during the demolition process.
3. Public streets and sidewalks shall be maintained open and free and clear for passage of vehicles and pedestrians at all times unless written approval is granted by the public works director a minimum of forty eight (48) hours in advance of any anticipated closing.
4. The contractor shall perform the demolition work as indicated on the approved site management plan or the site restoration plan in accordance with all directions from the public works director or designee and in compliance with all applicable requirements of this code. The building official, or his duly authorized representative, shall make periodic inspections of the demolition work and in the event the contractor fails to comply with the requirements in this code, a stop work order may be issued, a citation may be served to the developer, contractor or property owner, or the building permit may be suspended or revoked.

Comments: The current demolitions requirements specified in section 4-1-10(B) have been reformatted into this section with minor changes to simplify and clarify the intent. The deleted Hazardous Index Table attempts to identify when the amendments to provide building and site upgrades apply to an existing building undergoing a change of use and occupancy. The table requirements conflict with the code provisions and are addressed more simply and directly in the 2009 IBC section 3408.1. This section requires that an existing building be made to comply with the current code requirements within the new use and occupancy area. Then based upon the magnitude and cost of the alteration and remodeling work desired or necessary to meet section 3408.1, the required building and site upgrades are determined in the 2009 IBC amendment sections 3404.7, 3404.8, 3404.9, and 3404.10.

Delete Village Code Section 4-4-8 in its entirety.

Comments: This requirement has been included in village code section 4-1-6(B)10.

Amend Village Code Section 7-9-64 to read as follows:

7-9-64: APPLICABILITY TO NEW CONSTRUCTION PROJECTS:

Property owners ~~constructing a new building or a class III addition, alteration, remodeling or change of use as defined in subsection 4-1-10(D), "Building Requirements", of this code are not eligible to participate in the sanitary sewer service line repair cost sharing program. Property owners constructing a class II addition, alteration, remodeling or change of use as defined in subsection 4-1-10(D) of this code may participate in the sanitary sewer service line repair cost sharing program if the work is part of a project to replace the entire private sanitary service line from the building to the village sanitary sewer main (Ord. 5318, 12-20-2004) and meets any one of the following requirements:~~

- 1. The existing building floor area is increased by not less than 75% or more than 150%.**
- 2. The existing building exterior roof and wall area is structurally altered by not less than 50% or more than 75%.**
- 3. The existing building is remodeled with a hard cost not less than \$15,000 and not more than \$200,000.**

Comments: Project Class terms are eliminated and specifications are provided. When a significant change of use occurs (Class II) it may require extensive alterations and remodeling to comply with the code requirements for the new use. A change of use is then subject to requirements 2 and 3 above.

Amend Village Code Section 7-10-9(D)3 to read as follows:

~~3. The fee for water usage, hydrant meter installation and removal in the amount of two hundred fifty dollars (\$250.00) for the first day and an additional fee in the amount of seventy five dollars (\$75.00) for each additional day shall be required for all class III demolitions the demolition of a building or structure, or part thereof, greater than 1,000 and up to 4,000 square feet and not exceeding 45 feet in height.~~

Comments: Project Class terms are eliminated and specifications are provided instead.

Amend Village Code Section 7-10-9(D)4 to read as follows:

~~4. The fee for water usage, hydrant meter installation and removal in the amount of four hundred dollars (\$400.00) for the first day and an additional fee in the amount of one hundred dollars (\$100.00) for each additional day shall be required for all class IV demolitions the demolition of a building or structure, or part thereof, greater than 4,000 square feet or exceeding 45 feet in height.~~

Comments: Project Class terms are eliminated and specifications are provided instead.

Amend Village Code Section 7-10-20(C) to read as follows:

(C) Water service lines which are abandoned or taken out of service for more than six (6) months shall be disconnected from the water main at the corporation cock by the owner or applicant. All costs incurred for this work, including excavation and restoration, shall be the responsibility of the owner or applicant. Service lines that are deficient in size (less than 1 inch in diameter) or material (such as type "M" copper) shall be replaced from the public main to the structure by the owner of the premises served whenever any one of the following improvements are made to an existing building: ~~a major alteration to the structure or a major addition to the structure takes place. "Alteration" and "addition" shall be as defined in the zoning ordinance⁴ of the village. The entire service line from the public main to the structure shall be replaced.~~

- 1. The existing building floor area is increased by more than 75%.**
- 2. The existing building exterior roof and wall area is structurally altered by more than 50%.**
- 3. The existing building is remodeled with a hard cost of more than \$100,000.**

Comments: These requirements were vague and they have been clarified to be consistent with current code amendment 4-1-10(D)2(a) that requires a new water line for Class II addition and alteration projects and remodeling projects over \$100,000.

Amend Village Code Section 8-1-20(A) to read as follows:

- (A) ~~Before a building permit is issued for a class II or class III addition or alteration or for a new structure, as defined in subsection 4-1-10(D) of this code, on~~ On a lot or tract having no abutting sidewalks, the owner of such lot or tract shall ~~agree to~~ install sidewalks on the sides of all streets abutting such lot or tract, including, for corner lots, sidewalk extensions up to the curb line at the nearest street intersection (Ord. 5320, 12-20-2004) **when any one of the following improvements are made on a lot:**
- 1. A new principal building or structure is constructed.**
 - 2. An existing building floor area is increased by more than 75%.**
 - 3. An existing building exterior roof and wall structure area is altered by more than 50%.**

Comments: Project Class terms are eliminated and specifications are provided.

X:\Plandev\BUILDING\BBA\ORDINANCE\2009 IBC A&A 020612.doc

Exhibit A (clean)
The 2009 ICC International Building Code
And Related Sections of the Village Code
As Adopted and Amended by the Village of Glen Ellyn, Illinois

Amend Village Code Section 3-32-6(A) to read as follows:

- (A) Tax Imposed: In addition to any other payment required for the procurement of a permit to demolish or partially demolish any building or structure in the village when the building or structure, or part thereof exceeds one thousand (1,000) square feet in area, or exceeds forty five (45) feet in height, or more than fifty percent (50%) of the exterior wall and roof area is structurally altered, any building demolition contractor shall pay a tax of five hundred fifty dollars (\$550.00), which shall be payable at the time of the issuance of a permit, into the special programs fund. In the absence of the above referenced alteration or demolition standards, this section shall apply to any demolition or partial demolition of a structure containing more than five hundred (500) square feet of interior area where more than fifty percent (50%) of the exterior walls of a building or structure are demolished.

Amend Village Code Section 3-32-6(B) to read as follows:

- (B) Definitions: A "demolition contractor" is hereby defined as a person, firm, corporation, or other entity which accepts a fee or contract sum, or provides services without charge, resulting in the partial or complete demolition of any building or structure within the village when the building or structure, or part thereof exceeds one thousand (1,000) square feet in area, or exceeds forty five (45) feet in height, or more than fifty percent (50%) of the exterior wall and roof area is structurally altered. In the absence of the above referenced alteration or demolition standards, a "demolition contractor" is hereby defined as a person, firm, corporation, or other entity as described above which provides services resulting in the demolition or partial demolition of a structure containing more than five hundred (500) square feet of interior area where more than fifty percent (50%) of the exterior walls of a building or structure are demolished.

Amend Village Code Section 4-1-2(B) to read as follows:

- (B) Adopt the provisions, as amended herein, of the 2009 ICC International Building Code;

Amend Village Code Section 4-1-2(C) to read as follows:

- (C) Adopt the provisions, as amended herein, of the 2009 ICC International Mechanical Code;

Amend Village Code Section 4-1-2(D) to read as follows:

- (D) Adopt the provisions, as amended herein, of the 2009 ICC International Residential Code;

Delete Village Code Section 4-1-2(E) in its entirety and substitute the following:

- (E) Adopt the provisions, as amended herein, of the 2009 ICC International Energy Conservation Code;

Add new Village Code Section 4-1-2(F) to read as follows:

- (F) Adopt the provisions, as amended herein, of the 2009 ICC International Property Maintenance Code;

Add new Village Code Section 4-1-2(G) to read as follows:

- (G) Adopt the provisions, as amended herein, of the 2009 ICC Fuel Gas Code;

Add new Village Code Section 4-1-2(H) to read as follows:

(H) References:

1. Whenever the ICC international codes reference the ICC electrical code, the provisions of the currently adopted NFPA 70 national electrical code shall apply.
2. Whenever the ICC international codes reference the ICC plumbing code, the provisions of the currently adopted IDPH Illinois plumbing code shall apply.
3. Whenever the ICC international codes reference the ICC Existing Building Code, the provisions of the currently adopted ICC international codes and the NFPA 101 Life Safety Code shall apply.

Amend Village Code Section 4-1-3 to add the definition of Development as follows:

DEVELOPMENT: Any man-made change to improved or unimproved real estate including, but not limited to, construction of or improvements to buildings or other structures, the placement of mobile homes, mining, dredging, filling, grading, paving, excavation or drilling operations.

Amend Village Code Section 4-1-3 to add the definition of Residential as follows:

RESIDENTIAL: One and two family dwellings and townhouses not more than three stories above grade with a separate means of egress and their accessory structures regulated under the International Residential Code.

Amend Village Code Section 4-1-3 to add the definition of Commercial as follows:

COMMERCIAL: All buildings and structures, except those defined as residential, regulated under the International Building Code.

Amend Village Code Section 4-1-3 definition of Hard Cost to read as follows:

HARD COST: The cost of all labor, materials, overhead and profit to complete remodeling of an existing building. Remodeling work includes, but is not limited to, improvements and alterations to foundations, walls, roofs, floors, ceilings, stairs, doors and windows, and electrical, mechanical, plumbing and fire protection systems, fixtures and equipment. Remodeling work does not include demolition work or the removal and installation of interior wall, floor or ceiling finishes, decorative wall, base, door and window trim, counters, cabinets and casework, kitchen and laundry appliances, and commercial merchandise display and sales fixtures and process equipment.

Amend Village Code Section 4-1-3 to delete the following definitions:

Addition, Class I:
Addition, Class II:
Addition, Class III:
Alteration Class I:
Alteration Class II:
Alteration Class III:
Change of use:
Change of use, Class I:
Change of use, Class II:
Demolition, Class I:
Demolition, Class II:
Demolition, Class III:
Demolition, Class IV:
Remodeling Class I:
Remodeling Class II:
Remodeling Class III:

Amend Title to Village Code Section 4-1-4: FEE SCHEDULE to read as follows:

4-1-4: FEE AND DEPOSIT SCHEDULE

Amend Village Code Section 4-1-4(A)1 as follows:

1. Permit Fees:

Delete Village Code Sections 4-1-4(A)1(a) in its entirety and substitute the following:

- (a) The permit fee table applies to all new or reconstructed buildings and structures and new additions to existing buildings and structures unless otherwise specified. The permit fee is the sum of the building fees and plan review fees calculated from the lot coverage square foot area for the first floor and the gross square foot floor area for all other floors multiplied by the square foot fees established in the following table:

PERMIT FEE TABLE

	One and Two Family Dwellings And Townhouses		All Other Buildings and Structures	
	building fee	plan review fee	building fee	plan review fee
Each Basement Floor	0.20	0.10	0.50	0.10
First Floor	0.50	0.10	0.50	0.10
Second Floor	0.40	0.10	0.50	0.10
Third Floor	0.30	0.05	0.50	0.05
Each Additional Floor	not applicable		0.40	0.00

Delete Village Code Sections 4-1-4(A)1(b) in its entirety and substitute the following:

- (b) The building fee for all remodeling and alterations of existing buildings, structures, utilities, and site improvements shall be as follows:
- (1) \$75 and,
 - (2) \$10 for each \$1,000 of estimated hard cost over \$1,000 for all commercial roofing, siding and pavement replacement work and,
 - (3) \$20 for each \$1,000 of estimated hard cost over \$1,000 for all other work.

Delete Village Code Sections 4-1-4(A)1(c) in its entirety and substitute the following:

- (c) The minimum building fee shall be \$50.

Delete Village Code Sections 4-1-4(A)1(d) in its entirety.

Delete Village Code Sections 4-1-4(A)1(e) in its entirety.

Delete Village Code Sections 4-1-4(A)1(f) in its entirety.

Delete Village Code Sections 4-1-4(A)1(g) in its entirety.

Delete Village Code Sections 4-1-4(A)1(h) in its entirety.

Delete Village Code Section 4-1-4(A)2 in its entirety and substitute the following:

2. Plan Review Fees and Deposits:

Delete Village Code Sections 4-1-4(A)2(a) in its entirety and substitute the following:

- (a) The plan review fee for all new or reconstructed buildings and structures and new additions to existing buildings and structures shall be as specified in the permit fee table in section 4-1-4(A)1(a).

Delete Village Code Sections 4-1-4(A)2(b) in its entirety and substitute the following:

- (b) The plan review fee for all remodeling and alterations of existing buildings, structures, utilities, and site improvements exceeding an estimated total hard cost of \$15,000 shall be \$150.

Add new Section 4-1-4(A)2(c) to read as follows:

- (c) The minimum plan review fee shall be \$30.

Add new Section 4-1-4(A)2(d) to read as follows:

- (d) The plan review fee for each plan review completed after the second review shall be \$50.

Add new Section 4-1-4(A)2(e) to read as follows:

- (e) The plan review fee for a review completed by a consultant shall be 100 percent of the consultant's cost (see subsection (B) of this section).

Add new Section 4-1-4(A)2(f) to read as follows:

- (f) The stormwater facilities and engineering plan review fee shall be as follows:
 - (1) \$150 for any development from 300 to 1,500 square feet or any development located within the principal building side yard setbacks, excluding a driveway approach.
 - (2) \$450 for a single family home or townhome development over 1,500 square feet.
 - (3) \$600 for a commercial development over 1,500 square feet.

Add new Section 4-1-4(A)2(g) to read as follows:

- (g) The plan review deposit for new residential structures and additions shall be \$240 (see subsection (D) of this section).

Add new Section 4-1-4(A)2(h) to read as follows:

- (h) The plan review deposit for a commercial development completed by a consultant shall be \$2,000 (see subsection (B) of this section).

Amend Village Code Section 4-1-4(A)3 to read as follows:

1. Permit fee; miscellaneous items:

Amend Village Code Section 4-1-4(A)3(a) to read as follows:

- (a) Demolition of a building or structure, or part thereof, not less than 75.00 three hundred (300) and not more than one thousand (1,000) square feet in area.

Amend Village Code Section 4-1-4(A)3(b) to read as follows:

- (b) Demolition of a building or structure, or part thereof, not less than 225.00 one thousand (1,000) and not more than four thousand (4,000) square feet in area and not exceeding (45) feet in height.

Amend Village Code Section 4-1-4(A)3(c) to read as follows:

- (c) Demolition of a building or structure, or part thereof, not less than 400.00 four thousand (4,000) square feet in area or exceeding forty five (45) feet in height.

Amend Village Code Section 4-1-4(A)3(i) to read as follows:

- (i) shed or other accessory structure less than 150 square feet in area 60.00

Delete Village Code Section 4-1-4(A)3(l) in its entirety and substitute the following:

(l) Roofing or siding over 300 square feet on residential buildings	60.00
Amend Village Code Section 4-1-4(A)11(d) to read as follows:	
(d) Demolition site restoration (see subsection 4-1-5(C)2 of this chapter)	1,500.00
Amend Village Code Section 4-1-4(A)11(e) to read as follows:	
(e) Special conditions (see subsection 4-1-5(C)3 of this chapter)	Varies
Amend Village Code Section 4-1-4(A)11(g) to read as follows:	
(g) Stormwater facilities/grading	110% of stormwater facilities costs and 150% of erosion/sediment control costs
Amend Village Code Section 4-1-4(A) 13 to read as follows:	
13. Taxes; demolition	550.00
(applies to any project when over 50% of the exterior roof and wall area is structurally altered or when a building or structure, or part thereof, greater than 1,000 and up to 4,000 square feet is demolished).	
Add new Section 4-1-4(A)22 to read as follows:	
22. Permit, annual outdoor beautification display	25.00
Amend Village Code Section 4-1-5 Enforcement to read as follows:	
4-1-5 General Requirements:	
The following general requirements shall apply to all property within the Village of Glen Ellyn municipal limits in addition to the requirements in all adopted building codes and ordinances.	
Delete Village Code Section 4-1-5(A) in its entirety and substitute the following:	
(A) Building Permit Required: No demolition, relocation, site improvements, construction, alteration, addition, remodeling, restoration or repair work to any building or structure or associated site grading or improvements of any kind shall be undertaken until a building permit has been issued, and no change to the permitted work may be completed until revised submittal documents are approved by the building official, unless the work is exempt from a permit as specified in this code.	
Delete Village Code Section 4-1-5(B) in its entirety and substitute the following:	
(B) Building Permit Conditions: No building permit shall be issued until all the following conditions are met:	
1. A building permit application is completed, submitted and certified by the permit applicant and the property owner with their dated signatures.	
2. All required building permit submittals have been received and reviewed for code compliance by all applicable Village departments and governmental agencies with jurisdiction.	
3. All contractors who are required to comply with the contractor registration requirements are listed on the permit application and registered (see Village Code section 4-1-11).	
4. All applicable permit fees and taxes are paid in full and all required deposits are received.	
5. All actual expenses incurred by the village for legal, engineering, plan review and inspection services required beyond the reasonable and customary permit fees, taxes and deposits assessed at the time a permit is issued are paid in full. This condition applies until such time as a certificate of occupancy has been issued for the subject property. (Ord. 4746, 8-9-1999; amd. Ord. 5214, 12-15-2003, eff. 3-1-2004)	
6. All outstanding debts to the village, related to the property, incurred by the current property occupant, owner or owner's agent who are individuals, partnerships, corporations, land trusts, or other business entities, are paid in full.	

7. The hard costs, as defined in this code, for all remodeling work improvements are listed on the permit application, and upon request, sworn statements listing the hard cost from all contractors and suppliers is received and approved by the building and zoning official.

Delete Village Code Section 4-1-5(C) in its entirety and substitute the following:

(C) Deposits Required: Deposits shall be required, submitted and released in accordance with the following conditions:

1. Restoration Deposit. A refundable cash deposit is required for the items listed in subsection 4-1-4(A)11 of this chapter at the time a building permit is obtained for all new principal buildings, additions to existing buildings that increase the floor area over 75%, alterations to existing buildings that structurally alter over 50% of the exterior wall and roof area, demolition of any building or structure, or part thereof, with a gross floor area over 1,000 square feet or where otherwise required in the Village Code.
2. Demolition Site Restoration Deposit. The demolition site restoration deposit (4-1-4(A)11(d)) may be credited toward the stormwater facilities/grading deposit if commencement of construction of a new structure is planned to occur within ninety (90) days after completion of the demolition. (Ord. 5432, 2-13-2006)
3. Special Conditions Deposit. In the event a project is determined to have a significant impact on the public health, safety and welfare of the surrounding property, the planning and development director may require an additional deposit to be posted by the applicant (4-1-4(A)11(e)). Said deposit shall be for the purpose of completing any unfinished work or for the cost of any unforeseen expenses associated with the work which require immediate response when the applicant has not completed the work at the request of the village, or is unable to be contacted, or to return the site to a safe and clean condition.
4. Deposit Refund to Depositor. After all final inspections have been completed and approved, deposits shall be refunded to the depositor, less any fines or costs incurred by the Village for damages to public trees or other public property, in accordance with applicable rules, ordinances and regulations.
5. Deposit Release to Village. Where the permitted work has not been completed in accordance with applicable rules, ordinances and regulations and the depositor has failed to complete the work, repair damages or obtain final approved inspections after due notice has been served and reasonable opportunity has been given to the depositor and permit applicant, the deposit shall be forfeited by the depositor and released to the village. The village may use the deposit, or award all or part of the deposit to others, to complete the work or repair damages. Any remaining deposit balance shall be refunded to the depositor.
6. Deposit Award to Owner. The property owner or any other person or entity with a possessory interest in a property may request the village award them any released deposits for their use to complete the work, repair damages or restore the site. Such request shall include a written description of the work to be completed, a schedule and contractor proposals that include all applicable costs, submitted for review and approval by the planning and development director. Upon the owner's scheduled completion of the work, proof of payment for the work, final approved inspections, and execution of an indemnity agreement with the Village, the owner will be awarded an amount of the released deposit up to the approved cost.

Delete Village code Section 4-1-5(D) in its entirety and substitute the following:

(D) Permit Suspension or Revocation:

1. A building permit shall be suspended and no work shall be performed upon receipt of an application request from the property owner or agent for a zoning variation or construction necessitated variation from the Glen Ellyn zoning code.

2. A building permit may be suspended or revoked if any one of the conditions required in section 4-1-5(B) is not in compliance.

Delete Village code Section 4-1-5(E) in its entirety and substitute the following:

- (E) Professional Certification: The construction documents required for a building permit shall be prepared and certified by an architect or structural engineer licensed in the State of Illinois, or prepared, reviewed and approved under his or her direction, and bear the seal and signature of the architect or engineer and a statement that the construction documents comply with all provisions of the adopted codes and ordinances of the Village of Glen Ellyn and all other applicable laws and regulations governing the design and engineering of the work. Such seal, signature and statement shall be affixed to every page or sheet of the submittal documents or affixed to a table of contents page or sheet indicating the certification applies to each document listed in the table of contents. Professional certification is required for all new buildings, structures and additions, and for all alteration and remodeling of existing buildings and structures that includes changes to the structural, fire protection, and life safety conditions as determined by the building official. Exception: Professional certification shall not be required for new residential accessory buildings and structures or for alteration or remodeling of existing residential buildings provided the permit documents or construction plans include a complete description of the work and adequate structural and life safety information to verify code compliance.

Delete Village code Section 4-1-5(F) in its entirety and substitute the following:

- (F) Stormwater Management: All developments including the construction of new and the alteration of all existing buildings and structures and site improvements shall meet the following stormwater management requirements prior to the issue of a building permit:
1. Special Flood Hazard Areas. All development in, or within a designated distance from, a special flood hazard area, including flood plains, wetlands, wetland buffers, and riparian environments, shall meet all requirements specified in the Village of Glen Ellyn Zoning Code, Chapter 6, Flood Hazard and Land Use Regulation.
 2. Stormwater Permit. All developments that disturb over 1,500 square feet of ground cover, or a drainage easement, shall require the submittal and approval of a stormwater management permit in accordance with the DuPage County Countywide Stormwater and Flood Plain Ordinance as amended and adopted by the Village of Glen Ellyn.
 3. Drainage Plan. All developments that disturb between 300 square feet and 1,500 square feet of ground cover shall require the submittal and approval of a drainage plan indicating the direction of existing and proposed stormwater flow on the site and other information as necessary to verify compliance with the DuPage County Countywide Stormwater and Flood Plain Ordinance as amended and adopted by the Village of Glen Ellyn.

Delete Village code Section 4-1-5(G) in its entirety and substitute the following:

- (G) Tree Preservation: All work on public and private property must comply with the tree preservation requirements in the Village Code, Title 8 Public Ways and Property, Chapter 4 Forestry Management, and Title 4 Building Regulations, Chapter 8 Tree Preservation.

Delete Village code Section 4-1-5(H) in its entirety and substitute the following:

- (H) Construction Hours: Construction, demolition, excavation, grading, deliveries, hauling, loading, staging, operating portable engines and other construction related work activities on the site may only be completed between the hours of seven o'clock (7:00) A.M. to seven o'clock (7:00) P.M. Monday through Saturday and between the hours of eight o'clock (8:00) A.M. to five o'clock (5:00) P.M. on Sundays, except in case of urgent necessity in the interest of public health and safety.

Add new Village code Section 4-1-5(I) to read as follows:

- (I) Inspections: All construction being performed pursuant to a building permit under the provisions of this code may be inspected by the building official or his representative at any reasonable time and

shall be subject to inspections in accordance with the adopted codes and the following requirements:

1. **Foundation Survey.** The applicant shall submit a foundation location survey prepared by a registered surveyor upon completion of the foundation for all new buildings, additions or roofed over accessory structures that are located within two feet (2') of the minimum required zoning setback, and no further work shall be done, other than installing drain tile and waterproofing the foundation, until the location survey and a backfill inspection have been approved.
2. **Height Certification.** The applicant shall submit a ridge and eave height certification prepared by a registered surveyor upon completion of the framework for all new principal buildings or additions that are constructed within two feet (2') of the maximum permitted zoning heights, and no further work shall be done, other than rough electrical, mechanical, and plumbing work, until the ridge and eave height certification has been approved.

Add new Village Code Section 4-1-5(J) to read as follows:

- (J) **Penalty:** Any person, firm or corporation violating any provision of this code or other provisions of the building code of the Village of Glen Ellyn shall be guilty of a business offense punishable by a fine of not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00) for each offense. Each day that a violation continues shall constitute a separate offense.

Delete Village Code Section 4-1-6(A) in its entirety and substitute the following:

- (A) The 2009 ICC international building code is adopted by reference as the standards and regulations for governing the demolition, construction, enlargement, alteration, restoration or repair of buildings and structures and their appurtenances, as this code is intended, recommended, maintained and published by the International Code Council except such portions thereof as are deleted, modified, or amended in this chapter. At least one copy of the 2009 ICC international building code shall be maintained on file in the office of the village clerk for inspection and copying as a public record.

Amend Village Code Section 4-1-6(B) to read as follows:

- (B) The provisions of the 2009 ICC International Building Code, are hereby deleted, modified, and amended as follows:

Delete Village Code Sections 4-1-6(B)1 through 4-1-6(B)33 in their entirety and substitute the following:

1. Amend section 101.1 to read as follows:
101.1 Title. These regulations shall be known as the Building Code of the Village of Glen Ellyn, hereinafter referred to as "this code."
2. Delete section 101.4.3 in its entirety and substitute the following:
101.4.3 Plumbing. Wherever reference to the International Plumbing Code is made, substitute the Plumbing Code, Department of Public Health, State of Illinois.
3. Delete section 105.1.1 in its entirety and substitute the following:
105.1.1 Site development permit. The building official is authorized to issue a site development permit for site clearing, rough grading, excavation, trenching, footings, foundation walls, underground utilities and temporary power and facilities after submittal and approval of applicable construction documents, approved site inspections, and payment of all applicable fees and deposits, subject to the provisions of section 107.3.3 of this code.
4. Delete section 105.1.2 in its entirety.

5. Delete section 105.2 in its entirety and substitute the following:

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

(a) Property:

- (1) Landscaping work to remove existing or plant new trees, shrubs, plants or grass provided tree removal is completed in accordance with the requirements in the Tree Preservation Ordinance and the disturbed area does not exceed 300 square feet.
- (2) Paving work to add new, or replace existing, impervious surface materials upon the ground provided the new paved area does not exceed 100 square feet and complies with all Zoning Code regulations.
- (3) Grade changes, excavation or fill provided the disturbed site area does not exceed 300 square feet and the natural existing stormwater runoff from the property is not altered or cause a nuisance, hazard or damage to adjacent property and complies with the requirements of the Countywide Stormwater and Flood Plain Ordinance of DuPage County, IL.
- (4) Retaining walls that do not exceed 8 inches in height provided the natural existing stormwater runoff from the property is not altered or cause a nuisance, hazard or damage to adjacent property and complies with the requirements of the Countywide Stormwater and Flood Plain Ordinance of DuPage County, IL.
- (5) Installation of recreational and play equipment, prefabricated swimming pools that are less than 24 inches deep, and outdoor furnishings, that are portable or removed after occasional or seasonal use provided the location and use complies with all Zoning Code regulations.

(b) Buildings and Structures:

- (1) Installation or removal of interior wall, floor or ceiling finishes such as paint, tile, carpet, and wall coverings completed in accordance with the requirements in this code for sanitation and fire resistance and with federal and state regulations governing the removal of lead, asbestos or other hazardous materials.
- (2) Placement of free standing partitions, fixtures, cases, racks, counters, or furnishings not to exceed 5 feet 9 inches in height.
- (3) Minor electrical repairs including lamp, receptacle and breaker replacement or the removal of existing and installation of equivalent new electrical fixtures at existing electrical outlets.
- (4) Electrical wiring, fixtures and equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy, except alarm systems.
- (5) Minor mechanical repairs including the removal of existing and installation of equivalent new pumps and motors that do not alter approval of the equipment or make it unsafe.
- (6) Installation of portable electrical or mechanical equipment with cord and plug electrical connections.
- (7) Work to stop leaks or clear obstructions in the plumbing system or the removal of existing and installation of equivalent new plumbing fixtures, limited to toilets, sinks, tubs and showers without any alteration to existing water supply, drain, waste or vent outlets.
- (8) Replacement or repair of exterior finish materials on wall and roof surfaces up to a maximum of 300 square feet or 20% of the total roof or wall area. (Ord.5762, 5-26-2009)

6. Amend section 105.3 item 6 to read as follows:

6. Be signed by the applicant and by the property owner(s), including the name and registered address of the owner, corporate officer, registered agent, partner, trustee or managing member, upon whom any legal notice, complaint or citation may be served.

7. Amend section 105.3 item 7 to read as follows:

7. Give such other data and information as required by the building official including the name(s) and address(s) of all persons with a beneficial interest in the property under a land trust and all shareholders owning in excess of 5% of the stock in a corporation.

8. Amend section 105.5 to read as follows:

105.5 Expiration. A permit for commercial buildings, structures, and site improvements is valid for eighteen (18) months after its issuance. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

9. Amend section 105.7 to reads as follows:

105.7 Placement of permit. The building permit or copy shall be kept on the site of the work until completion of the project and shall be displayed in a prominent location visible from the public way.

10. Amend section 109.4 to read as follows:

109.4 Work commencing before permit issuance. Any person who commences any work on a site, building or structure, or on any electrical, gas, mechanical, fire protection or plumbing system before obtaining the necessary permits shall be subject to an additional fee of 100% of the building permit fee.

11. Delete section 111.2 in its entirety and substitute the following:

111.2 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws, the building official shall issue a certificate of occupancy that contains the following:

1. The address of the structure.
2. The name and address of the owner.
3. A description of the portion of the building for which the certificate is issued.
4. The use and occupancy of the portion of the building for which the certificate is issued.
5. Any special stipulation and conditions of the building permit.
6. The name of the building official.

12. Amend section 113.1 to read as follows:

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be a building board of appeals. The structure, responsibilities and procedures of the building board of appeals is established in Chapter 7 Building Board of Appeals, Title 2 Boards and Commissions, in the Glen Ellyn Village Code.

13. Delete section R113.3 in its entirety.

14. Delete section 202 definition Historic Buildings in its entirety and substitute the following: HISTORIC BUILDINGS: Buildings that are listed in the National Register of Historic Places, or designated as historic under appropriate state law, or buildings, structures, works of art, or other objects surveyed and identified as having historic or architectural significance by the Historic Preservation Commission in accordance with Glen Ellyn Village Code, Chapter 13.

15. Amend section 406.1.4 item 1 to read as follows:

1. The attached private garage that shares a common wall with a dwelling unit, or the detached private garage that is within 20 feet of a dwelling unit, shall be separated from a dwelling unit and its attic area by means of a minimum 1/2 inch gypsum board applied to all walls and ceilings in the garage. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than 5/8 inch type x gypsum board or equivalent. All joints shall be flat taped. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than 1-3/8 inches thick, or doors in compliance with section 715.4.3. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Doors shall be self closing and self-latching.

16. Delete section 706.6 exception 4 in its entirety.

17. Delete section 902 DEFINITIONS in its entirety.

18. Delete section 903 AUTOMATIC SPRINKLER SYSTEMS in its entirety.

19. Delete section 904 ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS in its entirety.

20. Delete section 905 STANDPIPE SYSTEMS in its entirety.

21. Delete section 906 PORTABLE FIRE EXTINGUISHERS in its entirety.

22. Delete section 907 FIRE ALARM AND DETECTOR SYSTEMS in its entirety.

23. Delete section 908 EMERGENCY ALARM SYSTEMS in its entirety.

24. Delete section 910 SMOKE AND HEAT VENTS in its entirety.

25. Delete section 911 FIRE COMMAND CENTER in its entirety.

26. Delete section 912 FIRE DEPARTMENT CONNECTIONS in its entirety.

27. Delete section 913 FIRE PUMPS in its entirety.

28. Delete section 914 EMERGENCY RESPONDER SAFETY FEATURES in its entirety.

29. Delete section 915 EMERGENCY RESPONDER RADIO COVERAGE in its entirety.

30. Add new section 1204.2 to read as follows:

1204.2 Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either express or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 15 to maintain a room temperature of not less than sixty five degrees Fahrenheit (65°F) (18°C), in all habitable spaces, bathrooms and toilet rooms.

Exception: When the exterior temperature falls below zero degrees Fahrenheit (0°F) (-18°C) and the heating system is operating at its full capacity, a minimum room temperature of sixty degrees Fahrenheit (60°F) (16°C) shall be maintained at all times.

31. Amend section 1408.4 to read as follows:

1408.4 Weather resistance. EIFS shall comply with Section 1403 and shall be designed and constructed to resist wind and rain in accordance with this section and the manufacturer's application instructions and include the installation of a drainage medium layer incorporated into the system as specified by the product manufacturer.

32. Amend section 1408.5 to read as follows:

1408.5 Installation. Installation of EIFS with drainage shall be in accordance with the EIFS manufacturer's instructions and completed by trained and qualified installers. A copy of the installer's current certification as an EIFS Mechanic, issued by the Association of the Wall and Ceiling Industry, or other certification, must be submitted with the permit application for approval by the building official.

33. Amend table 1505.1 to reads as follows:

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	B	B	B	B	B	B

34. Amend section 1612.3 to read as follows:

To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as defined by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for the Village of Glen Ellyn", as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) panels 502, 503, 505, 506, 508, 509 and 604 and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

35. Add new section 1808.6.5 to read as follows:

1808.6.5 Slab on grade foundation. One-story frame detached accessory structures are permitted on trench wall and slab foundations monolithically poured, consisting of a minimum 4" concrete slab with minimum 40 pounds per 100 square foot welded wire fabric reinforcing on a compacted minimum 4" gravel base with a continuous thickened perimeter edge minimum 20" wide and extending down a minimum of 10" below grade or to undisturbed subsoil.

36. Amend section 1809.5 item 1 to read as follows:

1. Extending three (3) feet six (6) inches below the adjacent finished grade;

37. Delete section 1809.9 in its entirety.

38. Delete section 1809.12 in its entirety.

39. Delete section 2901.1 in its entirety and substitute the following:

2901.1 Scope. The design, construction, installation, alteration, repair and maintenance of plumbing systems and their components shall comply with the standards and regulations established in the Illinois Department of Public Health Plumbing Code as currently adopted.

40. Add new section 2901.2 to read as follows:

2901.2 Structure protection. In the process of installing or repairing any part of a plumbing and drainage installation, the structural framing members shall not be cut, bored or notched beyond the limitations in this code unless restored to safe structural condition in accordance with the building requirements in this code.

41. Add new section 2901.3 to read as follows:

2901.3 Piping protection. In concealed locations, where piping, other than cast iron or galvanized steel, is installed through holes or notches in studs, joists, rafters or similar members less than 1 ½ inches from the nearest edge of the member, the pipe shall be protected by steel shield plates. Such shield plates shall have a thickness of not less than .0575 inch (No.16 gauge). Such plates shall cover the area of the pipe where the member is notched or bored, and shall extend a minimum of 2 inches above sole plates and below top plates.

42. Add new section 2901.4 to read as follows:

2901.4 Through wall protection. Any pipe that passes through a foundation wall shall pass through a pipe sleeve two pipe sizes greater than the pipe passing through. All annular spaces between sleeves and pipes shall be filled or tightly caulked in accordance with the building requirements in this code or as approved by the building official.

43. Delete section 2902 in its entirety.

44. Delete section 2903 in its entirety.

45. Delete section 3001.2 in its entirety and substitute the following:

3001.2 Reference standards. The design, construction, installation, alteration, repair and maintenance of elevators and conveying systems and their components shall comply with the standards and regulations established by the Office of the Illinois State Fire Marshall.

46. Delete Chapter 32 Encroachments into the public right-of-way in its entirety.

47. Add new section 3302.3 to read as follows:

3302.3 Safety and security fencing. The demolition or construction of a principal building or structure, or part thereof, or an excavation over 30 inches deep, shall require the installation of a safety and security fence, with a latching gate, that encloses the work area. The safety and security fencing shall be a minimum of 4 feet high and constructed of chain link fabric and steel pipe posts and rails or equivalent materials approved by the building and zoning official. The fence shall be maintained in an upright, stable and secure condition and the gate shall be latched closed at all times the demolition or construction site is unattended. A safety and security fence shall not reduce or eliminate any other safeguards required in this code.

48. Add new section 3403.5 to read as follows:

3403.5 Fire protection improvements. All exposed combustible framing members, combustible voids or similar spaces throughout an existing building or structure shall be covered with five-eighths (5/8") inch type x gypsum board, or provided with equivalent protection, when any addition to the building or structure is constructed that exceeds \$15,000 in hard cost and the building or structure is not equipped throughout with an approved fire sprinkler system.

49. Add new section 3403.6 to read as follows:

3403.6 Building and property improvements. The following improvements within an existing building and on public or private property shall be required when a building addition increases the floor area of an existing building by more than 75%:

1. All improvements included in section 3403.5.
2. Abandon the existing water service line between the water main and the existing building or proposed addition and install a new water service line, water meter and copper horn in accordance with current standards, codes and ordinances.
3. Abandon the existing sanitary service line between the sanitary sewer main and the existing building or proposed addition and install a new sanitary service line if the structural integrity or water-tightness of the service line does not meet current standards, codes and ordinances.
4. Provide an overhead sanitary service line and sewage ejector pump in accordance with current standards, codes and ordinances.
5. Remove any existing gravel driveway and provide a hard surface driveway, approach and depressed curb and gutter and in accordance with current standards, codes and ordinances.
6. Provide a public sidewalk across the frontage of the property if no sidewalk presently exists, or repair any existing damaged sidewalk squares, in accordance with current standards, codes and ordinances.
7. Repair damaged or disturbed parkway grades and restore parkway groundcover or provide new groundcover where no groundcover exists.

Exception: The existing water and sanitary service lines may remain, upon approval of the public works director, if existing conditions comply with, or are repaired and maintained to comply with current standards, codes and ordinances. Existing sanitary line conditions must be verified by a video and an audio or written report in the format required by the public works department.

50. Add new section 3403.7 to read as follows:

3403.7 Building and property improvements. The following improvements within an existing building and on public or private property shall be required when a building addition increases the floor area of an existing building by more than 150%:

1. All improvements included in section 3403.6.
2. The existing building or structure on the property shall comply, or be upgraded to comply, with all provisions of the village codes, regulations and ordinances for a new building or structure.

51. Add new section 3404.7 to read as follows:

3404.7 Fire protection improvements. All exposed combustible framing members, combustible voids or similar spaces throughout an existing structure shall be covered with five-eighths (5/8") inch type x gypsum board, or provided with equivalent protection, when the existing exterior wall and roof surface area is structurally altered and the work exceeds \$15,000 in hard cost.

52. Add new section 3404.8 to read as follows:

3404.8 Building and property improvements. The following improvements within an existing building and on public or private property shall be required when over 50% of the existing exterior wall and roof area is structurally altered or when interior remodeling work exceeds \$100,000 in hard cost:

1. All improvements included in section 3404.7.
2. Abandon the existing water service line between the water main and the existing building or proposed addition and install a new water service line, water meter and copper horn in accordance with current standards, codes and ordinances.
3. Abandon the existing sanitary service line between the sanitary sewer main and the existing building or proposed addition and install a new sanitary service line if the structural integrity or water-tightness of the service line does not meet current standards, codes and ordinances.
4. Provide an overhead sanitary service line and ejector pump in accordance with current standards, codes and ordinances.
5. Remove any existing gravel driveway and provide a hard surface driveway, approach and depressed curb and gutter and in accordance with current standards, codes and ordinances.

6. Provide a public sidewalk across the frontage of the property if no sidewalk presently exists, or repair any existing damaged sidewalk squares, in accordance with current standards, codes and ordinances.

7. Repair damaged or disturbed parkway grades and provide or restore parkway groundcover where no ground is established.

Exception: The existing water and sanitary service lines may remain, upon approval of the public works director, if existing conditions comply with, or are repaired and maintained to comply with current standards, codes and ordinances. Existing sanitary line conditions must be verified by a video and an audio or written report in the format required by the public works department.

53. Add new section 3404.9 to read as follows:

3404.9 Building and property improvements. The following improvements within an existing building and on public or private property shall be required when over 75% of the existing exterior wall and roof area is structurally altered:

1. All improvements included in section 3404.8.
2. The existing building and structure on the property shall comply, or be upgraded to comply, with all provisions of the village codes, regulations and ordinances for a new building or structure.

54. Add new section 3404.10 to read as follows:

3404.10 Building and property improvements. The following improvements within an existing building and on public or private property shall be required when the hard cost of all remodeling work exceeds \$1,000,000 or 25% of the market value of the building or structure:

1. All improvements included in section 3404.8.
2. The remodeled area shall comply, or be upgraded to comply, with all provisions of the village codes, regulations and ordinances for a new building or structure.

Amend Village Code Section 4-1-10 LOCAL AMENDMENTS to read as follows:

4-1-10 Demolition Requirements: The following demolition requirements shall apply to all property within Glen Ellyn municipal limits.

Delete Village Code Sections 4-1-10(A)1 through 4-1-10(A)4 in their entirety and substitute the following:

- (A) A building permit for demolition work shall be required for the removal of any building, structure or any part thereof, except for the removal of any residential accessory building or for the removal of a principal building, or any part thereof, less than three hundred (300) square feet in area.

Delete Village Code Section 4-1-10(B)1 through 4-1-10(B)4 in their entirety and substitute the following:

- (B) A building permit for the demolition of a building or structure, or part thereof, greater than three hundred (300) and less than one thousand (1,000) square feet in area shall require the following supporting documents:

1. Building permit application.
2. Plat of survey (except for interior only demolitions).
3. Written statement or drawings describing the work. (Ord. 4746, 8-9-1999; amd. Ord. 5214, 12-15-2003, eff. 3-1-2004)

Delete Village Code Section 4-1-10(C) in its entirety and substitute the following:

- (C) A building permit for the demolition of a building or structure, or part thereof, greater than thousand (1,000) and less than four thousand (4,000) square feet in area, and not exceeding (45) feet in height, shall require the following supporting documents and is subject to the following requirements and submittals:

1. A building permit application for the demolition work.
2. A plat of survey of the property (except for interior only demolitions).

3. A building permit application for the demolition work and for a new building or structure if construction is to commence within ninety (90) days from the issuance of the building permit for the demolition work.
4. A site management plan shall be submitted for review and approval if new construction is to commence within ninety (90) days from the issuance of the building permit for the demolition work, and indicate the following items:
 - (a) The property drawn to a scale of not less than one inch equals twenty (20) feet.
 - (b) Existing buildings and structures to be removed or retained.
 - (c) All easements, existing utility lines, well and septic systems on the subject property and all adjacent parkways and property within twenty feet (20).
 - (d) Trees on the subject property, adjacent parkway and within fifteen (15) feet on adjacent properties in accordance with the tree preservation ordinance.
 - (e) Silt fencing, protective tree fencing, and perimeter safety fencing in required locations.
 - (f) Means of primary ingress/egress from the public ways to the site and points for emergency access, traffic control devices and measures, and onsite and offsite parking areas.
 - (g) Temporary areas for the storage or staging of debris, soil, construction materials and construction equipment.
 - (h) Portable toilets, dumpsters and refuse container locations.
5. A site restoration plan shall be submitted for review and approval if new construction will not commence within ninety (90) days from the issuance of the building permit for the demolition work, and indicate the following items:
 - (a) The property drawn to a scale of not less than one inch equals twenty (20) feet.
 - (b) Measures to restore the site in accordance with the DuPage County countywide storm water and floodplain ordinance to the natural grade, establish soil stabilization or groundcover, and an itemized cost estimate to complete the work.
 - (c) Any existing underground structures or utilities to remain or be abandoned including any foundation walls that are required to be removed to a level not less than four feet (4') below the restored grade.
 - (d) A statement indicating that the site restoration work will be completed within a required ninety (90) day period after substantial completion of the demolition work. An extension of time may be granted by the director of planning and development or the building official if unforeseen circumstances are determined to impede the completion of the restoration.
6. A certificate of insurance acceptable to the village attorney. Said certificate shall establish that the applicant or property owner has insurance coverage in a minimum amount of five hundred thousand dollars (\$500,000.00) per occurrence for damages to adjacent private and public property resulting from the work by the applicant, contractor, or subcontractor, owner, or other agent of the applicant or owner.
7. A photograph of the front of the structure and a second photograph of the rear of the structure or part thereof that is to be demolished.
8. The name, address, and cell phone numbers of the primary contact for the developer and for the demolition contractor who will be working on the site and controlling or managing the demolition work.
9. A copy of applications and permits from all applicable agencies including, but not limited to, the federal emergency management agency, Illinois environmental protection agency, state fire marshal, and DuPage County in the event the demolition work involves lead, asbestos or other hazardous materials, underground fuel tanks, well and septic systems, special flood hazard areas, historic structures or other work under the jurisdiction of other authorities.

10. A written description of how the utility lines will be removed or abandoned, wells sealed and capped, and septic systems abandoned in accordance with all applicable codes, ordinances and regulations of the village and the DuPage County health department.
11. Public notices and a waiting period shall be provided as follows:
 - (a) The village shall provide written notification within fifteen (15) days of receipt of the demolition application to all property owners within two hundred fifty feet (250') of the subject property.
 - (b) The contractor shall provide written notification to the village and surrounding property owners by mail no more than ten (10) days or less than seven (7) days prior to the scheduled demolition. The notice shall state a window of three (3) possible days for the demolition. The first date will be the anticipated date of demolition and the second and third dates are reserved for delays. The notice shall follow the format provided by the village and shall include the developer's contact information. The village will provide the contractor with the sample notice, the map of addresses, and mailing labels. The contractor shall mail the notices to the properties listed and a signed certification statement shall be delivered to the village confirming that the notices were mailed. If the demolition does not occur within the specified window of three (3) possible days, the contractor shall provide another notice of the rescheduled dates as required above.
 - (c) Upon receipt of a complete application and supporting documents, a minimum waiting period of thirty (30) calendar days shall be established prior to issue of a building permit for demolition work to ensure all surrounding property owners have been notified and all departments of the village and fire company have completed a review of the application and plans.
12. Demolition preparation work shall be completed prior to the issuance of the building permit for demolition work as follows:
 - (a) The applicant contacts the public works department to request installation of a hydrant meter in accordance with village code section 7-10-9(B). A minimum prior notice of forty eight (48) hours is required and the applicant schedules and coordinates the work directly with the public works department.
 - (b) The applicant installs tree protection fencing, silt fencing and security fencing as indicated on the site management plan, restoration plan or tree preservation plan and contacts the public works department to request an inspection of the fencing. A minimum prior notice of forty eight (48) hours is required and the applicant schedules and coordinates the inspection directly with the public works department.
 - (c) The applicant completes a water and sewer disconnect to the property and contacts the public works department to request an inspection of the work. A minimum prior notice of twenty four (24) hours is required and the applicant schedules and coordinates the inspection directly with the public works department. No water or sewer disconnection work may be completed in the right of way until a work in the parkway application has been approved by the public works director or designee and the building permit for demolition has been issued.

Delete Village Code Sections 4-1-10(D)1 through 4-1-10(D)5 in their entirety and substitute the following:

(D) A building permit for the demolition of a building or structure, or part thereof, greater than four thousand (4,000) square feet in area or exceeding forty five (45) feet in height shall require the following supporting documents and is subject to the following requirements:

1. All requirements and submittals identified in code section 4-1-10 (C) shall apply except the minimum insurance amount shall be increased to one million dollars (\$1,000,000).
2. The applicant, contractor and all subcontractors shall conduct a pre-demolition meeting with the appropriate village representatives a minimum of seven (7) days prior to commencement of demolition. (Ord. 5432, 2-13-2006)

Delete Village Code Section 4-1-10(E) in its entirety and substitute the following:

(E) All demolition work shall be completed as follows:

1. All demolition work shall be performed in compliance with the applicable provisions of the 2009 International Building Code including Chapter 33, Safeguards During Construction.
2. The use of a village water hydrant shall be required per subsection 7-10-9(D) of the village code for the purpose of controlling dust and other airborne particles during the demolition, cleaning vehicles prior to leaving the site, and maintaining the public ways free and clear of debris and accumulation of dirt at all times. The public works department shall install the hydrant meter. The contractor shall provide the watering hose. Watering shall be dispensed throughout the demolition process, during the collection and disbursement of debris and during the loading of any hauling vehicle. The use of a watering truck is permissible, but it shall not eliminate the requirement for a hydrant meter, which will provide a backup source of water for use during demolition or for refilling the watering truck, cleaning vehicles prior to leaving the site and maintaining the public ways free and clear of debris and the accumulation of dirt or erosion at all times. When the outdoor temperature is thirty two degrees (32°) or less, a hydrant meter shall not be required for demolition unless authorized by the public works director, and in lieu thereof a watering truck must be provided as a source of water to control dust and airborne particles during the demolition process.
3. Public streets and sidewalks shall be maintained open and free and clear for passage of vehicles and pedestrians at all times unless written approval is granted by the public works director a minimum of forty eight (48) hours in advance of any anticipated closing.
4. The contractor shall perform the demolition work as indicated on the approved site management plan or the site restoration plan in accordance with all directions from the public works director or designee and in compliance with all applicable requirements of this code. The building official, or his duly authorized representative, shall make periodic inspections of the demolition work and in the event the contractor fails to comply with the requirements in this code, a stop work order may be issued, a citation may be served to the developer, contractor or property owner, or the building permit may be suspended or revoked.

Delete Village Code Section 4-4-8 in its entirety.

Amend Village Code Section 7-9-64 to read as follows:

7-9-64: APPLICABILITY TO NEW CONSTRUCTION PROJECTS:

Property owners may participate in the sanitary sewer service line repair cost sharing program if the work is part of a project to replace the entire private sanitary service line from the building to the village sanitary sewer main (Ord. 5318, 12-20-2004) and meets any one of the following requirements:

1. The existing building floor area is increased by not less than 75% or more than 150%.
2. The existing building exterior roof and wall area is structurally altered by not less than 50% or more than 75%.
3. The existing building is remodeled with a hard cost not less than \$15,000 and not more than \$200,000.

Amend Village Code Section 7-10-9(D)3 to read as follows:

3. The fee for water usage, hydrant meter installation and removal in the amount of two hundred fifty dollars (\$250.00) for the first day and an additional fee in the amount of seventy five dollars (\$75.00) for each additional day shall be required for the demolition of a building or structure, or part thereof, greater than 1,000 and up to 4,000 square feet and not exceeding 45 feet in height.

Amend Village Code Section 7-10-9(D)4 to read as follows:

4. The fee for water usage, hydrant meter installation and removal in the amount of four hundred dollars (\$400.00) for the first day and an additional fee in the amount of one hundred dollars (\$100.00) for each additional day shall be required for the demolition of a building or structure, or part thereof, greater than 4,000 square feet or exceeding 45 feet in height.

Amend Village Code Section 7-10-20(C) to read as follows:

(C) Water service lines which are abandoned or taken out of service for more than six (6) months shall be disconnected from the water main at the corporation cock by the owner or applicant. All costs incurred for this work, including excavation and restoration, shall be the responsibility of the owner or applicant. Service lines that are deficient in size (less than 1 inch in diameter) or material (such as type "M" copper) shall be replaced from the public main to the structure by the owner of the premises served whenever any one of the following improvements are made to an existing building:

1. The existing building floor area is increased by more than 75%.
2. The existing building exterior roof and wall area is structurally altered by more than 50%.
3. The existing building is remodeled with a hard cost of more than \$100,000.

Amend Village Code Section 8-1-20(A) to read as follows:

(A) On a lot or tract having no abutting sidewalks, the owner of such lot or tract shall install sidewalks on the sides of all streets abutting such lot or tract, including, for corner lots, sidewalk extensions up to the curb line at the nearest street intersection (Ord. 5320, 12-20-2004) when any one of the following improvements are made on a lot:

1. A new principal building or structure is constructed.
2. An existing building floor area is increased by more than 75%.
3. An existing building exterior roof and wall structure area is altered by more than 50%.

X:\Plandev\BUILDING\BBA\ORDINANCE\2009 IBC A&A 020612 clean.doc

BUILDING BOARD OF APPEALS
MINUTES
NOVEMBER 1, 2010

The meeting was called to order by Chairman James Ryan at 7:34 p.m. Board members Thomas Bredfeldt, Michaelene Burke Hoeh, John Lustrup and Scott Raffensparger were present. Board member James McGinley was excused. Also present were Trustee Liaison Carl Henninger, Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Board Member Raffensparger moved, seconded by Board Member Bredfeldt, to approve the minutes of the October 4, 2010 Building Board of Appeals meeting with one typographical error. The motion carried unanimously with five (5) "yes" votes as follows: Board Members Raffensparger, Bredfeldt, Burke Hoeh, Lustrup and Chairman Ryan voted yes.

2009 ICC INTERNATIONAL BUILDING CODE. DISCUSSION, CONSIDERATION AND RECOMMENDATIONS REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 INTERNATIONAL BUILDING CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Building and Zoning Official Joe Kvapil reviewed proposed amendments to the 2009 ICC International Building Code.

Amendments were proposed to Village Code (VC) Section 4-1-2(B) to adopt the provisions of the 2009 ICC International Building Code and to change the year 2003 wherever it currently exists in the code to 2009 to reflect the update. The BBA agreed with this recommendation. Amendments were proposed to VC Section 4-1-2(E)1 to include the year 2009 wherever the ICC International Code references the ICC Electrical Code to reflect the current and proposed adopted code editions, to insert the National Electric Code (NEC) wherever the ICC Electrical code is referenced, and to remove the currently adopted year with regard to the NEC so that the year does not have to be edited each time the NEC is updated. The BBA agreed with these recommendations. Amendments were proposed to VC Section 4-1-2(E)1 to include the year 2009 wherever the ICC International Code references the ICC Plumbing Code to reflect the current and proposed adopted code editions, to insert the Illinois Plumbing Code wherever the ICC Plumbing Code is referenced, and to remove the currently adopted year with regard to the Illinois Plumbing Code so that the year does not have to be edited each time the Illinois Plumbing Code is updated. The BBA agreed with these recommendations. An amendment is proposed to VC Section 4-1-4 to change the title from "Fee Schedule" to "Fee and Deposit Schedule" to more accurately reflect the content of this section. The BBA agreed with this recommendation. Language changes are also proposed to the definition of a basic permit fee in VC Section 4-1-4(A)1a for clarification purposes. Mr. Kvapil added that no other changes are proposed to those code requirements. Chairman

Ryan indicated some discrepancies in the fee chart, and Mr. Kvapil stated he will correct those figures.

Mr. Kvapil stated that Ordinance 5886 has been recently approved by the Village Board to simplify the live entertainment approval process, and an amendment to VC Section 4-1-4(A) is proposed to allow administrative approval of indoor live entertainment for a fee of \$150.00. The BBA agreed with this recommendation. A provision is proposed to amend VC Section 4-1-4(E)3 to add language to allow a property owner to receive a refund of a cash deposit submitted by a contractor when the contractor does not complete work. Mr. Kvapil stated that this provision has not been reviewed by the Village Attorney, and Chairman Ryan stated that there should not be a problem if it has been disclosed that deposits will be refunded to a property owner if a contractor does not complete the work. The BBA agreed with this recommendation. Mr. Kvapil clarified for Chairman Ryan the types of contractors that must register with the Village prior to performing their services.

Regarding VC Section 4-1-5, Enforcement, Mr. Kvapil stated that this section is actually general requirements to work in the Village rather than enforcement. Mr. Kvapil added that this section has been rewritten to edit some other sections, however, no additions or deletions are proposed. Mr. Kvapil reviewed some significant proposed changes: In VC Section 4-1-5(A), the scope of work that requires a building permit is proposed to be expanded. Chairman Ryan felt that the list was too expansive with too much involvement on the part of the Village, and Mr. Kvapil responded that he prefers the list to be more comprehensive rather than less comprehensive and that the changes are consistent with the ICC. Mr. Kvapil agreed with Trustee Henninger that building code requirements are often a judgment call. Ms. Burke Hoeh suggested adding language that protects the Village in the event of a problematic situation. Mr. Kvapil responded that he believes the law exempts the Village from liability regarding building permit requirements and that building codes generally do not contain legal language. Mr. Bredfelt questioned the difference between the definitions of ordinary repair and maintenance, and Mr. Kvapil responded there is no definition available for ordinary repair. The BBA agreed with this recommendation.

In VC Section 4-1-5(C) regarding deposits, Mr. Kvapil stated that the references to classes of additions/remodels were removed for simplification purposes. The BBA agreed with this recommendation. Regarding VC Section 4-1-5(C)1 regarding additional deposits, the section to be deleted should be changed to 4-1-10(A)3h instead of 4-1-10(A)3.

In VC Section 4-1-5(E) regarding professional certification, wording was changed to include engineering and delete alteration with respect to plans complying with laws and regulations. The BBA agreed with this recommendation. In VC Section 4-1-5(F), revisions are proposed to more accurately reflect restrictions that no developments can be located within 30 feet of special management areas. Language was also added that if a building permit has been issued for work in a special management area, the building permit shall be immediately suspended and the property owner shall be required to secure

the proper permits. Chairman Ryan commented that the current code does not include wetlands or riparian environments and felt that the wetland buffer would satisfy the 30-foot requirement. Mr. Kvapil stated he will check with our engineering consultant regarding this issue. Regarding VC Section 4-1-5(G), Construction Hours, Chairman Ryan expressed surprise that commercial construction cannot occur past the hour of 7:00 p.m. Mondays through Saturdays. He stated that a new store under construction could have a deadline that would require longer daily construction hours. Mr. Kvapil replied that exceptions have been made for commercial purposes and added that set hours are a tool for the Village to use to respond to complaints. Trustee Henninger added that the Village Board routinely waives reasonable requests. The BBA members agreed with this recommendation. Regarding VC Section 4-1-5(H), Inspections, Mr. Kvapil stated there is a list of required inspections in the code and that the inspections unique to the Village are the foundation location survey and the ridge and height certification. Mr. Kvapil stated he is in the process of gathering information from the Village building inspectors and would like to keep this amendment open until he receives all of their responses. Mr. Kvapil stated that the Village has extensive demolition requirements and that in VC Section 4-1-5(I), he proposes to re-format and sequence the information with some minor clarifications to text. Mr. Kvapil distributed Chapter 33 of the 2009 International Building Code, "Safeguards during Construction." Chairman Ryan requested clarification of the demolition requirements for 4,000+ square foot buildings. Mr. Kvapil responded that wording should be added stating that in addition to the requirements listed, all prior requirements should also be met. The BBA agreed with this recommendation. Trustee Henninger inquired about billing for water usage during demolition, and Mr. Kvapil responded that information is included in the fee section of the code. Mr. Bredfeldt suggested changing 4-1-5(I)3(I)m to 4-1-5(I)3(I)4. Chairman Ryan also suggested changing 4-1-5(I)3(I)n to 4-1-5(I)3(I)5. Mr. Kvapil agreed to make those changes as well as one other to the numbering system. Mr. Lustrup also pointed out a typographical error in the demolition preparation work section where 72 (hours) in parentheses should be changed to 48. The BBA agreed with these recommendations.

VC Section 4-1-6(A) is recommended to be deleted in its entirety with the following substituted: "(A) The 2009 ICC International Building Code is adopted by reference as the standards and regulations for governing the demolition, construction, enlargement, alteration, restoration or repair of buildings and structures and their appurtenances, as this code is intended, recommended, maintained and published by the International Code Council except such portions thereof as are deleted, modified, or amended in this Chapter. At least one copy of the 2009 ICC International Building Code shall be maintained on file in the office of the Village Clerk for inspection and copying as a public record." Mr. Kvapil stated this excerpt is consistent with prior adoption ordinances language. The BBA agreed with this recommendation. VC Section 4-1-6(B) is recommended to be amended to change the ICC year from 2003 to 2009. The BBA agreed with this recommendation. IBC Section 101.4.3 regarding plumbing is recommended to be deleted and language added to substitute the Plumbing Code, Department of Public Health, State of Illinois, wherever reference to the International Plumbing Code is made. Chairman Ryan suggested adding "as currently adopted" with

reference to the Plumbing Code, and Mr. Kvapil agreed to include that phrase. The BBA agreed with this recommendation.

IBC Section 105.1.1 regarding annual permits is recommended to be deleted as this section is incorporated into the 2009 IBC. The BBA agreed with this recommendation. IBC Section 105.1.2 regarding annual permit information was recommended to be deleted as this section is incorporated into the 2009 IBC. The BBA agreed with this recommendation. IBC Section 105.2 regarding work exempt from permit is recommended to be deleted because it is not consistent with Village requirements and has been incorporated into the 2009 IBC. Ms. Burke Hoeh was uncomfortable with the code indicating that all work requires a permit when, in fact, the building department would make a determination upon inquiry. Ms. Burke Hoeh suggested including wording to that effect, and Mr. Kvapil stated a sentence could be added at the end of 4-1-5 General Requirements, paragraph (A), that would allow the Building and Zoning Official to make an exception. The BBA members agreed with that recommendation. Mr. Kvapil added that the code section on historic buildings gives the Building and Zoning Official the authority to accept safe alternatives to the code. IBC Section 105.7 is proposed to be amended to include language that building permits must be displayed in a prominent location on the site to aid in code enforcement and for public notice purposes. The BBA agreed with this recommendation. IBC Section 105.3, Items 6 and 7, are proposed to be amended to include the signatures and names and addresses of the owner/corporate officer/trustee on documents to aid in issuing citations for code enforcement purposes. Mr. Kvapil added that this amendment was recommended by the Village Prosecuting Attorney. The BBA agreed with this recommendation. IBC Section 111.2 regarding information listed on a certificate of occupancy was recommended to be deleted and replaced with a shorter list that contains only necessary information. The BBA agreed with this recommendation. IBC Section 113.1 is recommended to be amended to refer to the Village Code for general BBA information. The BBA agreed with this recommendation. IBC Section 113.3 is recommended to be amended to delete the wording that excludes employees of the jurisdiction as BBA members. Mr. Kvapil stated that excluding employees of the jurisdiction is in conflict with a requirement of the BBA code. Mr. Kvapil concurred with Chairman Ryan that a conflict of interest would occur if a staff member voted on an issue based on his recommendation. IBC Section 4-1-3 is recommended to be amended to add the definitions of Development, Basement, Residential and Commercial. The BBA agreed with this recommendation. IBC Section 406.1.4.1 is recommended to be amended to change the requirement of separation between the garage and the dwelling unit and its attic to a minimum of 5/8-inch type x gypsum board (instead of 1/2-inch). The BBA agreed with this recommendation. IBC Section 705.6 is recommended to be deleted as it was in the 2003 IBC. The following IBC Sections are recommended to be deleted in their entirety because the code provisions are an identical duplicate of the provisions in the Fire Code and/or would need to be amended: 902 – Definitions, 903 – Automatic Sprinkler Systems, 904 – Alternative Automatic Fire-Extinguishing Systems, 905 – Standpipe Systems, 906 – Portable Fire Extinguishers, 907 – Fire Alarm and Detector Systems, 908 – Emergency Alarm Systems, 910 – Smoke and Heat Vents, 911 – Fire Command Center, 912 – Fire Department Connections, 913 – Fire Pumps, 914 – Emergency Responder Safety

Features, 915 Emergency Responder Radio Coverage. The BBA agreed with these recommendations. IBC Table 1505.1 regarding fire resistant characteristics for roofs is a 2003 amendment that is proposed to be incorporated into the 2009 code. IBC Section 1808.6.5 regarding slab on grade foundation is a 2003 IBC amendment that has been slightly revised for clarification purposes. The BBA agreed with this recommendation. IBC Section 1809.5, Item 1, is proposed to be incorporated into the 2009 IBC. The BBA agreed with this recommendation. 2003 IBC Sections 1809.9 and 1809.12 are amendments proposed to be deleted and incorporated into the 2009 IBC. 2003 IBC Chapters 29 and 32 are amendments proposed to be deleted and incorporated into the 2009 IBC. IBC Section 3001.2 regarding elevator reference standards is proposed to be deleted and re-written to reference state regulations. Mr. Kvapil responded to Chairman Ryan that he will review VC Section 4-1-6(8)33 which is proposed to be deleted related to this amendment. After a discussion regarding signs, the BBA agreed to eliminate code sections regarding signage, etc., from the 2009 IBC. Mr. Bredfeldt suggested referencing the Sign Code, and Mr. Kvapil agreed with that recommendation. Chairman Ryan also suggested retaining Sections 3105 and 3106 and deleting Section 3107 based on sign installation, etc., located in the building code, and the BBA agreed with this recommendation. Village Code Sections 4-1-6(B)22 and 4-1-6(B)20 are recommended to be deleted in their entirety as they are included in the Fire Code. The BBA agreed with this recommendation. Village Code Section 4-1-6(B)25 is recommended to be deleted because the provisions of the 2009 ICC International Energy Code apply by State of Illinois adoption. The BBA agreed with this recommendation. Village Code Section 4-1-6(B)14 regarding Certificate of Final Inspection is recommended to be deleted because it is addressed in IBC Code Section 111. The BBA agreed with this recommendation. Village Code Sections 4-1-6(B)11, 4-1-6(B)10 and 4-1-6(B)9 are recommended to be deleted as they are unnecessary due to redundant referencing. Village Code Section 4-1-6(B)6 is proposed to be deleted because it deletes the duties and powers of the Building Official. Village Code Section 4-1-6(B)2 is proposed to be deleted because this amendment regarding 1- and 2-family homes is addressed in the International Residential Code.

Trustee Report

Trustee Henninger gave updates on development projects recently approved by the Village Board. He also provided status on the downtown plan process and reported on bonds that have recently been refinanced.

Staff Report

Mr. Kvapil stated that the Fire Code has been approved by the Village Board with a condition regarding the fire sprinkler requirement for remodel projects. Mr. Kvapil stated the Village Board has requested additional information and input regarding that topic from staff and the public. He also stated the next BBA meeting will be held on December 6, 2010.

Adjournment

Mr. Lustrup moved, seconded by Mr. Bredfeldt, to adjourn the meeting at 10:20 p.m.

Submitted by:

Barbara Utterback
Recording Secretary

BUILDING BOARD OF APPEALS
MINUTES
DECEMBER 6, 2010

The meeting was called to order by Chairman James Ryan at 7:34 p.m. Board members Thomas Bredfeldt, Michaelene Burke Hoeh, and John Lustrup were present. Board members James McGinley and Scott Raffensparger were excused. Also present were Trustee Liaison Carl Henninger, Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Building and Zoning Official Joe Kvapil reviewed the status of the proposed amendment to the Fire Code regarding fire sprinklers in remodel projects and distributed a memorandum dated November 29, 2010 that he wrote to Village Manager Steve Jones on this topic. Mr. Kvapil also distributed and reviewed a memorandum dated November 16, 2010 that Planning and Development Director Staci Hulseberg and he wrote to Village Manager Steve Jones regarding staff membership on the Building Board of Appeals.

2009 ICC INTERNATIONAL BUILDING CODE. CONTINUED DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL BUILDING CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Building and Zoning Official Joe Kvapil distributed an index showing the existing and proposed formats for Title 4 Building Regulations, Chapter 1, Building Code. Mr. Kvapil continued his review of amendments to the 2009 ICC International Building Code from the BBA meeting on November 1, 2010. Mr. Kvapil reviewed amendments at this meeting that had either been changed from the previous meeting or had not yet been discussed.

An amendment to Village Code Section 4-1-3 was proposed to add the definition of Development to be consistent with other codes. The BBA agreed with this recommendation. Two amendments to Village Code Section 4-1-3 were proposed to add the definitions of Residential and Commercial for which no definitions previously existed. The BBA agreed with these recommendations. Village Code Section 4-1-3 is proposed to be amended to delete the definition of Change of Use, Change of Use Class I, and Change of Use Class II because the correct term is Change of Occupancy and is addressed in 2009 IBC Code Section 3408. Mr. Kvapil stated that deleting Change of Use will also simplify the change of occupancy process by eliminating a complicated hazardous index table and classifications, and Mr. Kvapil explained how a change of use would be addressed in the code. Mr. Kvapil stated that a building must be brought up to code if the use is changed. He also stated that after the building is brought up to code, additional upgrades such as sewer/water/sidewalks, etc., are required if a certain amount of money is spent and/or if a certain percentage of the exterior walls and the roof are altered. Mr. Kvapil indicated for Chairman Ryan where it states in the code what

upgrades are to be made to change of use Class I and Class II. Chairman Ryan commented that requiring a property to be brought up to code as if it were built new could be problematic for re-use of buildings in the downtown. Mr. Kvapil clarified for Ms. Burke Hoeh that the area that would need to be brought up to code is the new use area only and that the cost of a remodel would trigger the extent of the upgrades. Chairman Ryan and Ms. Burke Hoeh were not in favor of a \$10,000 remodel project, for example, triggering extensive upgrades, especially if the hazard was lessened. Mr. Kvapil responded that there would probably not be any building code requirements if the cost of a remodel project was \$10,000 and was less hazardous. Mr. Kvapil also responded to Chairman Ryan that a space where the remodel cost was \$10,000 and the use was less hazardous than the previous use would require sprinklers. Chairman Ryan was not comfortable with IBC Section 3408.1 that states the Building Official has the authority to allow a use in a building without requiring conformance to all code requirements, and Ms. Burke Hoeh questioned the removal of the hazardous index table. Chairman Ryan suggested continuing the discussion of this item at the next meeting to allow time for both Mr. Kvapil and he to take another look at this amendment. The BBA agreed with Chairman Ryan's suggestion.

Mr. Kvapil stated corrections have been made to some of the figures in the Basic Permit Fee Factor Table Village in Village Code Section 4-1-4(A). Village Code Section 4-1-4(A)11(d) is proposed to be amended to accommodate format changes. The BBA agreed with this recommendation. Village Code Section 4-1-4(A)11(e) is proposed to be amended to delete the word "demolition" as special conditions can occur with types of projects other than demolition. This section is also proposed to be amended to accommodate format changes. The BBA agreed with these recommendations. Village Code Section 4-1-5(A) regarding required building permits is recommended to be deleted and revised to more extensively identify the types of projects that require building permits. Mr. Kvapil verified for Chairman Ryan that "repair" has been added to this amendment because it is used in the building code and that the type of repairs exempt from building permits are listed in Section 105.2. The BBA agreed with this recommendation. Chairman Ryan responded to Mr. Bredfeldt that requirements for permits for furnaces, hot water heaters, etc., are included in the Property Maintenance Code. Mr. Kvapil verified for Mr. Bredfeldt that IBC Section 105.2, Work Exempt from a Permit, will be deleted. Mr. Kvapil responded to Chairman Ryan that 100 square feet is an arbitrary figure regarding permits for pavement work where smaller projects such as concrete areas for air conditioning units, barbecues, etc., do not require permits and larger projects such as driveways, sport courts, etc., require permits. Chairman Ryan felt that the 100-square foot limitation that does not require a building permit should be increased. Mr. Kvapil responded that this item could be reviewed to assure compliance with the zoning code for setbacks and impervious surface percentage requirements and added that stormwater runoff is a huge problem in the Village. Mr. Ryan then agreed with Mr. Kvapil's statements. When Chairman Ryan questioned the need for permits for sump pumps and other similar mechanical items, Mr. Kvapil offered to create a provision for mechanical equipment similar to the provision for electrical equipment. Chairman Ryan accepted Mr. Kvapil's offer. When Chairman Ryan requested the creation of a similar provision for plumbing equipment as well, Mr. Kvapil stated that he believes all

plumbing work should be done by a licensed plumber or the homeowner and was concerned that substandard work could be done by unqualified individuals if a permit and subsequent inspections were not required. Mr. Kvpil was supportive of maintaining permits for furnaces and hot water heaters but did not feel strongly that permits should be required for replacing such items as sump pumps, ejector pumps, washers and dryers. Mr. Bredfeldt agreed that permits should be required for furnaces and electrical work and also commented that new high-efficiency equipment may require different/more high tech connection equipment. The BBA agreed with these recommendations. Mr. Kvpil clarified for Chairman Ryan that emergency repairs can be performed prior to acquiring a building permit if Village offices are closed. Mr. Lustrup and Mr. Bredfeldt suggested adding sump pumps to Village Code Section 4-1-6(B)5 Building (f). The BBA was in favor of this recommendation.

Village Code Section 4-1-5(C)1, 2 and 3 are recommended to be deleted, and all provisions in the code regarding deposits/refunds have been moved to this section. At the request of Chairman Ryan, Mr. Kvpil explained the permit fee and refund process. The BBA agreed with this recommendation. Village Code Section 4-1-5(I) regarding penalty is recommended to be added, and same Section 4-1-5(A) is recommended to be deleted. Village Code Section 4-1-6(B) is recommended to be amended to change the year of the provisions to 2009 rather than 2003 and "the Village of" has been added preceding "Glen Ellyn." Sections 105.3, Items 6 and 7, are recommended to be amended to require the proper signatures and addresses on building permits in the event citations must be served. The BBA agreed with this recommendation. New Section 105.8 regarding the definition of site development permit for commercial projects is recommended to be added. Mr. Kvpil distributed Section 109.4, Work Commencing Before Permit Issuance, from the new building code and recommended amending this section to reflect the current penalty fee which is two times the normal fee and relocating it from the inspection section of the code. The BBA agreed with this recommendation. Mr. Kvpil stated that Section 113.3 regarding BBA qualifications is currently on hold awaiting legal review.

Section 406.1.4, Item 1, was recommended to amend the amount of separation between a private garage and commercial dwelling unit and its attic area to 5/8 inch from 1/2 inch. Chairman Ryan felt that this section should be included in the residential code rather than the commercial code because he did not believe it applies to the commercial code. Mr. Kvpil agreed to check to see if this situation would ever exist in new construction in the commercial code and, if not, this section will be deleted. Section 406.1.4, Item 4, was recommended to be incorporated from the 2003 IBC to the 2009 IBC. Mr. Lustrup suggested changing the gypsum board to 5/8 inch rather than 1/2 inch throughout all garages attached to a residential dwelling and all detached garages within 20 feet of any residential dwelling unit. Chairman Ryan also suggested adding this section to both the residential and commercial codes, and Mr. Lustrup suggested 5/8-inch board for commercial and 1/2-inch board for residential. After additional discussion, Mr. Kvpil recommended combining both Section 406.1.4, Item 1, and Section 406.1.4, Item 4, in the commercial section of the code and requiring any attached garage or garage less than 20 feet from a dwelling unit to be a completely enclosed interior with 5/8-inch type x gypsum board. The BBA agreed with these recommendations.

Section 1204.1 regarding temperature control is recommended to be deleted and the current Village requirements have been moved to this more compatible location. The BBA agreed with this recommendation. Section 1612.3 is recommended to be amended to change the names of two documents to be more specific. The BBA agreed with this recommendation. New Section 3403.5 is proposed to be added with language included that clarifies when fire protection improvements must be made. New Section 3403.6 is proposed to be added with language included that clarifies what building improvements have to be added to an existing building when an addition increases the floor area by more than 75%. Chairman Ryan pointed out that Item 1 of this section should be changed to read "section 3403.5" instead of "section 3403.6." New Section 3403.7 is proposed to be added with language included that clarifies what building improvements have to be added to an existing building when an addition increases the floor area by more than 150%. Mr. Kvapil pointed out that Item 1 of this section should be changed to read "section 3403.6" instead of "section 3403.7." New Section 3404.7 regarding alterations and remodeling work is proposed to be added with language included indicating at what point fire protection improvements must be made. New Section 3404.8 regarding alterations and remodeling work is proposed to be added with language included that clarifies what improvements have to be added to an existing building and on an existing site when more than 50% of the existing exterior wall and roof surface is structurally changed or when the hard cost of all interior remodeling work exceeds \$100,000. New Section 3404.9 regarding alterations and remodeling work is proposed to be added with language included that clarifies what improvements have to be added to an existing building and on an existing site when over 75% of the existing exterior wall and roof surface area is structurally changed. New Section 3404.10 regarding alterations and remodeling work is proposed to be added with language included that clarifies what improvements have to be added to an existing building and on an existing site when the hard cost of all exterior remodeling work exceeds \$1,000,000 or 25% of the market value of the building or structure. The BBA agreed with these recommendations.

Village Code Sections 4-1-9, A and B, regarding heating requirements are proposed to be deleted as this information has been added in an appropriate section of the building code.

Village Code Section 4-1-10 regarding demolitions has been reformatted per size of structure and includes general information that pertains to all demolitions.

Mr. Kvapil stated he will make revisions as requested and prepare a proposal regarding a change of use for the next meeting. Mr. Kvapil stated the residential code will be reviewed next.

There being no further business before the BBA, the meeting was adjourned at 9:30 p.m.

Submitted by:

Barbara Utterback
Recording Secretary

Reviewed by:

Joe Kvapil
Building and Zoning Official

BUILDING BOARD OF APPEALS
MINUTES
JANUARY 3, 2011

The meeting was called to order by Chairman James Ryan at 7:31 p.m. Board members Thomas Bredfeldt, John Lustrup, James McGinley and Scott Raffensparger were present. Board member Michaelene Burke Hoeh was excused. Also present were Building and Zoning Official Joe Kvpil and Recording Secretary Barbara Utterback.

Chief Raffensparger moved, seconded by Mr. Lustrup, to approve the minutes of the November 1, 2010 BBA meeting. The motion carried by voice vote.

Building and Zoning Official Joe Kvpil distributed a draft ethics ordinance that is proposed to be adopted by the Village Board. Mr. Kvpil stated that the Village Board is requesting input regarding this ordinance by January 31, 2011, and he requested that interested BBA members respond by that date.

Mr. Kvpil also distributed a draft ordinance proposing changes to the BBA membership to allow a staff building inspector to be a member of the BBA. Mr. Kvpil explained that the proposed ordinance would restrict the staff member from participating in appeals from administrative decisions of the Building and Zoning Official. Chairman Ryan expressed a concern that two BBA members not being allowed to vote (the building inspector and the fire chief) could create the perception that the number of votes required to pass a motion is unfair based on the number of members present, the number of members allowed to vote and the number of votes required. Chairman Ryan suggested modifying the requirement to be the majority of the five voting members. Mr. Bredfeldt pointed out that the code indicates that the act of the majority of the members present at a meeting at which a quorum is present shall be the act of the members. Mr. Kvpil stated that Section 2-7-3 regarding membership could be modified to address Chairman Ryan's concern by changing "The presence of a majority of Board members then in office shall be necessary to constitute a quorum" to add language that reads "The presence of a majority of Board members then in office **authorized to vote** shall be necessary to constitute a quorum." The BBA members were in agreement with that recommendation. Mr. Kvpil stated that he will research and clarify the basis for a majority. Chairman Ryan's opinion was that a vote should be able to pass with 3 ayes.

2009 ICC INTERNATIONAL BUILDING CODE. CONTINUED DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL BUILDING CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Building and Zoning Official Joe Kvpil distributed and reviewed changes from the draft amendments to the 2009 ICC International Building Code reviewed at the Building Board of Appeals meeting on December 6, 2010.

Village Code Section 4-1-4(A)1a Basic Permit Fee Factor Table was amended to include the wording “for new buildings, additions and structures” which had been previously inadvertently omitted. The BBA was in favor of this recommendation. Two minor changes that do not affect content were recommended in Sections 4-1-5 (A) and (B) regarding enforcement. The BBA was in favor of these recommendations. Paragraph 4 is proposed to be added to Village Code Section 4-1-5(C) regarding deposits forfeited when a building permit expires. This proposed paragraph states that when a building permit expires and the work has not been completed or a final inspection has not been done, deposits held by the Village will be forfeited and can be used to complete the work and/or repair damages to public property and any unused balance or unclaimed deposits shall be remitted to the State of Illinois as required by law. Mr. Kvapil stated that this information is currently not included in the code and will clarify the refund process. The BBA was in favor of this recommendation.

Village Code Section 4-1-5(F) is recommended to be deleted and replaced with new language. Mr. Kvapil proposed changing the title of the section to “Stormwater Management” instead of “floodplain controls.” Language is proposed to be added that references the Zoning Code for requirements regarding special management areas. Language is proposed to be added that references the DuPage County Countywide Stormwater and Flood Plain Ordinance as amended and adopted by the Village of Glen Ellyn. Language is proposed to be added to require a drainage plan for a development disturbing between 300 square feet and 1,500 square feet of ground cover when a stormwater permit is not required. This requirement will help to regulate potential stormwater problems. Chairman Ryan thought that the BBA had agreed to remove “wetland buffers” from the list of areas that require a development to adhere to flood regulations because they are within 30 feet of that area. Mr. Kvapil responded that he believes the Zoning Code states that the 30-foot setback applies to wetland buffers and that the definition of wetland buffer can be found in the DuPage County Stormwater Ordinance. Mr. Kvapil also responded to Chairman Ryan that a wetland buffer includes the types of vegetation growing in the area and the characteristics of the soil. Mr. Kvapil stated he will verify the 30-foot wetland buffer setback requirement and added that the Village consulting engineer reviewed this proposed section and did not comment on any inaccuracies. Mr. Bredfelt stated that he would prefer a clarification of the definition of wetland buffer before including it in the proposed section. Mr. Kvapil commented that terminology from the DuPage County Stormwater Ordinance and the Village Code are not always compatible, and he believes that terminology from the DuPage County Stormwater Ordinance should take precedence over the Zoning Code. Mr. Kvapil responded to Chairman Ryan that the Village issues its own stormwater permits through the Village consulting engineer.

Village Code Section 4-1-5(H) is proposed to be amended to add titles to two items and to add language that clarifies that height certifications are not required for accessory structures. The BBA was in favor of these recommendations. Language changes to Section 105.2 are proposed for consistency and clarification purposes. The BBA was in favor of these changes.

For clarification purposes, a minor change is proposed to Section 105.3, Item 6. The BBA was in favor of this recommendation. New Section 109.4 regarding work

commencing before permit issuance is proposed to be added. This section has been removed from the inspections section of the Village Code where it was inappropriately located, and the removed section is referenced in the comments section of the new section. Mr. Kvapil added that several other sections that have been replaced are proposed to be referenced in the new sections. The BBA was in favor of these changes.

Section 406.1.4, Item 1, regarding common wall separation is proposed to be changed per discussion at the last BBA meeting. Chief Raffensparger inquired if covering a garage in fire-rated gypsum board, as proposed, is more expensive than sprinklering and asked if sprinklering could be traded for the gypsum board approach. Chairman Ryan felt that this section should not be included in this code as it pertains to residential rather than commercial projects. Mr. Kvapil responded that because this section is included in the code, he believes there must be some instances for which the code does not require a 2-hour fire-rated separation, however, Chairman Ryan commented that the code might be referring to single-family residences. Mr. Lustrup felt that this section may be referring to wood frame structures which would apply in this case. Mr. Kvapil stated that he will research this matter, and Chairman Ryan suggested including 1- or 2-hour rating options in the recommendation.

Minor typographical corrections are proposed to be made in Sections 3403.6(1), 3403.7(1) and 4-1-110(D)1. The BBA was in favor of correcting these errors. Village Code Section 4-4-8 regarding fee penalty is proposed to be deleted because it has been placed in Section 109.4. The BBA was in favor of this recommendation.

Staff Report

Mr. Kvapil stated that the next code to be reviewed is the International Residential Code. At Mr. Bredfeldt's request, Mr. Kvapil reviewed the status of the requirement for fire sprinklers in remodel projects. Mr. Kvapil also briefly explained some terminology and format changes to the Building Code.

There being no further business before the BBA, the meeting was adjourned at 8:48 p.m.

Submitted by:
Barbara Utterback
Recording Secretary

Reviewed by:
Joe Kvapil
Building and Zoning Official

BUILDING BOARD OF APPEALS
MINUTES
FEBRUARY 7, 2011

The meeting was called to order by Acting Chairman James Bredfeldt at 7:36 p.m. Board Members Michaelene Burke Hoeh, Scott Raffensparger and Mike Morange were present. Chairman James Ryan and Board Members John Lustrup and James McGinley were excused. Also present were Trustee Liaison Carl Henninger, Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Board Member Raffensparger moved, seconded by Acting Chairman Bredfeldt, to approve the minutes of the December 6, 2010 BBA meeting. The motion carried with four (4) "yes" votes as follows: Board Members Raffensparger, Burke Hoeh, Morange and Acting Chairman Bredfeldt voted yes.

Board Member Raffensparger moved, seconded by Board Member Morange, to approve the minutes of the January 3, 2011 BBA meeting. The motion carried with four (4) "yes" votes as follows: Board Members Raffensparger, Morange, Burke Hoeh and Acting Chairman Bredfeldt voted yes.

Building and Zoning Official Joe Kvapil reviewed a proposed text amendment regarding changes to the Building Board of Appeals membership requirements.

Building and Zoning Official Joe Kvapil reviewed a fire sprinkler text amendment to the 2009 ICC International Fire Code that was recently approved by the Village Board. Mr. Kvapil stated that the changes pertained to fire sprinkler requirements for remodeling projects and the definition of "hard cost."

2009 ICC INTERNATIONAL BUILDING CODE. CONTINUED DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL BUILDING CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Building and Zoning Official Joe Kvapil distributed and reviewed Exhibit A to the 2009 ICC International Building Code that included proposed amendments discussed at the previous BBA meeting and some new changes.

In Village Code Section 4-1-3, "change of use" is proposed to be "change of occupancy," which is the correct term. Also, the criteria that establishes the demolition classes is proposed to be changed to reflect the square footage rather than the type of class. The BBA was in favor of these recommendations. Village Code Section 4-1-5(C)4 regarding deposit released is proposed to be revised so that deposit money can be refunded to a homeowner if a contractor does not complete the work. Mr. Kvapil stated that the Village Attorney believes it would be acceptable for the Village to give deposit money to homeowners so they can finish the work themselves if the homeowners agree to sign a release to hold the Village harmless and defend the Village from a lawsuit. Board Member Raffensparger commented that the Village would incur legal fees if a lawsuit

resulted from a refund to a homeowner. Mr. Kvapil responded to Trustee Henninger that if work is not completed on a property owned by a contractor, the Village would have the option to hire a contractor to complete the work with the deposit money or a portion of the money can be used toward the project. The BBA was in favor of this recommendation. Section 105.5 regarding expiration of permits is proposed to be amended to include the period of time that a permit is valid (540 days/18 months). The BBA was in favor of this recommendation.

Mr. Bredfeldt inquired about whether or not to include the term "wetland buffers" in Section 4-1-5(F) regarding proximity to special flood hazard areas as discussed at a previous BBA meeting. Mr. Kvapil stated that the Zoning Code currently includes "wetland buffers," and he displayed a sketch he prepared that illustrated various stormwater terms. Regarding Village Code Section 4-1-5(G) Construction Hours, Board Member Morange asked if idling trucks and/or deliveries should be included in the construction hours, and Mr. Kvapil suggested adding wording regarding construction traffic. Chief Raffensparger suggested adding in parentheses "including evacuation and delivery of construction materials." Mr. Kvapil stated he will expand construction hours to add other disturbing noises. Mr. Kvapil stated that the prior code amendment is proposed to be incorporated into Section 406.1.4 Item 1, regarding fire separation between parking garages and dwellings. The BBA was in favor of this recommendation.

Motion

Chief Raffensparger moved, seconded by Board Member Morange, to recommend that the Village Board approve the adoption of the 2009 ICC International Building Code with amendments as recommended by the Building Board of Appeals. The motion carried with four "yes" and zero (0) "no" votes as follows: Board Members Raffensparger, Morange, Bredfeldt and Burke Hoeh voted yes.

2009 ICC INTERNATIONAL RESIDENTIAL CODE. DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL RESIDENTIAL CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Building and Zoning Official Joe Kvapil distributed Exhibit A and reviewed proposed amendments to the 2009 ICC International Residential Code. Village Code Section 4-1-2(D) is proposed to be amended to reflect the proposed adopted code edition. The BBA was in favor of this recommendation. Village Code Section 4-1-3 is proposed to be amended to delete the definitions of classes of additions, alterations and remodeling indicating scope of work performed. The deleted classes will be replaced by percentage of work performed. The BBA was in favor of this recommendation.

Village Code Section 4-1-8(A) is proposed to be deleted with standard language substituted that reflects adoption of the new code. The BBA was in favor of this recommendation.

Village Code Section 4-1-8(B) is proposed to be amended to reflect changes made to the 2009 ICC International Residential Code.

Section R101.1 Title is proposed to be amended to insert standard language into the code by the municipality. The BBA was in favor of this recommendation.

New Section R102.4.1 Plumbing is recommended to be added to reflect that wherever reference is made to the International Plumbing Code, the Plumbing Code, Department of Public Health, State of Illinois will be substituted. The International Plumbing Code will not be adopted, and Sections 4-1-8(B)4 and 4-1-5(G)) will be replaced. The BBA was in favor of this recommendation. New Section R102.4.2 Building is proposed that states where the Residential Code does not address a specific application, material or method of construction, the International Building Code shall apply. This section replaces Section 4-1-8(B)3 and is identical to the existing code amendment. The BBA was in favor of this recommendation. New Section R102.4.2 Building and Property Improvements is proposed be relocated to a more appropriate section of the code and is also proposed to have Class II language deleted and replaced with proposed percentage language for scope of projects. Board Member Burke Hoeh commented that the phrase "at the sole discretion of" which, in this case, references the Public Works Director, could mean "at the whim of." Trustee Henninger responded that much input is received from others prior to the Public Works Director making final decisions. At Board Member Morange's suggestion, Mr. Kvapil stated he will relocate information regarding underground electrical systems from the Zoning Code to Section R102.7.2 Building and Property Improvements. The BBA was in favor of these recommendations. New Section 102.7.3 Building and Property Improvements is proposed to be relocated to a more appropriate section of the code and is also proposed to have Class III language deleted and replaced with proposed percentage language for scope of projects. Mr. Kvapil stated that an exception based on a newly passed amendment to the Fire Code regarding the requirement of a sprinkler system for remodeling projects is also proposed to be included.

Section R105.2 Work Exempt from Permit had been deleted from the 2003 IBC but is proposed to be included in the 2009 IBC as amended to provide more specific requirements regarding awnings and low-voltage equipment. Mr. Kvapil responded to Board Member Burke Hoeh that fire pits do not require permits but are subject to zoning regulations and that sport courts require permits if the impervious surface exceeds 100 square feet. The BBA was in favor of this recommendation. Section 105.3 Item 6 is proposed to be amended to require additional applicant/owner signatures on building permits for code enforcement purposes. Mr. Kvapil agreed with Board Member Burke Hoeh's recommendation to add the requirement of signatures, if applicable, for partner of a partnership and manager/member of an LLC, and the BBA was in favor of these recommendations. Section 105.3 Item 7 is proposed to be amended to require that additional name and address information is provided for all persons with a beneficial interest in the property for code enforcement purposes. Board Member Burke Hoeh recommended that the Village Attorney review this amendment. Section R105.3.1.1 regarding flood hazard areas was deleted in the 2003 IRC and is again proposed to be deleted in its entirety. Flood hazard information is covered in the Zoning Code and the DuPage County Stormwater Ordinance. Section R105.5 regarding expiration (of permits) is proposed to be amended to include the number of days that a permit is valid after it has

been issued. Mr. Kvapil added that he is in the process of reviewing for errors or omissions the 2006/2009 amendments adopted by several other municipalities. Mr. Kvapil also felt that the time limit for smaller projects should be reduced, and Trustee Henninger was interested in finding a solution to resolve the issue of "perpetual" construction projects. Section R105.7 Placement of Permit is proposed to be amended to require the display of a permit in a prominent location for code enforcement and neighbor notification purposes. The BBA was in agreement with this recommendation.

Section R108.6 Work Commencing Before Permit Issuance is proposed to be relocated as is to the proper code section. The BBA was in favor of this recommendation.

Section R110.3 Certificate Issued is proposed to replace Section 4-1-6(B)13 as is. The BBA was in favor of this recommendation.

Section R112.1 General is proposed to be amended to delete some language regarding the Building Board of Appeals as information regarding the Building Board of Appeals is established in the Glen Ellyn Village Code. The BBA was in favor of this recommendation. Sections R112.2.1 and R112.2.2 regarding determination of substantial improvement in areas prone to flooding and criteria for issuance of a variance for areas prone to flooding are proposed to be amended in their entirety because these regulations are specified in the Zoning Code. The BBA was in favor of this recommendation. Board Member Burke Hoeh recommended striking Section R112.3 Qualifications (of the BBA) because that information is included in the Building Board of Appeals chapter in the Glen Ellyn Village Code. The BBA was in agreement with this recommendation.

Section R113.4 is proposed to be amended to reference the appropriate penalty code section. The BBA was in favor of this recommendation.

Section R301.2 Table R301.2(1) Climatic and Geographic Design Criteria is proposed to be amended to add general design and engineering criteria. The BBA was in favor of this recommendation. Section R302.2 Fire-Resistant Construction Townhouse is proposed to be amended as per the 2003 IRC amendment. The BBA was in favor of this recommendation.

Section R303.2 Fire-Resistant Construction is proposed to be amended to delete the exception in its entirety as per the 2003 IRC amendment. The BBA was in favor of this recommendation.

Two items in Table R302.6 Dwelling/Garage Separation are proposed to be amended as per the 2003 IRC amendment. The BBA was in favor of this recommendation. Section

R403.1.3.3 Foundations for Accessory Structures is proposed to be revised per the 2003 IBC amendment. The BBA was in favor of this recommendation.

Section R404.1 is proposed to be revised to prohibit masonry foundations for new construction and allow concrete foundations only. The BBA was in favor of this recommendation. Sections R404.1.1, R404.1.1.1, R404.2, and R404.2.1 through R404.2.6 are proposed to be deleted in their entirety because masonry foundations, wood

foundation walls and wood foundations are not permitted for new construction; only concrete foundations are permitted. The BBA was in favor of this recommendation.

New Section R502.1.8 Light-Weight Floor Framing is proposed to be added as per the 2003 IRC amendment. The BBA was in favor of this recommendation.

Chapters 25, 26, 27, 28, 29, 30, 31 and 32 regarding plumbing requirements of the ICC are proposed to be deleted in their entirety because they may contradict the State of Illinois Plumbing Code which the Village follows.

Village Code Section 4-1-8(B) is proposed to be amended to delete Residential Code Amendments 4-1-8(B)2 through 4-1-8(B)19 in their entirety because they have been incorporated into the 2009 IRC or are no longer applicable. The BBA was in favor of this recommendation.

Trustee Report

Trustee Henninger reported on the status of three top-level vacancies currently in the Village. He also stated that the budget is currently in process and that Village finances continue to be a challenge. Trustee Henninger also reported on the status of the proposed ethics ordinance.

Staff Report

Mr. Kvpil stated that the International Building Code will be forwarded to the Village Board for their review.

There being no further business before the BBA, the meeting was adjourned at 9:56 p.m.

Submitted by:
Barbara Utterback
Recording Secretary

Reviewed by:
Joe Kvpil
Building and Zoning Official

BUILDING BOARD OF APPEALS
MINUTES
APRIL 4, 2011

The meeting was called to order by Chairman James Ryan at 7:33 p.m. Board Members Thomas Bredfeldt (who arrived at 8:35 p.m.), Michaelene Burke Hoeh, John Lustrup, Scott Raffensparger (who arrived at 7:40 p.m.) and Mike Morange were present. Board Member James McGinley was excused. Also present were Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

A vote to approve the minutes of the February 7, 2011 Building Board of Appeals meeting was tabled because there were not enough members present to vote that had been at the February 7, 2011 meeting.

Building and Zoning Official Joe Kvapil reviewed a memorandum from Interim Village Manager Terry Burghard regarding Board and Commission membership and Building Board of Appeals quorum changes. The BBA members felt that because five members instead of seven members vote on appeals, the majority should be three members.

Mr. Kvapil reviewed a February 2011 summary update of the Stormwater Ordinance by the DuPage County Stormwater Committee.

Mr. Kvapil referred the BBA to a memorandum regarding a motion approved by the Historic Preservation Commission in January of 2011 to recommend a local amendment to the 2009 ICC International Residential Code. The proposed amendment would help ensure that the Village is able to maintain its historic character. Mr. Kvapil stated that he removed the phrase "eligible for designation as" historic because he felt that a home should be clearly designated as a landmark to avoid confusion. Chairman Ryan felt that the proposed language seemed to suggest that a homeowner could be forced into having their home designated as a landmark, and he recommended not including the HPC's amended language in the IRC. The BBA members agreed with Chairman Ryan's recommendation.

2009 ICC INTERNATIONAL BUILDING CODE. CONTINUED DISCUSSION, CONSIDERATION AND RECOMMENDATION REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL BUILDING CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Building and Zoning Official Joe Kvapil distributed and reviewed Exhibit A to the 2009 ICC International Building Code that included proposed amendments discussed at the previous BBA meeting and some new changes.

Village Code Section 3-32-6(A) regarding Tax Imposed and Village Code Section 3-32-6(B) regarding Definitions - Demolition Contractor are proposed to be amended to

eliminate project class terms and instead provide specifications. Village Code Section 4-1-3 is proposed to be amended to expand the definition of Hard Cost for clarification purposes. Mr. Kvapil also suggested adding "appliances" to the definition and Ms. Burke Hoeh suggested adding awnings to the definition, and the BBA agreed with these recommendations. Village Code Section 4-1-3 was amended to reflect the role of the Historic Preservation Commission. Chairman Ryan asked if the Historical Sites Commissions established a list of historic homes that require the Village Trustees to say yes to it, and Mr. Kvapil was uncertain about that process. Chairman Ryan stated there are so few landmark cases because the property owner should decide if he/she wants to apply for the landmark case. Chairman Ryan stated that if a home is labeled as a historic sites structure, the homeowner is being saddled with several responsibilities that limits their use of the property. Mr. Kvapil stated that he will check to see if a homeowner can opt out of landmark status.

In Village Code Section 4-1-4(A)3(a), Class II demolitions has been amended by Mr. Kvapil to read "Demolition of a building or structure...". In Village Code Section 4-1-4(A)3(b), Class III demolitions has been amended by Mr. Kvapil to read "Demolition of a building or structure...". In Village Code Section 4-1-4(A)3(c), Class IV demolitions has been amended by Mr. Kvapil to read "Demolition of a building or structure...". Mr. Kvapil stated that he will research large demolition fees. In Village Code Section 4-1-4(A)13, Taxes; Mr. Kvapil added "demolition applies to any project when..." (class II alteration or greater and any class III demolition or greater was removed).

Mr. Kvapil recommended deleting Village Code Section 4-1-5(A) in its entirety and substituted the following last phrase "...and no change to the permitted work may be completed until revised submittal documents are approved by the building official, unless the work is exempt from a permit as specified in this code." Village Code Section 4-1-5(B) adds that no building permit shall be issued until certain conditions are added. "Related to the property" shall be added to paragraph 3 after "All outstanding debts to the Village...". Number 4 will be forwarded to the Village Attorney for his legal opinion regarding permit fees and taxes. Mr. Kvapil stated that Number 5 will be required for permit applicants to submit a sworn statement from each contractor and supplier listing their hard cost for their improvements; however, Chairman Ryan stated that each project should have one sworn statement from each independent contractor. Mr. Kvapil will re-word this section. Paragraph 4 regarding Deposit Release to Village was added to Village Code Section 4-1-5(C) per Stewart Diamond. Also language was added to Paragraph 5, Deposit Award to Owner, that the owner will be awarded an amount of the released deposit up to the approved cost upon the owner's scheduled completion of the work. Ms. Burke Hoeh suggested including on the receipt a statement that the deficits may be forfeited, and Mr. Kvapil agreed. A statement was added to Village Code Section 4-1-5(D), Permit Suspension or Revocation, that, 2. A building permit may be suspended or revoked if any one of the conditions required in Section 4-1-5(B) is not in compliance. Village Code Section 4-1-5(E) is proposed to be deleted in its entirety and the \$15,000 threshold which was difficult to verify is eliminated with the need for professional certification based upon the structural and life safety risk assessment by the building official. The BBA was in favor of this recommendation. Regarding Village Code

Section 4-1-5(G), Mr. Kvapil added a more detailed list regarding work-related activities on a site. Village Code Section 4-1-5(I) shall be revised to add a more progressive fee structure for the judge per the Village Prosecuting Attorney.

The name of Section 105.1.1 Site Development Permit has been changed. This is a phased approval permit typically issued for large commercial projects that has never before been identified in the code, however, a fee for this permit is in the fee schedule.

Section 105.2(1) has been changed to remove wording that a permit is not required to place decorative ornaments and accessories upon the ground.

Section 105.3, Item 6, has been revised to aid in code enforcement since a citation must be served to the specific person who committed a violation or owns the property.

Section R113.3 is deleted in its entirety because the structure, responsibilities and procedures of the Building Board of Appeals are established in Chapter 7, Building Board of Appeals, Title 2 Boards and Commissions, in the Glen Ellyn Village Code.

Section 406.1.4, Item 1, regarding an attached private garage, has been changed, and the BBA was comfortable with the amendment.

Amend Section 1408.4 Weather Resistance. EFIS shall...and include the installation of a drainage medium layer incorporated into the system as specified by the manufacturer. Amend Section 1408.5, Installation. Installation of EFIS...provides additional protection that the system will be installed by appropriate personnel. Chairman Ryan recommended adding "or other manufacturer's certifications," and Mr. Kvapil agreed to add that language.

Amend Section 2901.1 Scope adopts the Illinois Department of Public Health Plumbing Code as currently adopted. Add new Section 2901.2 regarding structure protection. Add new Section 2901.3 regarding Piping protection. Add new Section 2901.4 regarding through wall protection. Sections 2902 and 2903 are deleted in their entirety.

New Section 3302.3 regarding Safety and Security Fencing is being added.

Regarding the Exception to Section 3403.6, "upon approval of the public works director" is being added in the paragraph.

Section 4-1-9, Reserved, will be entered into the Energy Conservation Code in the future.

Village Code Section 7-9-64 Applicability to New Construction Projects removed terminology for project class terms, and specifications are provided. Village Code

Section 7-10-9(D)3 and 4 have project class terms eliminated and specifications are provided. Village Code Section 7-10-20(C) states that a Class II is consistent with all other upgrades.

Village Code Section 8-1-20(A) removed Class I and II addition terminology and put it in as a specification.

Chairman Ryan reviewed that the outstanding issues are the historic issues, charging new homeowners for old homeowners' costs, and research from Mr. Kvapil about demolition fines/penalties being higher.

Mr. Ryan felt that 12 months should be the maximum allowed for a permit.

There being no further business before the BBA, the meeting was adjourned at 9:44 p.m.

Submitted by:
Barbara Utterback
Recording Secretary

Reviewed by:
Joe Kvapil
Building and Zoning Official

BUILDING BOARD OF APPEALS
MINUTES
JUNE 6, 2011

The meeting was called to order by Chairman James Ryan at 7:41 p.m. Board Members Thomas Bredfeldt, Michaelene Burke Hoeh and James McGinley were present. Board Members Pete Campbell, John Lustrup and Mike Morange were excused. Also present were Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Board Member Bredfeldt moved to approve the minutes of the February 7, 2011 Building Board of Appeals meeting. Board Member Burke Hoeh, asked that the phrase "from a legal standpoint" be removed from a statement she made in the minutes and changed to "at the discretion of." Board Member Bredfeldt amended the motion accordingly and Board Member Burke Hoeh seconded the motion. The minutes were approved by four (4) "yes" votes and zero (0) "no" votes as follows: Board Members Bredfeldt, Burke Hoeh, McGinley and Chairman Ryan voted yes.

Board Member Bredfeldt moved to approve the minutes of the April 4, 2011 Building Board of Appeals meeting, and Board Member Burke Hoeh seconded the motion. The minutes were approved by four (4) "yes" votes and zero (0) "no" votes as follows: Board Members Bredfeldt, Burke Hoeh, McGinley and Chairman Ryan voted yes.

Building and Zoning Official Joe Kvapil reviewed proposed changes to Ordinance 5919-VC Amending Village Code Section 2-7-4 BBA Membership/Quorum. Chairman Ryan offered to advise the Village Board of Mr. Kvapil's graphic regarding eligible members, quorum and majority voters, however, Mr. Kvapil stated he could forward the information to the Village Board for their review.

Mr. Kvapil reviewed a Summary of Landmark Properties Designation. Mr. Kvapil verified for Chairman Ryan that no action is required on this subject.

Mr. Kvapil stated that a question had arisen regarding demolition work occurring without first obtaining a demolition permit. He stated that Wheaton charges large fines to builders who do demolition work without getting a demolition permit, and Glen Ellyn has a fine for working without a permit that can be as high as \$1,000 by doubling the cost of the permit fee. Mr. Kvapil stated that not obtaining a demolition permit is a very rare occurrence, and he recommended keeping the status quo regarding this topic. The BBA members were in favor of Mr. Kvapil's recommendation.

Mr. Kvapil stated that the proposed amendment to Village Code Section 4-1-5(B) for Property Debts is in the general section of the Building Code and applies to all construction/building codes. Mr. Kvapil stated he has inserted language from the Wheaton Code into this section that prohibits issuing a building permit to a person who is indebted to the city or to a property that has any outstanding debts. Mr. Kvapil added that Village Attorney Diamond stated that a conservative community would not adopt

such language. Mr. Kvapil suggested breaking this item into two sections—415B and 415C. 415B states that no building permit(s) would be issued until all debts related to the Village regarding that property have been paid (if incurred by the current owner). Mr. Kvapil recommended eliminating Section 415C regarding debts of prior owners. The BBA members agreed with Mr. Kvapil's recommendations.

2009 ICC INTERNATIONAL BUILDING CODE. CONTINUED DISCUSSION, CONSIDERATION AND RECOMMENDATIONS REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL BUILDING CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Building and Zoning Official Joe Kvapil stated that the only change to the 2009 ICC International Building Code is to delete Section 415(B)4 regarding debts of prior owners. Mr. Kvapil responded to Board Member Bredfeldt that if a person owes the Village money, the Village can put a lien on the property.

Motion

Board Member McGinley moved, seconded by Board Member Bredfeldt, to approve the 2009 ICC International Building Code as amended with four (4) "yes" votes and zero (0) "no" votes as follows: Board Members McGinley, Bredfeldt, Burke Hoeh and Chairman Ryan voted yes.

2009 ICC INTERNATIONAL RESIDENTIAL CODE. CONTINUED DISCUSSION, CONSIDERATION AND RECOMMENDATIONS REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL RESIDENTIAL CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Mr. Kvapil referred to the draft Exhibit A of the 2009 ICC International Residential Code and stated that there are no changes proposed from that document that were discussed at the April 8, 2011 BBA meeting.

Board Member Burke Hoeh moved, seconded by Board Member McGinley, to approve the 2009 ICC International Residential Code as amended at the April 8, 2011 BBA meeting with four (4) "yes" votes and zero (0) "no" votes as follows: Board Members Burke Hoeh, McGinley, Bredfeldt and Chairman Ryan voted yes.

Staff Report

Mr. Kvapil distributed a draft ordinance amending Chapter 1 of Title 4 (Building Regulations) of the Village Code of the Village of Glen Ellyn, Illinois Adopting the 2009 International Energy Conservation Code with Local Amendments for discussion at a

future meeting. Due to absences by BBA members on regularly scheduled meeting dates, subsequent meetings have been scheduled for July 11, 2011 and August 8, 2011.

Mr. Kvapil stated that packets of information regarding proposed amendments to the International Building Code and International Residential Code packets will be forwarded to local builders for their review. Mr. Kvapil added that the builders will be invited to the next BBA meeting or a special meeting for the builders could be held. Mr. Kvapil responded to Chairman Ryan that input from the builders will be received before recommendations are forwarded to the Village Board.

There being no further business before the BBA, the meeting was adjourned at 8:21 p.m.

Submitted by:
Barbara Utterback
Recording Secretary

Reviewed by:
Joe Kvapil
Building and Zoning Official

BUILDING BOARD OF APPEALS
MINUTES
JULY 25, 2011

The meeting was called to order by Chairman James Ryan at 7:37 p.m. Board Members Thomas Bredfeldt, Michaelene Burke Hoeh and Mike Morange were present. Board Members Pete Campbell and James McGinley were excused. Also present were Building and Zoning Official Joe Kvapil and Recording Secretary Barbara Utterback.

Board Member Bredfeldt moved, seconded by Board Member Burke Hoeh, to approve the minutes of the June 6, 2011 Building Board of Appeals meeting. The minutes were approved with four (4) yes votes and zero (0) no votes as follows: Board Members Bredfeldt, Burke Hoeh, Morange and Chairman Ryan voted yes.

2009 ICC INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE. PUBLIC DISCUSSION AND OPPORTUNITY FOR LOCAL BUILDERS AND ARCHITECTS TO QUESTION AND CLARIFY THE PROVISIONS AND AMENDMENTS TO THESE CODES THAT ARE PROPOSED FOR ADOPTION.

Chairman Ryan stated that the public has been asked to respond to the 2009 ICC International Building Code and International Residential prior to a formal recommendation being forward to the Village Board.

Ray Whalen, a local builder, was present at the meeting. Mr. Whalen requested clarification regarding the fee schedule for a house with a crawl space and each basement floor. Mr. Kvapil clarified that each basement floor should mean each lower level below the grade and that if the grade is above half, it's a basement and if it's below half, it's a first floor (the halfway point being the divider). Mr. Kvapil responded to Board Member Bredfeldt that there is no cost for a crawl space because it is not habitable. Mr. Whalen commented that the Village will lose money on permit fees because a third floor is typically 700-900 square feet on a 3,800-square foot house. In response to Mr. Whalen's claim that the total figure for a house would be the same but different per the floors, Mr. Kvapil responded that he will compare the fees from the previous chart to the new chart for a 3-story home as he thought both figures were the same. Mr. Kvapil reminded those present that the lot coverage square foot area for the first floor includes everything covered by a roof, including porches and that all of the other floors include the gross square feet of the living area. Mr. Kvapil responded to Mr. Whalen that a walkout basement is 20 cents per square foot if the basement floor is below the halfway point. Chairman Ryan commented that the intention of the fee schedule is to make the process more simple. Mr. Whalen stated that he likes the new fee process but feels it will cause a builder to save a minimal amount of money in permit fees. Mr. Kvapil responded that he will again research this process and forward a sample of the results to interested parties. Mr. Whalen stated that a demolition tax must be paid if a roof is removed from a ranch house and a second story is added. Mr. Kvapil responded that the Building and Zoning Department is currently not charging for that fee because it is his understanding that it

relates to total teardowns only, however, he read the definition of Demolition Taxes which includes partially demolished projects. Mr. Kvapil added that in the Demolition Tax section, only the reference to classes will be removed and the tax will remain applicable to partial demolition projects that qualify. Mr. Whalen commented that some will view charging a demolition tax for partial projects as perpetuating teardowns. Mr. Kvapil agreed with Mr. Whalen that construction hours could be limited or excluded on federal holidays. Chairman Ryan, however, felt it was not the purpose of government to limit work hours and because the issue is not an existing problem, stated that the BBA should not try to solve a problem that doesn't exist. Board Member Morange also stated that homeowners sometimes need to work on projects during their holidays from work. Mr. Kvapil stated that construction hours will remain as is. Mr. Kvapil stated that Section 105.2 regarding work exempt from permits assists regarding enforcement.

Please note that the BBA has previously passed motions regarding the above codes.

VILLAGE CODE SECTION 4-1-4(A)1a BASE PERMIT FEE TABLE. REVIEW AND RECOMMENDATIONS FOR CHANGES TO THIS CODE SECTION THAT WAS PREVIOUSLY APPROVED AT THE JUNE 6, 2011 BBA MEETING.

In response to Chairman Ryan, Mr. Kvapil responded that he will revise any discrepancies in the fee code.

VILLAGE CODE SECTION 2-7-4 REGARDING BBA QUORUM REQUIREMENTS. REVIEW OF AN ORDINANCE THAT REVISES THE LANGUAGE OF THESE REQUIREMENTS FOR CLARIFICATION.

Chairman Ryan stated this code section has been previously discussed.

2009 ICC INTERNATIONAL ENERGY CONSERVATION CODE. DISCUSSION, CONSIDERATION AND RECOMMENDATIONS REGARDING A PROPOSED ORDINANCE TO ADOPT AND AMEND THE 2009 ICC INTERNATIONAL ENERGY CONSERVATION CODE TO BE INCORPORATED AS A TEXT AMENDMENT INTO THE VILLAGE CODE, TITLE 4 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODE.

Mr. Kvapil referred to the index and ordinance related to adopting the 2009 ICC International Energy Conservation Code with no proposed changes. Mr. Kvapil also referred to the attached summary regarding the Energy Conservation Code from the State of Illinois that applies to commercial and residential buildings. He stated that municipalities have no latitude in making any changes and added that he found nothing in the material that would require the Village to petition the State for a change(s) or amendment(s). Mr. Kvapil recommended adopting the code as is. He added that there are significant changes from the previous code and that the Village had amendments in place regarding roof and ceiling insulation requirements. At Mr. Kvapil's request, Board Member Morange stated that R11 is current for walls and R30 is current for ceilings; Mr. Kvapil added that those figures have been changed to R21 for walls and R38 for ceilings.

Board Member Bredfeldt asked if there are requirements on the efficiency of heating equipment, and Mr. Kvapil responded that that information would be in the mechanical code.

Motion

Board Member Burke Hoeh moved, seconded by Board Member Morange to approve the adoption of the International Energy Conservation Code to be the Glen Ellyn Code. The motion carried unanimously with four (4) "yes" votes as follows: Board Members Morange, Burke Hoeh, Bredfeldt and Chairman Ryan voted yes.

Staff Report

Mr. Kvapil updated the BBA regarding the College of DuPage. After a discussion, it was decided that the next BBA meeting will be held on September 12, 2011.

Chairman's Report

Chairman Ryan asked Mr. Kvapil to provide the BBA members with letters documenting their time spent on this process.

There being no further business before the BBA, Chairman Ryan moved, seconded by Board Member Burke Hoeh, to adjourn the meeting at 8:35 p.m.

Submitted by:
Barbara Utterback
Recording Secretary

Reviewed by:
Joe Kvapil
Building and Zoning Official

A-6H

MEMORANDUM

TO: Mark Franz, Village Manager *MF*
FROM: Kristen Schrader, Assistant to the Village Manager – ADM *KS*
DATE: January 24, 2012
RE: Village/Library Intergovernmental Parking Agreement



Background

The Glen Ellyn Public Library requested that the Village consider entering into an Intergovernmental Agreement (IGA) related to permitting Library employees to park in the Duane/Lorraine Parking Lot. The Duane/Lorraine Parking Lot is just west of the Library lot, and is not fully used to capacity by commuters on a daily basis. On the other hand, the Library consistently has a shortage of parking spots for both employees and users in their lot. Entering into this intergovernmental agreement will help to alleviate the parking shortage at the Library without negatively impacting Glen Ellyn commuters' ability to park in this lot.

Issues

The IGA provides the Library with the usage of 22 spots in the Duane/Lorraine Parking Lot, at a cost of \$100 per spot per year, or at an annual cost of \$2,200. The Library Board considered and approved this IGA at their Board Meeting on January 16, 2012. Village staff has also reviewed the proposed agreement and is comfortable with the provisions.

Action Requested

The Village Board is requested to review and approve the proposed Intergovernmental Agreement between the Village and the Library related to parking at the Duane/Lorraine Parking Lot at the January 30 Special Village Board Meeting.

Attachments

- Proposed Intergovernmental Agreement

cc: Phil Norton, Chief of Police
Dawn Bussey, Executive Director, Glen Ellyn Public Library

**INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN
THE VILLAGE OF GLEN ELLYN AND THE GLEN ELLYN PUBLIC LIBRARY**

This Intergovernmental Agreement (the "Agreement" is made and entered into as of the 30th day of January, 2012 and is by and between the Village of Glen Ellyn, a municipal corporation (the "Village") and the Glen Ellyn Public Library, a municipal library (the "Library").

RECITALS:

- A. The Village owns a parcel of property (the "Duane Street Parking Lot") situated on the North side of Duane Street which has Two Hundred Forty Five parking spaces to provide daily fee parking, primarily by individuals traveling to and from Chicago on the Metra Commuter Railroad;
- B. The Library and Village have determined that the Duane Street Parking Lot is not utilized to its capacity so that a number of spaces remain vacant each business day;
- C. The Duane Street Parking Lot is immediately adjacent to and west of the parking lot (the "Library Parking Lot") owned and used by the library for its patrons, employees and volunteers;
- D. The Library Parking Lot is frequently used to its capacity and the Library has requested the right to utilize twenty-two (22) parking spaces of the Duane Street Parking Lot for exclusive use by its employees;
- E. The Village has agreed to grant a license to the Library for the utilization of parking spaces for motor vehicle parking by the Library's employees in the Duane Street Parking Lot upon the terms and conditions set forth below.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth below, the parties do hereby agree as follows:

1. Incorporation of Recital Paragraphs/Term and Termination

1.1 Recital Paragraphs A through E inclusive, shall be and the same are hereby incorporated into and made a part of this Agreement.

1.2. The term ("License Term") of the License shall commence upon the execution of this Agreement. The License granted hereunder may be terminated by either party without cause upon written notice of not less than sixty (60) days of the termination date.

2. Grant of License

2.1 In consideration of the covenants of the Library as set forth herein, the Village does hereby grant to the Library a license (the "License") for the exclusive use of twenty-two (22) parking spaces ("Licensed Parking Spaces") situated in the Duane Street Parking Lot.

2.2 The Licensed Parking Spaces shall be those spaces which are situated in the western most portion of the Duane Street Parking Lot and which border the west, north and east boundaries of the property. The License granted hereunder shall apply to Licensed Parking Spaces numbered 1-6 and 230-245.

2.3 Subject to intermittent interruptions in availability for maintenance, weather conditions, or special occasions (including annual Recycling Extravaganza and quarterly Electronics Recycling Collection) for use by the Village or its licensees, the Library shall have the exclusive use of the Licensed Parking Spaces. The Village shall adopt an amendment to its applicable Ordinance establishing a violation for unauthorized use of the Library Parking Spaces. The Library shall report any unauthorized use to the Village Police Department.

2.4 The License grant is for the parking of motor vehicles only between 7:00 AM and 10:00 PM.

2.5 The Library shall not sublet any of the Licensed Parking Spaces during the term of this Agreement.

3. Library Covenants

3.1 The Library shall, at its expense, install signage for the Licensed Parking Spaces. The size, number, content type of signage and location of the signs shall be at the exclusive approval of the Village and in accordance with the Village's Sign Code.

3.2 In consideration of the grant of the License, the Library shall pay an annual fee (the "License Fee") to the Village in the amount of \$2,200 or \$100 per Licensed Parking Space per fiscal year, commencing on May 1 and ending on April 30 of each year. Except for the payment of the License Fee to be made concurrent with the commencement of the License, which shall be the date upon which this Agreement is executed by the parties, payment of the License Fee shall be due on May 1 of each year. The License Fee for the initial term shall be prorated on a per-month basis and shall be an amount which is equal to one twelfth (1/12th) times the number of months of the initial term.

3.3 The Library shall provide each of its employees with a placard approved by the Village to identify the motor vehicle as one belonging to an employee of the Library.

4. Maintenance

4.1 The Village shall be responsible for the cost and implementation of maintenance of the Licensed Parking Spaces including, snow removal.

4.2 The Village will provide the Library with reasonable notice of any repairs to the Licensed Parking Spaces, or to the Duane Street Parking Lot which will restrict or prohibit use of the Licensed Parking Spaces for the duration of the repairs.

5. Notices

5.1 Any notices required or given hereunder, shall be in writing, and may be served by; (i) personal receipted delivery; (ii) recognized overnight mail service; or, (iii) certified mail-return receipt requested, addressed as follows:

If to the Village:

Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137
Attn: Village Manager

If to Library: Glen Ellyn Public Library
400 Duane Street
Glen Ellyn, IL 60137
Attn: Library Director

6. Miscellaneous

6.1 Counterparts This Agreement may be executed in counterparts each of which shall be deemed to be an original, but all of which shall be one in the same instrument.

6.2 Entire Agreement This Agreement contains the entire understanding of the parties with respect to the subject matter hereto. There are no representations, agreements, arrangements or understandings with regard to the subject matter which are not expressed herein.

6.3 Governing Laws This Agreement shall be construed and its provisions applied under the laws of the State of Illinois.

6.4 Recording Prohibited This Agreement shall not be recorded with the Recorder of Deeds of DuPage County.

6.5 Modifications This Agreement may be modified only by further written agreement specifically referring to this Section. Any such modification shall not be effective unless approved and executed by the Village and Library.

6.6 Insurance The Library shall cause the Village to be named as an Additional Insured on its general liability insurance policy and, from time to time, provide the Village with a copy of the Certificate of Insurance in compliance with the terms of this Agreement.

IN WITNESS WHEREOF, the Village, pursuant to the authority granted by the adoption of a Resolution by its Board of Trustees, has caused this Agreement to be executed by its President and attested by its Clerk and the Library, pursuant to the authority granted by the adoption of a Resolution by its Board of Trustees, has caused this Agreement to be executed by its President and attested by its Secretary.

VILLAGE OF GLEN ELLYN

GLEN ELLYN PUBLIC LIBRARY

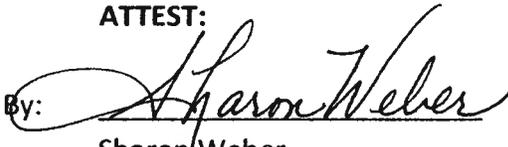
By: _____
Mark Pfefferman,
Village President

By: 
John M. Mulherin,
Board President

ATTEST:

ATTEST:

By: _____
Suzanne R. Connors,
Village Clerk

By: 
Sharon Weber,
Board Secretary

STATE OF ILLINOIS)
) SS
COUNTY OF DuPAGE)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that the above-named Mark Pfefferman and Suzanne R. Connors, personally known to me to be the President and Clerk of the Village of Glen Ellyn, and also known to me to be the same persons whose names are subscribed to the foregoing instrument as President and Clerk, respectively, appeared before me this day in person and severally acknowledged that as President and Clerk they signed and delivered the signed instrument, pursuant to authority given by said Village of Glen Ellyn, as their free and voluntary act, and as the free and voluntary act and deed of the Village of Glen Ellyn, for the uses and purposes therein set forth,

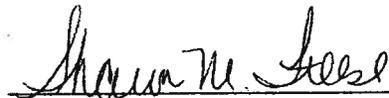
GIVEN under my hand and Official Seal, this _____ day of January, 2012.

Notary Public

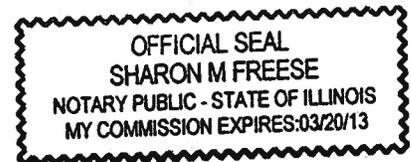
STATE OF ILLINOIS)
) SS
COUNTY OF DuPAGE)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that the above-named John M. Mulherin and Sharon Weber, personally known to me to be the Board President and Board Secretary of the Glen Ellyn Public Library, and also known to me to be the same persons whose names are subscribed to the foregoing instrument as Board President and as Board Secretary, respectively, appeared before me this day in person and severally acknowledged that as Board President and Board Secretary they signed and delivered the foregoing instrument, pursuant to authority given by the Glen Ellyn Public Library, as their free and voluntary act, and as the free and voluntary act and deed of the Glen Ellyn Public Library, for the uses and purposes therein set forth,

GIVEN under my hand and Official Seal, this 16th day of January, 2012.



Notary Public



PRODUCER

THE NOLAN AGENCY
PO BOX 1385
LOMBARD IL 60148

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

COMPANY A	INDIANA INSURANCE
COMPANY B	
COMPANY C	
COMPANY D	

INSURED

G E FREE PUBLIC LIBRARY
400 DUANE
GLEN ELLYN IL 60137

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> OWNER'S & CONT PROT	CRP7335966	7/01/11	7/01/12	GENERAL AGGREGATE \$ 2,000,000 PRODUCTS-COMP/OP AGG \$ 2,000,000 PERSONAL & ADV INJURY \$ 1,000,000 EACH OCCURRENCE \$ 1,000,000 FIRE DAMAGE (Any one fire) \$ 100,000 MED EXP (Any one person) \$ 5,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: \$ EACH ACCIDENT \$ AGGREGATE \$
A	EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM	OU8875855	7/01/11	7/01/12	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY THE PROPRIETOR/PARTNERS/EXECUTIVE OFFICERS ARE: <input type="checkbox"/> INCL <input type="checkbox"/> EXCL	WC7335988	7/01/11	7/01/12	<input checked="" type="checkbox"/> STATUTORY LIMITS EACH ACCIDENT \$ 1,000,000 DISEASE - POLICY LIMIT \$ 1,000,000 DISEASE - EACH EMPLOYEE \$ 1,000,000
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS
 VILLAGE OF GLEN ELLYN ADDED AS AN ADDITIONAL INSURED FOR USE OF VILLAGE PARKING LOT

CERTIFICATE HOLDER

VILLAGE OF GLEN ELLYN
535 DUANE ST
GLEN ELLYN IL 60137

CANCELLATION
 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.
 AUTHORIZED REPRESENTATIVE
 Jeff Mills *Jeff Mills*

MEMORANDUM

TO: Mark Franz, Village Manager

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

DATE: January 12, 2012

RE: Memorial Field Variation Requests



Background. Glenbard Township High School District 87, owner of Memorial Park (aka Memorial Field) located at 671 Crescent Boulevard is requesting approval of variations from the Glen Ellyn Zoning Code to accommodate new impervious surfaces, bleachers, fencing, an ornamental gate, batting cage and lights. In 2010, the School District received approval of variations by the adoption of Ordinance 5888 to allow the construction of new dugouts, sidewalks and a paver path and patio. A new turf field was also installed around this time. The currently requested variations would accommodate the next phase of improvements.

In accordance with Section 10-10-16 of the Zoning Code, zoning approvals are valid for 18 months, unless the Village Board extends the length of the approval by Ordinance. The School District is requesting that, if approved, the currently requested variations be valid for 5 years in order to allow the District to phase in the improvements. The Village has allowed an extended timeframe for phased projects in the past. To the best of staff's knowledge, an anticipated construction schedule for the improvements has not yet been established.

The subject property is located on the south side of Crescent Boulevard between Park Boulevard and Park Row in the CR Conservation Recreation District. The site is comprised of 8.1 acres. The surrounding zoning and land uses are as follows:

	<u>Land Use</u>	<u>Zoning</u>
North:	Glenbard West High School	R2
South:	Railroad, Prairie Path, Residential	CR, R4, R2
East:	Single-Family	R2
West:	Commercial	C5B

To accommodate the project, the School District is specifically requesting approval of the following zoning variations.

1. A variation from Section 10-5-5(B)4(3) of the Zoning Code to allow an ornamental gate with a height of 14 feet in lieu of the maximum height of 10 feet permitted.
2. A variation from Section 10-5-5(B)4(11) to allow a fence along Crescent Boulevard with a height of 6 feet 6 inches in lieu of the maximum height of 4 feet permitted.

3. A variation from Section 10-5-5(B)4(32) of the Zoning Code to allow a batting cage with a setback of 1 foot from the southern property line in lieu of the minimum setback of 58.14 feet required.
4. A variation from Section 10-5-5(C)1 of the Zoning Code to allow an impervious surface setback of as little as 7.5 feet for a proposed sidewalk along the southern property line and 0 feet to accommodate the base for the bleachers proposed along the northern property line in lieu of the minimum impervious surface setback of 29.07 feet required.
5. A variation from Section 10-5-4(A)2(a) to allow a total of 4,268 square feet of accessory structures on the property in lieu of the maximum of 1,000 square feet of accessory structures permitted (*amendment to previous variation approved by Ordinance 5888*).
6. Variations from Sections 10-5-4(A)4(a) and 10-5-4(A)4(c) of the Zoning Code to allow bleachers to be located 0 feet from the northern property line in lieu of the minimum 18 foot and 29.07 foot accessory structure setbacks required.
7. A variation from Section 10-5-13(M)2(b)1 of the Zoning Code to allow 70 foot tall light poles to be spaced as close as 210 feet apart in lieu of the minimum separation of 280 feet required; to allow 70 foot tall and 60 foot tall light poles to be spaced as close as 106 feet apart in lieu of the minimum separation of 260 feet required; to allow 60 foot tall light poles to be spaced as close as 78 feet apart in the lieu of the minimum separation of 240 feet required; and to allow 60 foot tall and 70 foot tall light poles to be spaced as close as 23 and 37 feet apart respectfully from the existing 30 foot tall tennis court light poles in lieu of the minimum separation of 180 feet and 200 feet required.
8. A variation from Section 10-5-13(M)2(a)2 of the Zoning Code to allow foot-candle levels as high as 8.49 along the southern property line and 7.32 along the northern property line in lieu of the maximum foot-candle level of 3.0 permitted.
9. A variation from Section 10-5-13(M)2(c) to allow the height of the proposed light poles to exceed the height of the approximately 30 foot tall principal building on the site.

The attached Plan Commission staff report includes a brief summary of the proposed improvements. More detailed information about the requests can be found in the petitioner's application packet.

Issues. A majority of the comments submitted to the Plan Commission and testimony presented at the hearings related to the variation requests for the proposed lights. The main concerns of those in opposition to the requests related to character, noise, pedestrian safety and traffic safety. A wealth of information was submitted by the petitioner and public about these issues. All of the documents submitted to the Plan Commission are attached. Police Chief Norton and Village lighting consultant James Darnell addressed questions from the Commission related to many of these issues. Their testimony can be found in the November 30, 2011 transcripts. A memorandum from James Darnell is also attached. Mr. Darnell plans to attend the January 23, 2011 and January 30, 2011 Village Board meetings in the event there are any questions for him from the Village Board.

Another issue raised by some opposing the requests relates to the Village's interpretation of the zoning regulations for "Sport Courts". These regulations were adopted on January 22, 2007 and were intended to address issues with hard surface courts being installed in the backyards of single-family homes. Some of those opposing the requests have argued that the Sport Court regulations should apply to the turf field. Staff plans to bring forward a text amendment in the near future to clarify the Code to better reflect the intent of these regulations.

Recommendation. The Plan Commission considered the requested variations at a total of 11 public meetings and hearings held on August 25, 2011, September 8, 2011, September 22, 2011, September 29, 2011, October 12, 2011, October 20, 2011, October 27, 2011; November 16, 2011, November 17, 2011, November 30, 2011 and December 20, 2011. This is the most meetings on a request that we are aware of. Throughout the course of the public hearings, a total of 21 individuals, including representatives from Our Field Our Town, spoke in opposition to the requests and 22 people spoke in favor of the request. One person spoke and made general comments about the application but was neither in favor nor against. Correspondence was also received from 75 individuals in favor to the request and 29 individuals in opposition of the request. An additional 10 people sent in general correspondence neither in favor of nor in opposition to the application. Some of the individuals that spoke at the meetings also submitted correspondence and a handful of individuals submitted more than one letter or email. Resolutions from the Historic Preservation Commission and Environmental Commission opposing the requests were also submitted and a resolution in support of the requests was submitted by the Glenbard West Boosters. All of the submitted correspondence and resolutions are attached along with copies of the minutes and transcripts from the 11 Plan Commission meetings. Four additional letters, one in favor and three in opposition, have been received since the December 20, 2011 Plan Commission meeting and are attached. Also attached are copies of the various PowerPoint presentations and other materials presented at the Plan Commission meetings. An audio recording of noise at the field is also available if any Trustees would like to hear it.

After considering all of the evidence submitted and testimony presented, the Plan Commission recommended approval of the requests by way of 4 separate votes. Variation 1 above related to the height of the gate was also recommended for approval by a vote of 7-2. Variation 2 related to the height of the fence was recommended for approval by a vote of 7-2. Variations 3-6 related to the impervious surfaces, bleachers, batting cage and total area of accessory structures were recommended for approval by a vote of 8-1. Variations 7-9 related to the lights were recommended for approval by a vote of 6-3. The Plan Commission recommended that the variations for the lights be approved subject to the following conditions:

- A. The improvements shall be constructed in substantial conformance with the plans as submitted and the testimony presented at the August 25, 2011; September 8, 2011; September 22, 2011; September 29, 2011; October 12, 2011; October 20, 2011; October 27, 2011; November 16, 2011; November 17, 2011; and November 30, 2011 public hearings before the Plan Commission.
- B. The lights shall not be used on evenings when the field is not in use.
- C. The lights shall be turned off no later than 9:00 p.m. on any evening that the lights are permitted to be used.

- D. The lights shall not be used on Saturday or Sunday nights.
- E. The lights shall not be used between June 1 and August 14 of each year.
- F. The lights shall not be used by any third party user.
- G. The School District shall form an advisory group which shall include school district administrative staff, a Village representative and residents from the surrounding area to discuss any issues related to the use of the property that may impact the surrounding property owners. The advisory group shall meet a minimum of once a year and, at their discretion, may choose to meet more often. Minutes from all such advisory group meetings shall be promptly shared with the Village.
- H. The lights shall not be used in the morning prior to the start of the school day.
- I. No amplification/sound system shall be used after 7:00 p.m. when the lights are being used.

The Commission also discussed another potential condition requiring the installation of additional landscaping along the southern property line which would include the use of evergreens. The Commission eventually agreed to leave this as a suggestion rather than a recommended condition of approval, but requested that the Village Board be made aware that this suggestion was made to the School District.

Action Requested. The Village Board may approve, approve with conditions or deny the petitioner's requests for approval of the requested zoning variations. In accordance with the Plan Commission's recommendation a draft Ordinance has been prepared approving the requests.

Attachments: Draft Ordinance Approving Requests

DRAFT

Village Of Glen Ellyn

Ordinance No. _____

An Ordinance Approving Variation Requests to Allow Improvements to Memorial Park Located at 671 Crescent Boulevard to Accommodate New Impervious Surfaces, Bleachers, Fencing, an Ornamental Gate, Batting Cage and Lights and Amending Ordinance 5888 to Allow an Increase in the Total Square Footage of Accessory Structures on the Property 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 ____.

An Ordinance Approving Variation Requests to Allow Improvement to Memorial Park Located at 671 Crescent Boulevard to Accommodate New Impervious Surfaces, Bleachers, Fencing, an Ornamental Gate, Batting Cage and Lights and Amending Ordinance 5888 to Allow an Increase in the Total Square Footage of Accessory Structures on the Property Glen Ellyn, Illinois 60137

Whereas, Glenbard High School District 87, owner of Memorial Park located on property commonly known as 671 Crescent Boulevard, is requesting approval of the following variations from the Glen Ellyn Zoning Code:

1. A variation from Section 10-5-5(B)4(3) of the Zoning Code to allow an ornamental gate with a height of 14 feet in lieu of the maximum height of 10 feet permitted;
2. A variation from Section 10-5-5(B)4(11) to allow a fence along Crescent Boulevard with a height of 6 feet 6 inches in lieu of the maximum height of 4 feet permitted;
3. A variation from Section 10-5-5(B)4(32) of the Zoning Code to allow a batting cage with a setback of 1 foot from the southern property line in lieu of the minimum setback of 58.14 feet required;
4. A variation from Section 10-5-5(C)1 of the Zoning Code to allow an impervious surface setback of as little as 7.5 feet for a proposed sidewalk along the southern property line and 0 feet to accommodate the base for bleachers proposed along the northern property line in lieu of the minimum impervious surface setback of 29.07 feet required;
5. An amendment to the variation from Section 10-5-4(A)2(a) of the Zoning Code previously granted by Ordinance 5888 to allow a total of 4,268 square feet of accessory structures on the property in lieu of the maximum of 1,000 square feet of accessory structures permitted;
6. Variations from Sections 10-5-4(A)4(a) and 10-5-4(A)4(c) of the Zoning Code to allow bleachers to be located 0 feet from the northern property line in lieu of the minimum 18 foot and 29.07 foot accessory structure setbacks required;
7. A variation from Section 10-5-13(M)2(b)1 of the Zoning Code to allow 70 foot tall light poles to be spaced as close as 210 feet apart in lieu of the minimum separation of 280 feet required; to allow 70 foot tall and 60 foot tall light poles to be spaced as close as 106 feet apart in lieu of the minimum separation of 260 feet required; to allow 60 foot tall light poles to be spaced as close as 78 feet apart in the lieu of the minimum separation of 240 feet required; and to allow 60 foot tall and 70 foot tall light poles to be spaced as close as 23 and 37 feet apart respectfully from the existing 30 foot tall tennis court light poles in lieu of the minimum separation of 180 feet and 200 feet required;

8. A variation from Section 10-5-13(M)2(a)2 of the Zoning Code to allow foot-candle levels as high as 8.49 along the southern property line and 7.32 along the northern property line in lieu of the maximum foot-candle level of 3.0 permitted; and
9. A variation from Section 10-5-13(M)2(c) to allow the height of the proposed light poles to exceed the height of the approximately 30 foot tall principal building on the site; and

Whereas, the above variations are being requested to allow improvements at Memorial Park including new impervious surfaces, bleachers, fencing, an ornamental gate, batting cage and lights; and

Whereas, the subject property is located in the CR Conservation Recreation zoning district and is bounded by Crescent Boulevard to the north, the Union Pacific railroad to the south, Park Row to the East and Park Boulevard to the west; and

Whereas, the property is legally described as follows:

PARCEL ONE:

LOT 17 IN COUNTY CLERK'S THIRD ASSESSMENT DIVISION IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 3, 1906 AS DOCUMENT NUMBER 88053, IN DUPAGE COUNTY, ILLINOIS.

PARCEL TWO:

BLOCK 6 IN WOODTHORP, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 2, 1926 AS DOCUMENT NUMBER 214660, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-11-410-014; 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, and following the placement of a placard on the subject property not less than fifteen (15) days prior thereto, the Plan Commission of the Village of Glen Ellyn conducted a total of eleven (11) public hearings and meetings on August 25, 2011, September 8, 2011, September 22, 2011, September 29, 2011, October 12, 2011, October 20,

2011, October 27, 2011; November 16, 2011, November 17, 2011, November 30, 2011 and December 20, 2011 at which hearings/meetings the Plan Commission considered the requested Zoning Variations; and

Whereas, at the aforementioned public hearings/meetings of the Plan Commission 21 people spoke in opposition to the requests, 22 people spoke in favor of the request and one person spoke and made general comments about the application. Correspondence was also received from 75 individuals in opposition to the request, 29 individuals in favor of the request and 10 letters/emails were received neither in favor of nor in opposition to the application. Resolutions both in favor of and in opposition to the requests were also submitted by different groups; 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 of the Glen Ellyn Plan Commission dated December 20, 2011, a copy of which is attached hereto as Exhibit “K”, and

1. By a vote of 7 “yes” and 2 “no,” the Plan Commission recommended approval of the requested Variation from Section 10-5-5(B)4(3) of the Zoning Code to allow an ornamental gate with a height of 14 feet in lieu of the maximum height of 10 feet permitted;
2. By a vote of 7 “yes” and 2 “no” the Plan Commission recommended approval of the requested Variation from Section 10-5-5(B)4(11) of the Zoning Code to allow a fence along Crescent Boulevard with a height of 6 feet 6 inches in lieu of the maximum height of 4 feet permitted;
3. By a vote of 8 “yes” and one “no” the Plan Commission recommended approval of the requested Variations from:
 - a. Section 10-5-5(B)4(32) of the Zoning Code to allow a batting cage with a setback of 1 foot from the southern property line in lieu of the minimum setback of 58.14 feet required;
 - b. Section 10-5-5(C)1 of the Zoning Code to allow an impervious surface setback of as little as 7.5 feet for a proposed sidewalk along the southern property line and 0 feet to

accommodate the base for bleachers proposed along the northern property line in lieu of the minimum impervious surface setback of 29.07 feet required;

- c. An amendment to the variation from Section 10-5-4(A)2(a) of the Zoning Code previously granted by Ordinance 5888 to allow a total of 4,268 square feet of accessory structures on the property in lieu of the maximum of 1,000 square feet of accessory structures permitted; and
 - d. Sections 10-5-4(A)4(a) and 10-5-4(A)4(c) of the Zoning Code to allow the northern bleachers to be located 0 feet from the northern property line in lieu of the minimum 18 foot and 29.07 foot accessory structure setbacks required; and
4. By a vote of 6 “yes” and 3 “no”, the Plan Commission recommended approval of the requested Variations from:
- a. Section 10-5-13(M)2(b)1 of the Zoning Code to allow 70 foot tall light poles to be spaced as close as 210 feet apart in lieu of the minimum separation of 280 feet required; to allow 70 foot tall and 60 foot tall light poles to be spaced as close as 106 feet apart in lieu of the minimum separation of 260 feet required; to allow 60 foot tall light poles to be spaced as close as 78 feet apart in the lieu of the minimum separation of 240 feet required; and to allow 60 foot tall and 70 foot tall light poles to be spaced as close as 23 and 37 feet apart respectfully from the existing 30 foot tall tennis court light poles in lieu of the minimum separation of 180 feet and 200 feet required;
 - b. Section 10-5-13(M)2(a)2 of the Zoning Code to allow foot-candle levels as high as 8.49 along the southern property line and 7.32 along the northern property line in lieu of the maximum foot-candle level of 3.0 permitted;
 - c. Section 10-5-13(M)2(c) to allow the height of the proposed light poles to exceed the height of the approximately 30 foot tall principal building on the site; and

Whereas, the Village President and Board of Trustees have reviewed the evidence, exhibits and materials presented at the August 25, 2011, September 8, 2011, September 22, 2011, September 29, 2011, October 12, 2011, October 20, 2011, October 27, 2011; November 16, 2011, November 17, 2011, November 30, 2011 and December 20, 2011 public hearings and meetings before the Plan Commission and have considered the findings of fact and recommendations of the Plan Commission; and

Whereas, the President and Board of Trustees further considered the requests at public meetings on January 23, 2012 and January 30, 2012; and

Whereas, based on the recommendation of the Plan Commission and a review of the

evidence, materials and testimony presented, the Village President and Board of Trustees have determined that granting the requested Zoning Variations is consistent with the goals of the Glen Ellyn Zoning Code.

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 August 25, 2011, September 8, 2011, September 22, 2011, September 29, 2011, October 12, 2011, October 20, 2011, October 27, 2011; November 16, 2011, November 17, 2011, November 30, 2011 and December 20, 2011 minutes of the Glen Ellyn Plan Commission are hereby attached for reference as Exhibits "A-K".

Section Two: Based on upon a review of the evidence, exhibits and materials presented at the eleven (11) public hearings and meetings before the Plan Commission and the subsequent meetings of the Village Board, the Village Board hereby adopts the findings of fact for the requested variations set forth in Exhibit "L" attached hereto.

Section Three: Based upon the findings of fact attached hereto as Exhibit "L", the Village President and Board of Trustees hereby grant approval of the requested Zoning Variations to allow improvements at Memorial Park including new impervious surfaces, bleachers, fencing, an ornamental gate, batting cage and lights.

Section Four: This grant of approval of the requested Zoning Variations is subject to the following conditions:

- A. The project shall be constructed and maintained in substantial conformance with the plans submitted and the testimony presented at the August 25, 2011, September 8, 2011, September 22, 2011, September 29, 2011, October 12, 2011, October 20, 2011, October 27, 2011; November 16, 2011, November 17, 2011, November 30, 2011 Plan Commission public hearings and with the petitioner's application packet stamped received August 11, 2011 including the following plans and documents as though they were attached to this Ordinance:

1. Cover Letter from Chris McClain revised August 9, 2011
2. Narrative Statement/Use Description revised August 9, 2011
3. Application for Variation revised August 9, 2011
4. Quantitative Summary revised August 9, 2011
5. Evidence Related to Zoning Code Standards for a Variation revised August 9, 2011
6. Softball Field Photometric Plan dated July 18, 2011
7. Blanket Grid Photometric Plan dated July 18, 2011
8. Football Field Photometric Plan dated July 18, 2011
9. Soccer Field Photometric Plan dated July 18, 2011
10. Crescent Boulevard Spill Photometric Plan dated July 18, 2011, a reduced copy of which is attached hereto as Exhibit "M"
11. Property Line Spill Photometric Plan dated July 18, 2011, a reduced copy of which is attached hereto as Exhibit "N"
12. Property Line 5' Offset Photometric Plan dated July 18, 2011
13. Musco Light Fixture Cut Sheets, a copy of which is attached hereto as Exhibit "O"
14. Bleacher Section and Plan dated May 12, 2011, a copy of which is attached hereto as Exhibit "P"
15. Field Lighting Information a copy of which is attached hereto as Exhibit "Q"
16. Field Lighting Reflector Design prepared by Musco Lighting
17. Dimensional Control and Paving Plan revised May 12, 2011 a copy of which is attached hereto as Exhibit "R"
18. Grading and Erosion Control Plan revised May 12, 2011

and these plans and documents shall be filed with and made part of the permanent records of the Glen Ellyn Planning and Development Department.

B. Variations 7-9 identified in the preambles herein above related to the lights are also subject to the following conditions:

1. The lights shall not be used on evenings when the field is not in use.
2. The lights shall be turned off no later than 9:00 p.m. on any evening that the lights are permitted to be used.
3. The lights shall not be used on Saturday or Sunday nights.
4. The lights shall not be used between June 1 and August 14 of each year.
5. The lights shall not be used by any third party user.
6. The School District shall form an advisory group which shall include school district administrative staff, a Village representative and residents from the surrounding area to discuss any issues related to the use of the property that may impact the surrounding property owners. The advisory group shall meet a minimum of once a year and, at their discretion, may choose to meet more often. Minutes from all such advisory group meetings shall be promptly shared with the Village.
7. The lights shall not be used in the morning prior to the start of the school day.

8. No amplification/sound system shall be used after 7:00 p.m. when the lights are being used.

Section Five: This grant of approval of the requested Zoning Variations shall expire and become null and void within five (5) years of the date of this Ordinance unless construction of the improvements for which the requested Zoning Variations have been granted is complete, provided, however, that the Village Board, by motion, may extend the length of this approval. Further, the Village Board may, for good cause shown, waive or modify any conditions set forth in this Ordinance without requiring that the matter return for public hearing.

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

Section Seven: Failure of the owners 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 owners 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.

Section Eight. The Village Clerk is hereby authorized to record this Ordinance with the DuPage County Recorder.

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 _____.)

X:\Plandev\PLANNING\DEVELOPMENT PROJECTS\Crescent\Crescent 670, Glenbard West High School\Memorial Field\Phase II - Lights, etc. ZV\Ordinance 011012.docx

EXHIBIT "L"
FINDINGS OF FACT

The following findings are fact are hereby adopted for the requested variation from Section 10-5-5(B)4(3) of the Zoning Code to allow an ornamental gate with a height of 14 feet in lieu of the maximum height of 10 feet.

1. If granted, the requested variation will not alter the essential character of the locality because the increased height of the ornamental entrance gate will serve to enhance visibility of the main entrance and is attractively designed to fit in with the surrounding area. In addition, testimony was given that the gate was designed to reflect the original gate located on the north side of Crescent Boulevard.
2. The petitioner has demonstrated a particular hardship as a result of adhering to the strict letter of the regulations of the Zoning Code because the purpose of the gate is to assist wayfinding and to define the location of the main entrance which is aligned with the Crescent Boulevard pedestrian crosswalk.
3. The plight of the owner is due to unique circumstances because the site is located across the street from the school and it is important to provide a readily visible and identifiable entrance to the property for the safety of students and others crossing the street to use the facility.

The following findings of fact are hereby adopted for the requested variation from Section 10-5-5(B)4(11) of the Zoning Code to allow a fence along Crescent Boulevard with a height of 6 feet 6 inches in lieu of the maximum height of 4 feet permitted.

1. If granted, the requested variation will not alter the essential character of the locality because the wrought iron style fence is attractively designed, more than 50% open and in keeping with the character of the area.
2. The petitioner has demonstrated a particular hardship as a result of adhering to the strict letter of the regulations of the Zoning Code because the proposed 6 foot 6 inch tall fence will provide for a safer separation between the site and the adjacent street than a 4 foot tall fence would and will do more to secure the site.
3. The plight of the owner is due to unique circumstances because a major collector street with existing on-street parking is located directly north of the site and the increased height of the fence will provide a safer separation between the site and the adjacent street.

The following findings are fact are hereby adopted for the requested variation from Section 10-5-5(B)4(32) of the Zoning Code to allow a batting cage with a setback of 1 foot from the southern property line in lieu of the minimum setback of 58.14 feet required.

1. If granted, the requested variation will not alter the essential character of the locality because an existing basketball court is currently located in this area and extends over the property line. The proposed batting cage will have a greater setback than the existing basketball court

and the total area of the batting cage will be less than the area of the existing basketball court. In addition, the proposed change from a basketball court to a batting cage will not result in a significant change of use since both uses are recreational uses. The subject area is also located adjacent to the railroad and is buffered by trees.

2. The petitioner has demonstrated a particular hardship as a result of adhering to the strict letter of the regulations of the Zoning Code because the irregular triangular shape of the property and the unusually lengthy lot width along Park Row of 581 feet creates a hardship in developing the property in accordance with the strict regulations of the Zoning Code as it results in an unusually large required setback for the batting cage which is greater than the required 50 foot front yard setback for a principal structure on the lot and almost as much as the required 60 foot rear yard setback for a principal structure on the lot.
3. The plight of the owner is due to unique circumstances because of the triangular shape of the property and the unusually lengthy lot width along Park Row of 581 feet which is used to determine the required setback.

The following findings of fact are hereby adopted for the requested variations from a.) Section 10-5-5(C)1 of the Zoning Code to allow an impervious surface setback of as little as 7.5 feet for a proposed sidewalk along the southern property line and 0 feet along the northern property line to accommodate the base for the northern bleachers in lieu of the minimum impervious surface setback of 29.07 feet required; and b.) Sections 10-5-4(A)4(a) and 10-5-4(A)4(c) of the Zoning Code to allow bleachers to be located 0 feet from the northern property line in lieu of the minimum 18 foot and 29.07 foot accessory structure setbacks required.

1. If granted, the requested variations will not alter the essential character of the locality because the requested variations are located along the northern and southern property lines and the northern property line is located adjacent to a street and the petitioner owns the property on the other side of the street which is also used as a School. The southern property line is directly adjacent to Union Pacific property and railroad tracks, is buffered by trees and is located approximately 180-200 feet away from any residential uses. In some locations, the railroad, a parking lot and trees are located between the southern property line and any residential uses to the south.
2. The petitioner has demonstrated a particular hardship as a result of adhering to the strict letter of the regulations of the Zoning Code because the unusually lengthy lot width along Park Row of 581 feet results in a relatively large required setback around the perimeter of the entire site which creates a hardship in allowing for the reasonable use and development of the property. The hardship is further exacerbated when combined with the irregular triangular shape of the property.
3. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located because the unusually lengthy lot width along Park Row of 581 feet results in a relatively large required setback around the perimeter of the entire site which, if applied, would impede the

reasonable use and development of the property. The irregular triangular shape of the lot combined with the unusually large required setback further impedes the reasonable use of the property.

4. The plight of the owner is due to unique circumstances because the unusually lengthy lot width along Park Row of 581 feet results in a relatively large required setback around the perimeter of the entire site. In addition, the unusual triangular shape of the property is a unique circumstance because if the required setback was applied around the perimeter of the property, it would significantly impede the petitioner's ability to reasonably use the property and to provide pedestrian and ADA accessibility to some of the amenities on the site.

The following findings of fact are hereby adopted for the requested amendment to the variation to Section 10-5-4(A)2(a) of the Zoning Code previously approved by Ordinance 5888 to allow a total of 4,268 square feet of accessory structures on the property in lieu of the maximum of 1,000 square feet of accessory structures permitted.

1. If granted, the requested variation not alter the essential character of the locality because the variation is being requested to allow the construction of an approximately 2,800 square foot bleacher area along the north property line which will be in the same location where temporary bleachers are currently located and to allow the existing portable softball bleachers to remain which have been classified as structures due to the petitioner's intention to keep these bleachers in place year round. Therefore, if granted, the requested variations should have little to no impact on the character of the area because the subject bleachers are already in place. In addition, no evidence that the Village has received any complaints related to the existing temporary bleachers has been received.
2. The petitioner has demonstrated a particular hardship as a result of adhering to the strict letter of the regulations of the Zoning Code because the property is used for fields and other recreational purposes accessory to the school and the existing and proposed accessory structures on the property including the proposed bleachers and existing dugouts are customary and generally associated with such uses. Therefore, without the requested variations, the property would not be able to be used for these purposes.
3. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located because the property is used for fields and other recreational purposes accessory to the school and the existing and proposed accessory structures on the property including the proposed bleachers and existing dugouts are customary and generally associated with such uses. Therefore, without the requested variations, the property would not be able to be use for these purposes.
4. The plight of the owner is due to unique circumstances because the site is relatively large being comprised of 8.1 acres and the proposed accessory structures would take up less than 1.5% of the site.

The following supplemental findings of facts are also hereby adopted for all of the variations identified above related to the impervious surfaces, accessory structures, batting cage, gate and fence.

1. The physical surrounding and shape of the property would bring particular hardship upon the applicant as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out because the site is located on a major collector street across from the school with existing on-street parking. Therefore, providing a readily identifiable entrance to the property benefits pedestrian safety and providing a taller than normal fence provides enhanced security and safety. In addition, the required impervious surface and accessory structure setbacks are relatively large given the width of the lot and the impact of these variations on surrounding properties should be minimal given that a collector street is located north of the site and the petitioner owns the property across the street to the north which is also used as a school and railroad tracks, a parking lot and trees separate the property from the residential uses to the south and approximately 180-200 feet separate the southern property line from any residential uses.
2. The conditions on which the variations are based are not applicable generally to other property within the same zoning district because the property is part of a school campus which is separated by a street and the main occupants of the site are required to cross a public road in order to access the property. In addition, the property has an unusual triangular shape and a relatively large lot width.
3. The purpose of the variations is not based exclusively upon a desire to make more money out of the property because the owner is a public school district.
4. That the alleged difficulties or particular hardships have not been created by any person presently having an interest in the property or by the applicant because the unusual triangular shape of the lot and the lot width have not been altered by the petitioner.
5. That the granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which it is located because the proposed permanent bleachers, impervious surfaces, entry gate, fencing and batting cage will benefit the users and general public. Furthermore, the proposed permanent seating will provide needed handicap accessible seating/viewing areas for the main field and will replace temporary seating in these locations, the proposed entry gate will provide a dedicated and visible field access point for spectators and enhance the overall campus appearance and the proposed 3rd base walkway and ramp will provide an accessible route to the 3rd base softball bleachers.
6. The requested variations will not:
 - a. Impair an adequate supply of light and air to adjacent property because no new buildings are proposed and the property will continue to be used for recreational purposes accessory to the school.

- b. Substantially increase the hazard from fire or other dangers to said property or adjacent property because the principal use of the property will not be changing and the primary use will continue to be for recreational purposes accessory to the school.
 - c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village.
 - d. Diminish or impair property values within the neighborhood because a street is located north of the site and the petitioner owns the property across the street to the north of the site which is also used as part of the school campus. A street also separates the site from the single-family residences to the east. In addition, railroad tracks, a parking lot and trees separate the property from the residential uses to the south and approximately 180-200 feet separate the southern property line from any residential uses.
 - e. Unduly increase traffic congestion in the public streets and highways because no new access drives are proposed and the primary use of the property will not be changing and will continue to be for recreational purposes accessory to the school.
 - f. Create a nuisance because the principal use of the property will not be changing and the primary use will continue to be for recreational purposes accessory to the school.
 - g. Result in an increase in public expenditures because based on the testimony of the Police Chief, no increase in police demand is expected in the area as a result of the requested variations and no improvements are proposed that should create an additional need for other Village services such as water, sewer, roads, etc.
7. The variations are the minimum variations that will make possible the reasonable use of the land, building or structure due to the irregular triangular shape of the lot and relatively large lot width.

The following findings of fact are hereby adopted for the requested variations from a.) Section 10-5-13(M)2(B)1 of the Zoning Code to allow 70 foot tall light poles to be spaced as close as 210 feet apart in lieu of the minimum separation of 280 feet required; to allow 70 foot tall and 60 foot tall light poles to be spaced as close as 106 feet apart in lieu of the minimum separation of 260 feet required; to allow 60 foot tall light poles to be spaced as close as 78 feet apart in lieu of the minimum separation of 240 feet required; and to allow 60 foot tall and 70 foot tall light poles to be spaced as close as 23 and 37 feet apart respectfully from the existing 30 foot tall tennis court light poles in lieu of the minimum separation of 180 feet and 200 feet required; b.) Section 10-5-13(M)2(a)2 of the Zoning Code to allow foot candle levels as high as 8.49 along the southern property line and 7.32 along the northern property line in lieu of the maximum foot candle level of 3.0 permitted; and c.) Section 10-5-13(M)2(c) to allow the height of the proposed light poles to exceed the height of the approximately 30 foot tall principal building on the site:

- 1. If granted, the requested variations will not alter the essential character of the locality because the character of the area is a school campus bisected by a major collector street and

the principal use of the property will not be changing. Furthermore, the lights would only be turned on a maximum of 140 nights a year and the lights will not be in use in the summer. Furthermore, a street is located north of the site and the petitioner owns the property across the street to the north of the site which is also used as part of the school campus. A street also separates the site from the single-family residences to the east. In addition, railroad tracks, a parking lot and trees separate and buffer the property from the residential uses to the south and approximately 180-200 feet separates the southern property line from any residential uses. The petitioner provided evidence in the form of cross sections that the impact and visibility of the lights from the residential properties to the south and east will be mitigated and buffered by existing vegetation and distance. In addition, the photometric plans submitted by the petitioner indicate that the proposed foot candle levels will be no greater than .2 at the surrounding residential property lines and will be zero at most of the surrounding residential property lines. A foot candle level of .2 is less than the maximum permitted foot candle level of .3 that would be permitted if the surrounding residential properties were adjacent to the site.

2. The petitioner has demonstrated a particular hardship as a result of adhering to the strict letter of the regulations of the Zoning Code due to the unique requirements for lighting sports fields. The petitioner has submitted evidence that the proposed pole heights, location and foot candle levels are essential to achieve the recommended illumination levels for safe play and the Village's lighting consultant has testified and submitted a written report indicating that the proposed lighting levels on the field are appropriate. Evidence was also submitted by the petitioner that there would be practical difficulties to installing lights at Duchon Field as was suggested by certain members of the public because Duchon Field provides overflow stormwater detention for Lake Ellyn. The petitioner also presented testimony that the need for additional practice field time has increased as the number of sports teams and other extracurricular activities have increased in order to keep pace with other schools and abide by Title 9 requirements. The Zoning Code standards create a practical difficulty in providing the field time needed to support the school's extracurricular programs which have expanded over time.
3. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located because without the lights, the use of the property will be restricted to daylight hours and the petitioner will not be able to reasonably use the property to accommodate the extracurricular goals of the School District. The petitioner also presented testimony that the need for additional practice field time has increased as the number of sports teams and other extracurricular activities have increased in order to keep pace with other schools and abide by Title 9 requirements. Testimony was also presented that Glenbard West is one of the only schools in DuPage County without a lighted field.
4. The plight of the owner is due to unique circumstances because of the unique requirements for lighting sports fields. The petitioner has submitted evidence that the proposed pole heights, location and foot candle levels are essential to achieve the recommended illumination levels for safe play and the Village's lighting consultant has testified and submitted a written report indicating that the proposed lighting levels on the field are

appropriate. Furthermore, the unique triangular shape of the property limits the site planning options of the various fields and other recreational uses on the site which subsequently impacts potential lighting options in terms of location, height and foot candle levels.

The following supplement findings of fact for the three variation requests identified hereinabove related to the installation of lights on the property are hereby adopted.

1. The shape of the property would bring particular hardship upon the applicant as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out because the site has an irregular triangular shape which limits the site planning options for the property and hence the potential location of light poles and the subsequent foot candle levels at the property lines.
2. The conditions on which the variations are based are not applicable generally to other property within the same zoning district due to the irregular triangular shape of the lot and unusually lengthy lot width.
3. The purpose of the variations is not based exclusively upon a desire to make more money out of the property because the owner is a public school district and has agreed not to rent out the property to any third party users in the evenings when lights would be needed.
4. That the alleged difficulties or particular hardships have not been created by any person presently having an interest in the property or by the applicant because the usual triangular shape of the lot and lot width have not been created by the petitioner.
5. That the granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which it is located because a street is located north of the site and the petitioner owns the property across the street to the north of the site which is also used as part of the school campus. A street also separates the site from the single-family residences to the east. In addition, railroad tracks, a parking lot and trees separate and buffer the property from the residential uses to the south and approximately 180-200 feet separate the southern property line from any residential uses. The petitioner provided evidence in the form of cross sections that the impact and visibility of the lights from the residential properties to the south and east will be mitigated and buffered by existing vegetation and distance. In addition, the photometric plans submitted by the petitioner indicate that the proposed foot candle levels will be no greater than .2 at the surrounding residential property lines and will be zero at most of the surrounding residential property lines. A foot candle level of .2 is less than the maximum permitted foot candle level of .3 that would be permitted if the surrounding residential properties were adjacent to the site.
6. The requested variations will not:
 - a. Impair an adequate supply of light and air to adjacent property because no new buildings are proposed and the property will continue to be used for recreational purposes accessory to the school;

- b. Substantially increase the hazard from fire or other dangers to said property or adjacent property because the principal use of the property will not be changing and the primary use will continue to be for recreational purposes accessory to the school. In addition, although testimony was presented about the warning labels associated with the lights as related to fire, breakage and health issues, the Plan Commission finds that the testimony of the petitioner's lighting expert, who has personal experience working with the proposed lights and who testified that he is not aware of any instances of such related occurrences with the proposed lights, to be compelling.
- c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village because the principal use of the property will not be changing and the primary use will continue to be for recreational purposes accessory to a public school.
- d. Diminish or impair property values within the neighborhood because the petitioner provided expert testimony that the lights will not negatively impact property values in the surrounding area. In addition, a street is located north of the site and the petitioner owns the property across the street to the north of the site which is also used as part of the school campus. A street also separates the site from the single-family residences to the east. In addition, railroad tracks, a parking lot and trees separate the property from the residential uses to the south and approximately 180-200 feet separate the southern property line from any residential uses. Furthermore, the petitioner provided various evidence at the hearings, including cross sections, demonstrating that the impact and visibility of the lights from the residential properties to the south and east will be mitigated and buffered by existing vegetation and distance. In addition, the photometric plans submitted by the petitioner indicates that the proposed foot candle levels will be zero at all surrounding residential property lines.
- e. Unduly increase traffic congestion in the public streets and highways because no new access drives are proposed and the principal use of the property will not be changing and the primary use will continue to be for recreational purposes accessory to the school. In addition, testimony was presented that the presence of lights will allow the School District to better space out practices and games which could reduce the amount of pedestrian and vehicular activity in the area at one time and improve traffic circulation.
- f. Create a nuisance because the principal use of the property will not be changing and the primary use will continue to be for recreational purposes accessory to the school. In addition, the lights would only be turned on a maximum of 140 nights a year and the petitioner has agreed not to use the lights in the summer. Therefore, the use of the lights will be kept to a minimum. In addition, the photometric plans submitted by the petitioner indicate that the proposed foot candle levels at all surrounding residential property lines will be minimal.
- g. Result in an increase in public expenditures because based on the testimony of the Police Chief, no increase in police demand is expected in the area as a result of the requested

variations for the lights and no improvements are proposed that should create an additional need for other Village services.

7. The requested variations are the minimum variations needed to make reasonable use of the property as the applicant has worked with the Village's lighting consultant to reduce the lighting levels while continuing to provide sufficient lighting for play of the fields.

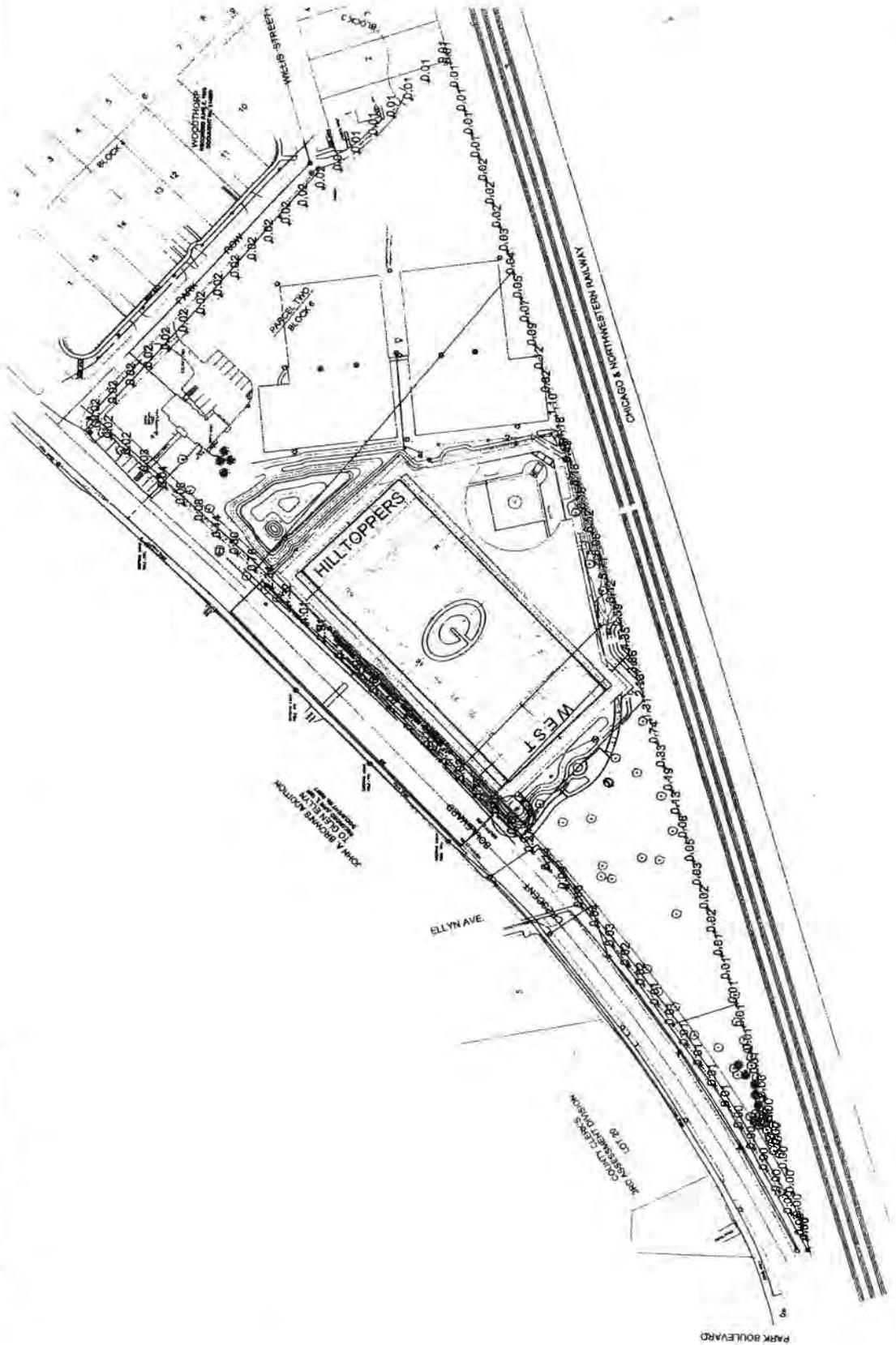
PROPERTY LINE SPILL



ILLUMINATION SUMMARY
 PROJECT: 11000 N. Park
 DATE: 11/15/11
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]
 PROJECT LOCATION: 11000 N. Park
 PROJECT TYPE: [Type]
 PROJECT VALUE: [Value]
 PROJECT STATUS: [Status]



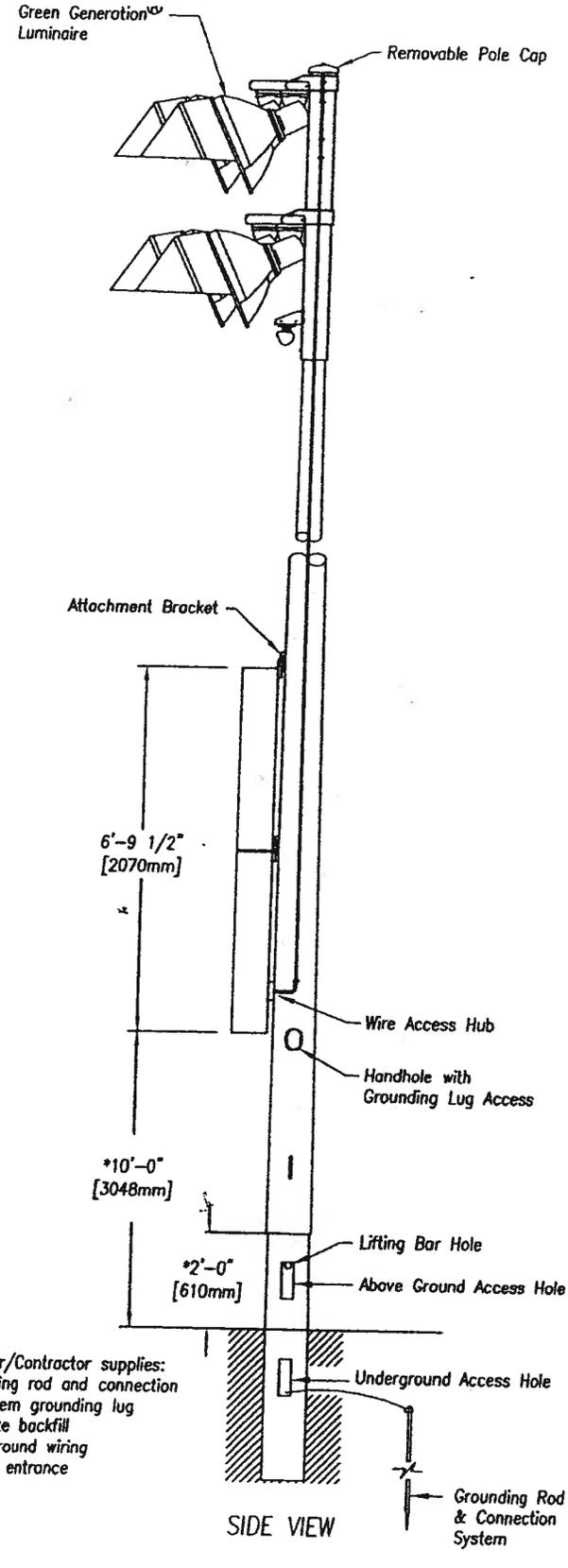
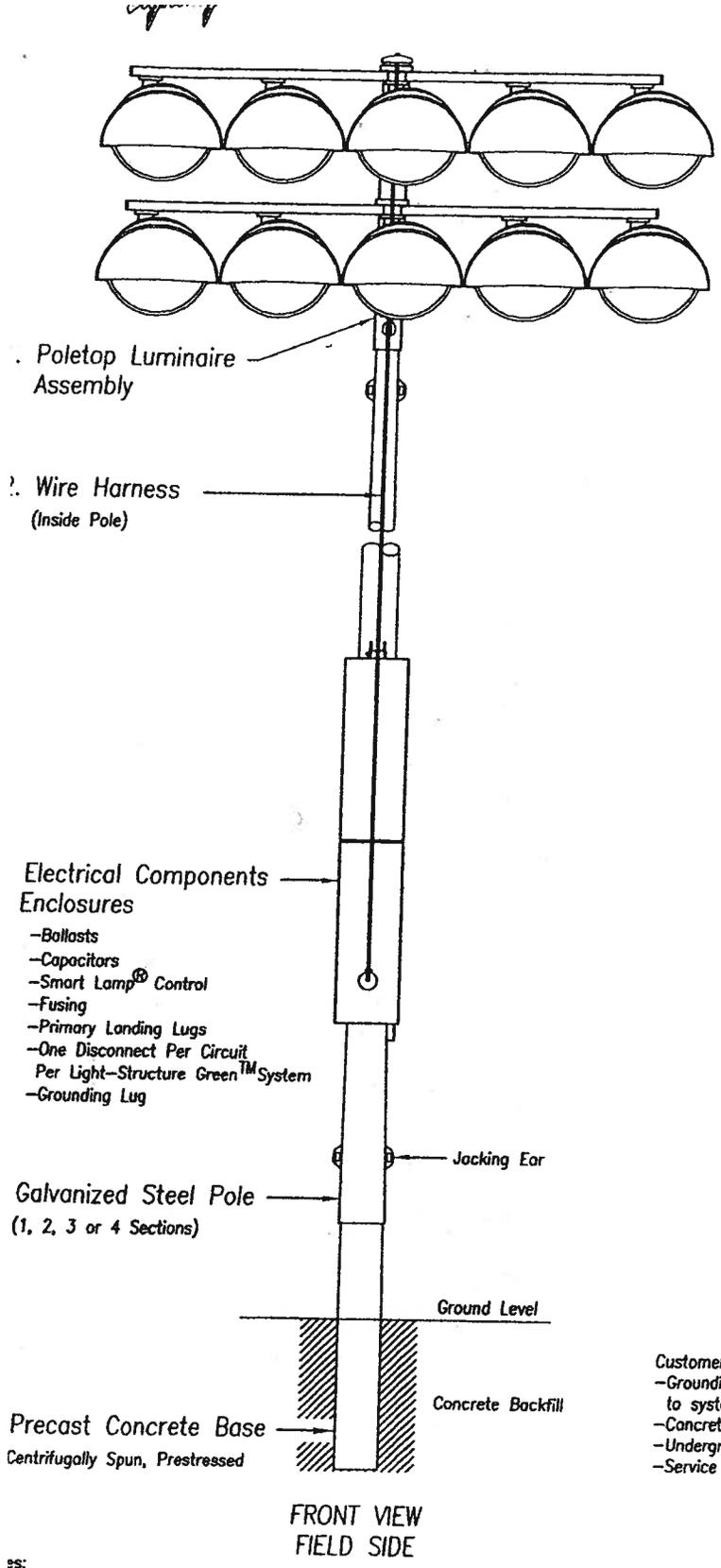
NO.	70'	60'	1500W MZ	3	3	0
B1	70'	70'	1500W MZ	3	3	0
B2	70'	70'	1500W MZ	3	3	0
C1-C2	70'	70'	1500W MZ	7	7	0
TOTALS				\$5	\$5	0



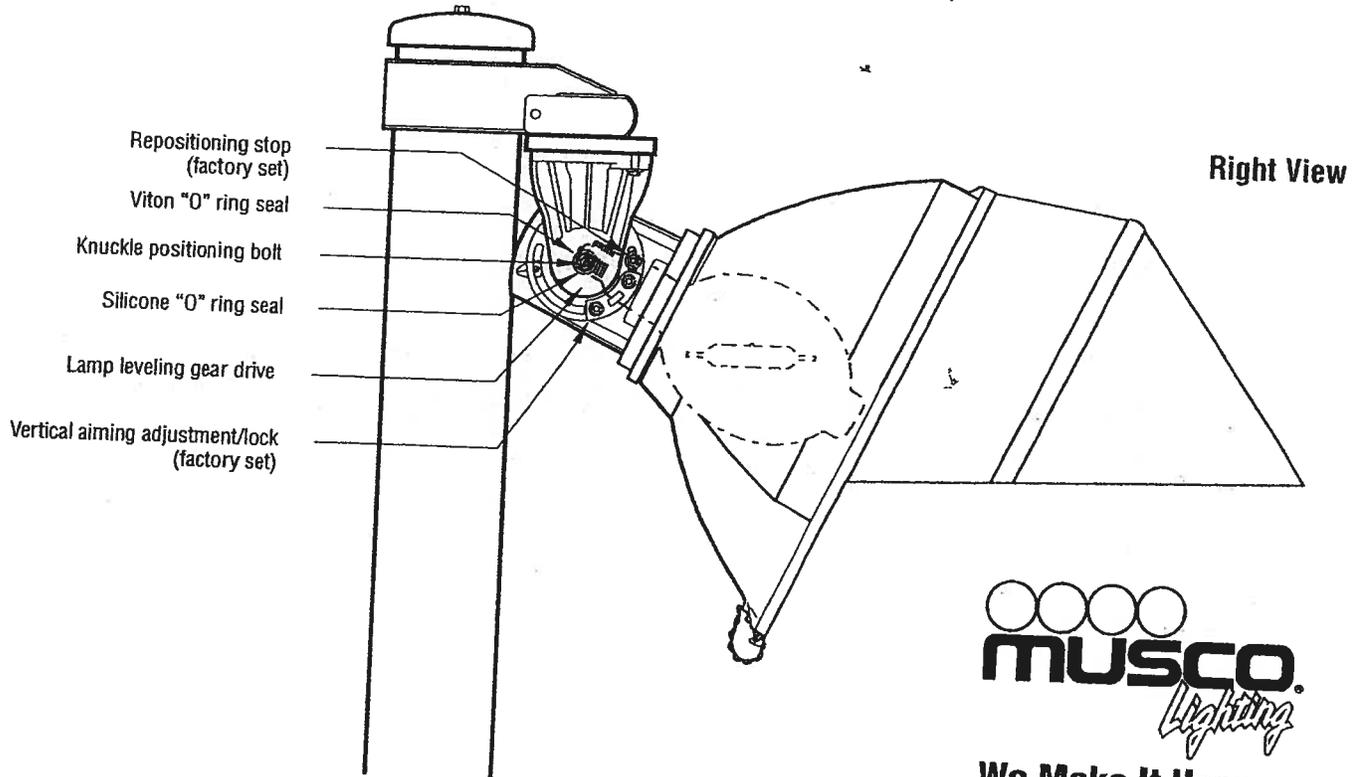
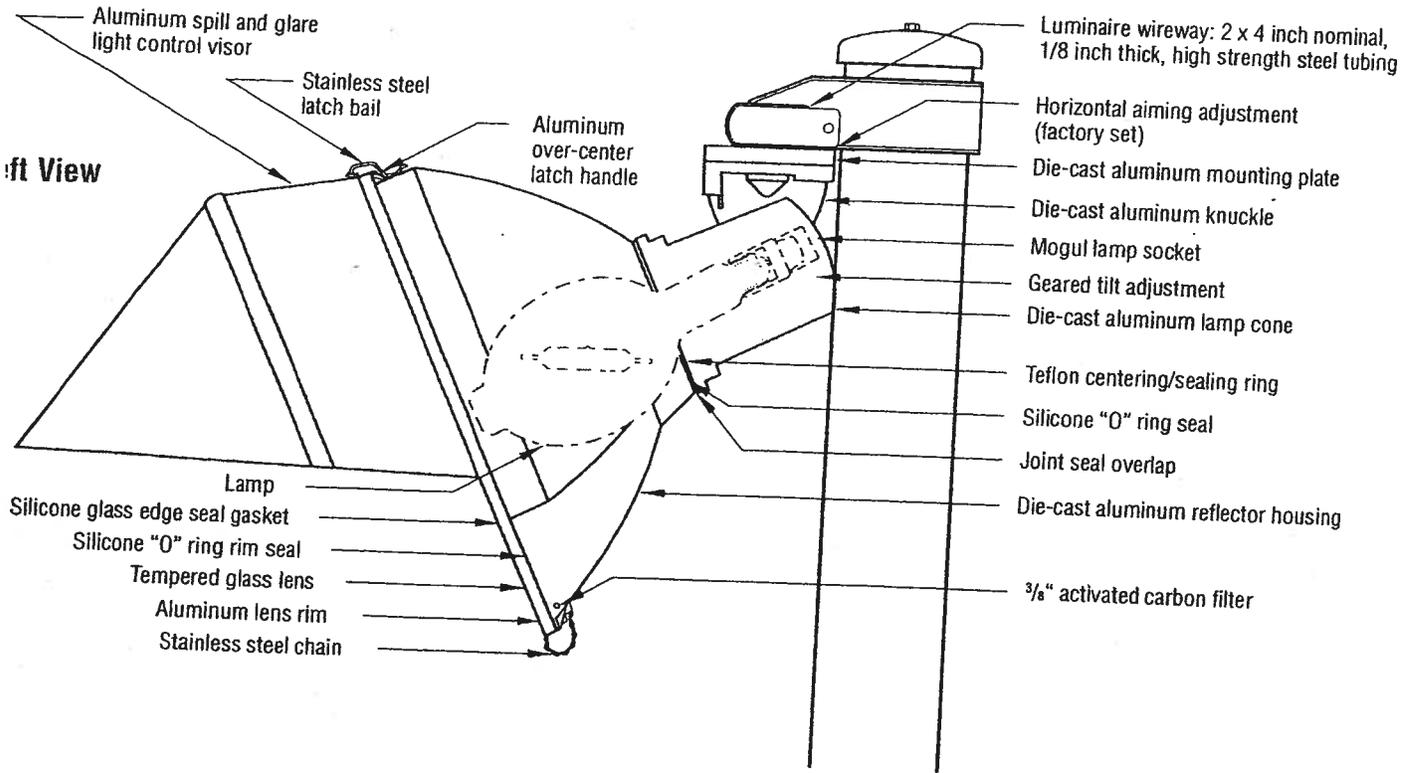
ONE SHEET OF 10

Exhibit "N"

McDonnell & Sons, LLC
 11000 N. Park
 Chicago, IL 60641



es:
This drawing is not to scale.

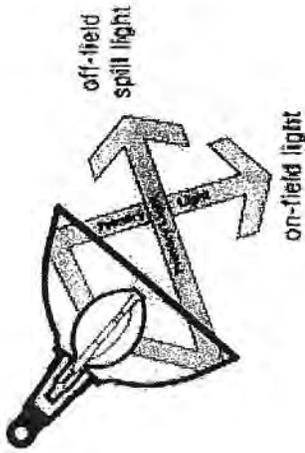




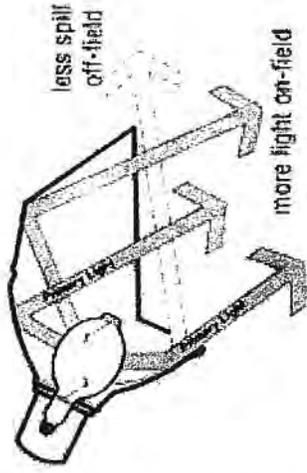
We Make It Happen.

Field Lighting

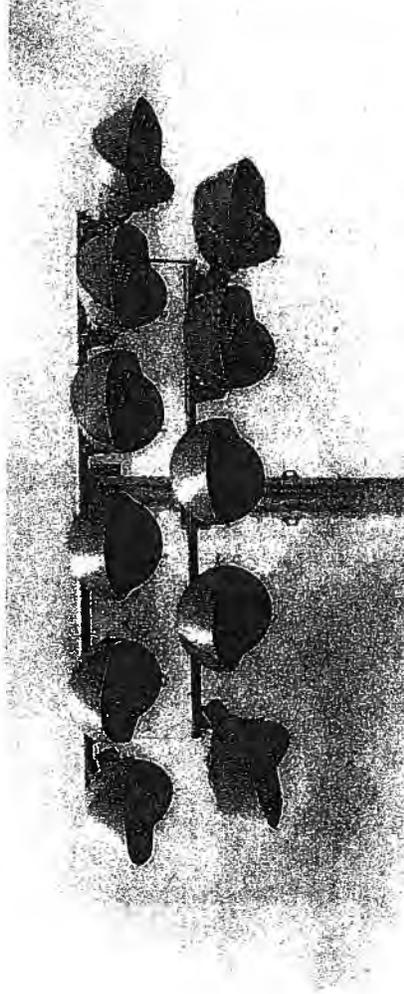
Old Generation



New Technology



Standard Symmetrical Reflector



Redirects Off-Field Spill Light

New high efficiency lighting with light shields to control light spill

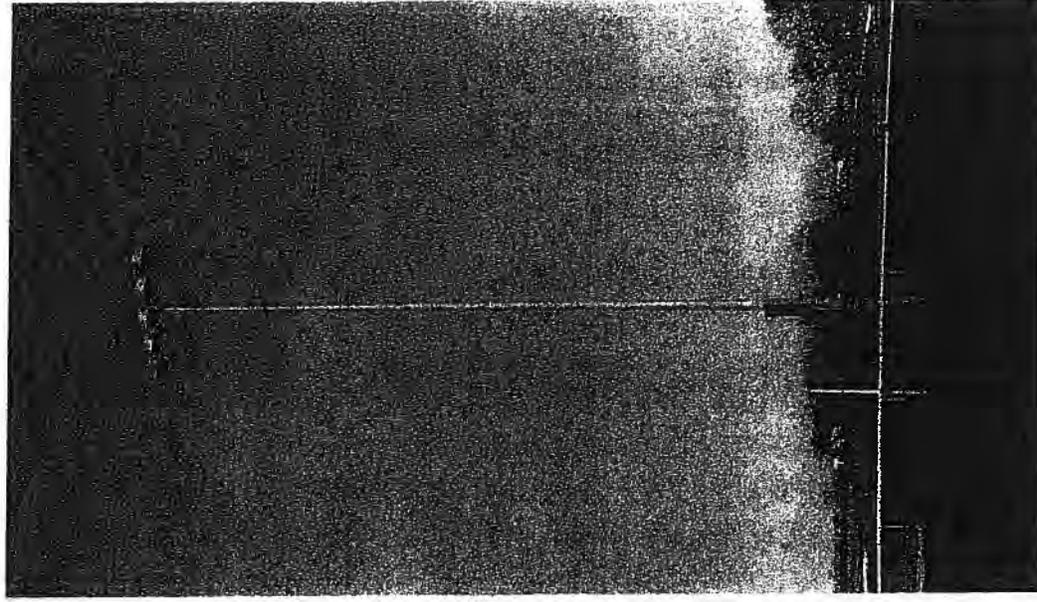
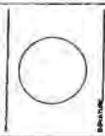


Exhibit "Q"

Legal Architects
1001 Lyons Ave, Suite 170
Chicago, IL 60610
Tel: 312.329.1200
Fax: 312.329.1201
www.legatarchitects.com

Jim Jankovic
Jacob S. Hoffer, Associate
1001 Lyons Ave, Suite 170
Chicago, IL 60610
Tel: 312.329.1200
Fax: 312.329.1201
www.legatarchitects.com



NO.	REVISIONS	DATE
1	ISSUED FOR PERMIT	1/23/15
2	ISSUED FOR PERMIT	1/23/15
3	ISSUED FOR PERMIT	1/23/15

PROJECT NUMBER: 150001
PROJECT NAME: GLENBARD MEMORIAL FIELD VARIANCE
PROJECT DATE: 1/23/15
PROJECT BY: J.S.H.

DIMENSIONAL CONTROL
1 PAVING PLAN

C1
NOT FOR CONSTRUCTION

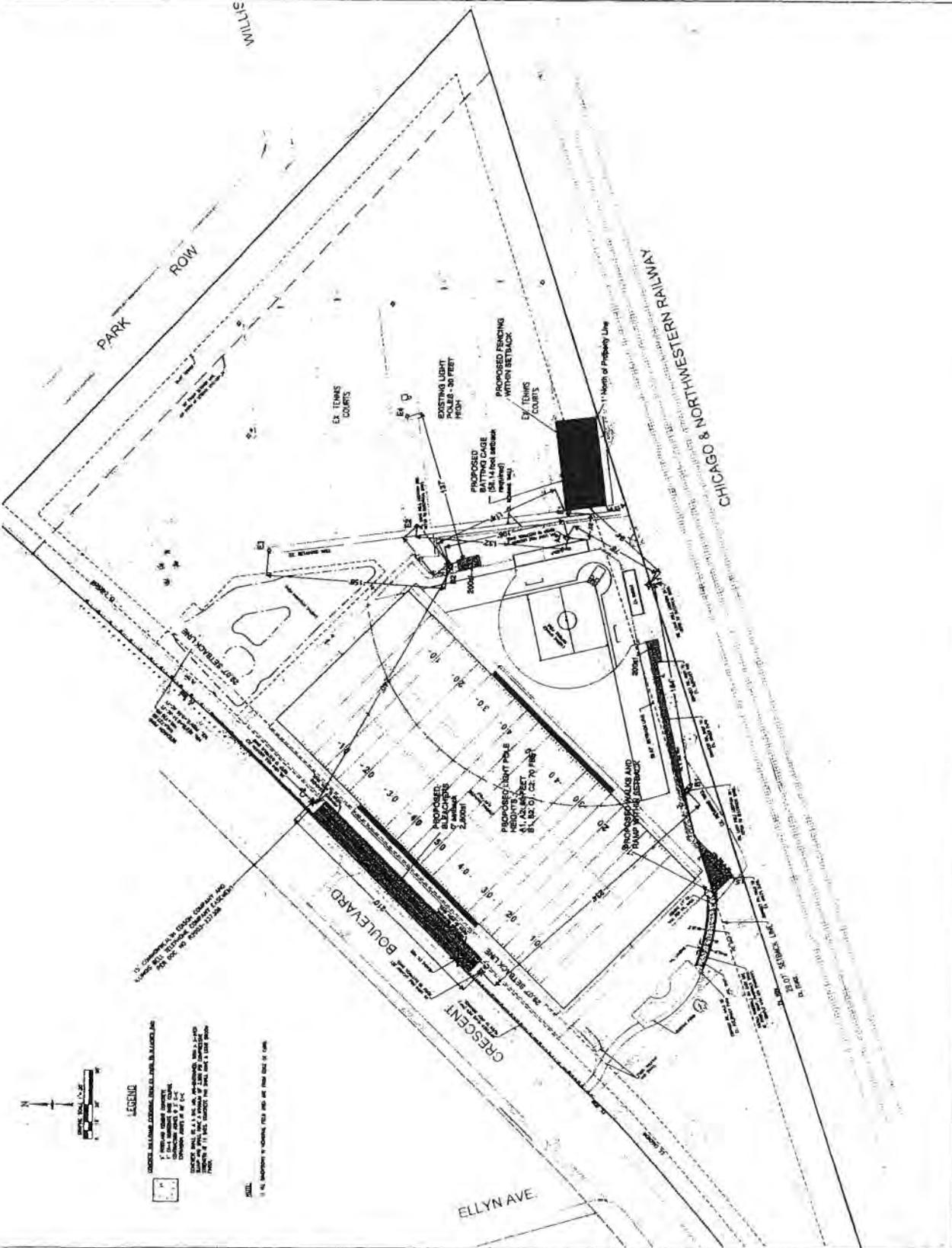


Exhibit "R"

MEMORANDUM

TO: Mark Franz, Village Manager

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

DATE: January 24, 2012

RE: 350 Duane Street – Special Use for Outdoor Storage



Background. Mark Spandikow, owner of property located at 350 Duane Street, is requesting approval of a Special Use Permit to allow outdoor storage on the site. The types of materials the petitioner is requesting approval to store on the property include such things as shingles, cement blocks, bricks, pipes, wheelbarrows, box plows, salt spreading boxes and other similar items. The proposed outdoor storage is intended to support Spandikow & Son Roofing and other tenants in the building which include Miller Woodworking, Ameri-Clean, Miller Crane, Ron Ritchie Paving, and Avalanche Snow Removal and Lawn Maintenance. Many of these tenants have a desk and filing space in the building and also use the property for vehicle storage. Vehicle storage is a pre-existing legal nonconforming use provided that it is associated with a tenant in the building. However, outside storage of materials is not.

The subject property is located on the south side of Duane Street between Lorraine Street and Evergreen Avenue in the C5B Central Business District, Central Service Sub-district. Single-family homes are located to the south and east of the property, the Illinois Prairie Path is located north of the site and multi-family apartments are located west of the site.

Issues. Since 1995, the Village has been in regular communication with the petitioner about the outdoor storage of vehicles and materials on the property. Around this time, numerous letters were exchanged between the petitioner, the Village and both parties' attorneys. The resulting conclusion was that the outdoor storage of vehicles associated with those businesses occupying the building was determined to be a pre-existing nonconforming use. However, the outdoor storage of other items on the property was not grandfathered and these items were subsequently removed by the petitioner in or around 1996. At this time, improvements were also made to the perimeter fencing and landscaping on the site.

The outdoor storage of materials on the property has continued to sporadically reappear over the years. In 2003, a number of letters were again exchanged and the outdoor storage was ultimately removed. The latest string of communications begins in early 2009. Following the Village's code enforcement efforts, in January of 2010, the petitioner submitted a Special Use Permit application requesting approval to allow the outdoor storage to remain as a potential means of correcting this violation. Shortly thereafter, the application was withdrawn and the outdoor storage was once again removed along with a number of vehicles that were not associated with the businesses in the building. In 2011, a Village inspector again observed the outdoor storage of materials on the site and the current Special Use Permit application was submitted.

Recommendation. The Plan Commission considered the request at public hearings on July 14, 2011 and January 12, 2012. The length of time between the meetings was due to a continuation to allow consultation with the Ethic Officers about potential conflicts of interest. This consultation resulted in the recusal of two Commissioners, one of which was voluntary and the other of which was recommended. During this time, an illegal vertical fence extension was also constructed on the property and the petitioner indicated that he would be applying for a construction necessitated variation to allow the fence extension to remain which would have required a new public notice to be published. However, the fence extension was ultimately removed, the original public notice lapsed and by that time, the Commission had begun its consideration of the Memorial Field requests. Therefore, the request was put on hold until the Memorial Field hearings were concluded and a new public notice was published for the January 12, 2012 Plan Commission meeting.

A total of 4 residents spoke at the two public hearings in opposition to the request. At the January 12, 2012 public hearing, by a vote of 4-1, the Commission recommended denial of the request. Those Commissioners voting to recommend denial indicated that they believed the need for outdoor storage was self-created by the petitioner by over renting and taking up space in the building where materials could otherwise be stored. Mention was also made to the disturbing impact the outdoor storage has on the surrounding residential neighborhood.

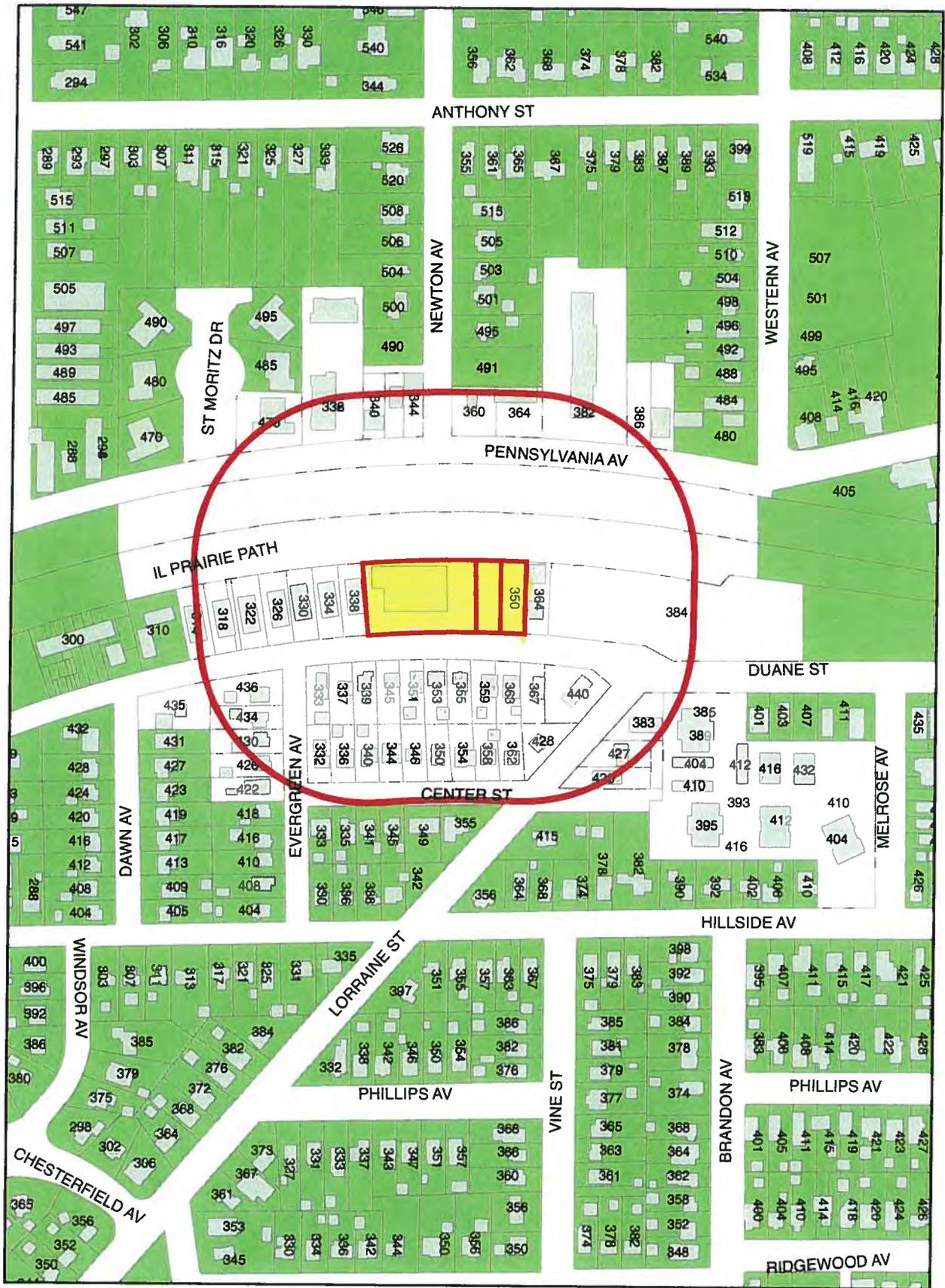
Action Requested. The Village Board may approve, approve with conditions or deny the petitioner's request for approval of a Special Use Permit. In accordance with the Plan Commission's recommendation, an Ordinance denying the request has been prepared for consideration at the January 30, 2012 Village Board meeting.

Attachments

- Location Map
- Public Hearing Notices
- Address Labels for Public Hearing Notices
- Pictures of Property
- Letter from Rick Lyddon with attached photo
- Minutes from July 14, 2011 Plan Commission Meeting
- Draft Minutes from January 12, 2012 Plan Commission Meeting
- Ordinance
- Petitioner's Application Packet

cc: Mark Spandikow, petitioner
Joe Kvapil, Building & Zoning Official
Bill Keel, Property Inspector

350 Duane Street



Prepared By: Michele Stegall
Date Printed: December 22, 2011



NOTICE OF PUBLIC HEARING

Mark Spandikow, owner of property located at 350 Duane Street, is requesting approval of a Special Use Permit in accordance with Section 10-5-17.2(B)25 of the Glen Ellyn Zoning Code to allow outdoor storage on the property. The subject property is located on the north side of Duane Street between Lorraine Street and Evergreen Avenue in the C5B Central Business District Central Service Subdistrict.

Before the Glen Ellyn Village Board can consider the application, the Plan Commission must conduct a public hearing. The Plan Commission will consider the requested Special Use Permit at a public hearing on **Thursday, July 14, 2011 at 7:30 p.m.** in a meeting room on the third floor of the Civic Center, 535 Duane Street, Glen Ellyn, Illinois

The subject property is legally described as follows:

PARCEL ONE: LOTS 36 AND 37 IN BLOCK ONE IN GLEN TERRACE, BEING A SUBDIVISION OF PART OF THE SOUTHEAST ¼ OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1913 AS DOCUMENT 112265, IN DUPAGE COUNTY ILLINOIS.

PARCEL TWO: THE EAST ½ OF LOT 31 AND ALL OF LOTS 32, 33, 34 AND 35 IN BLOCK ONE, IN GLEN TERRACE, BEING A SUBDIVISION OF PART OF THE SOUTHEAST ¼ OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1913 AS DOCUMENT 112265, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.s: 05-10-411-035, 05-10-411-040 and 05-10-411-041

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 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 24 hours in advance of the meeting.

Michele Stegall,
Village Planner

(Published in The Daily Herald on Monday, June 27, 2011)

X:\Plandev\PLANNING\DEVELOPMENT PROJECTS\Duane\Duane 350\Duane 350, SUP Outdoor Storage\Public Hearing Notice 062311.doc

NOTICE OF PUBLIC HEARING

Mark Spandikow, owner of property located at 350 Duane Street, is requesting approval of a Special Use Permit in accordance with Section 10-5-17.2(B)25 of the Glen Ellyn Zoning Code to allow outdoor storage on the property. The subject property is located on the north side of Duane Street between Lorraine Street and Evergreen Avenue in the C5B Central Business District Central Service Subdistrict.

Before the Glen Ellyn Village Board can consider the application, the Plan Commission must conduct a public hearing. The Plan Commission will consider the requested Special Use Permit at a public hearing on **Thursday, January 12, 2012 at 7:30 p.m.** in a meeting room on the third floor of the Civic Center, 535 Duane Street, Glen Ellyn, Illinois

The subject property is legally described as follows:

PARCEL ONE: LOTS 36 AND 37 IN BLOCK ONE IN GLEN TERRACE, BEING A SUBDIVISION OF PART OF THE SOUTHEAST ¼ OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1913 AS DOCUMENT 112265, IN DUPAGE COUNTY ILLINOIS.

PARCEL TWO: THE EAST ½ OF LOT 31 AND ALL OF LOTS 32, 33, 34 AND 35 IN BLOCK ONE, IN GLEN TERRACE, BEING A SUBDIVISION OF PART OF THE SOUTHEAST ¼ OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1913 AS DOCUMENT 112265, IN DUPAGE COUNTY, ILLINOIS.

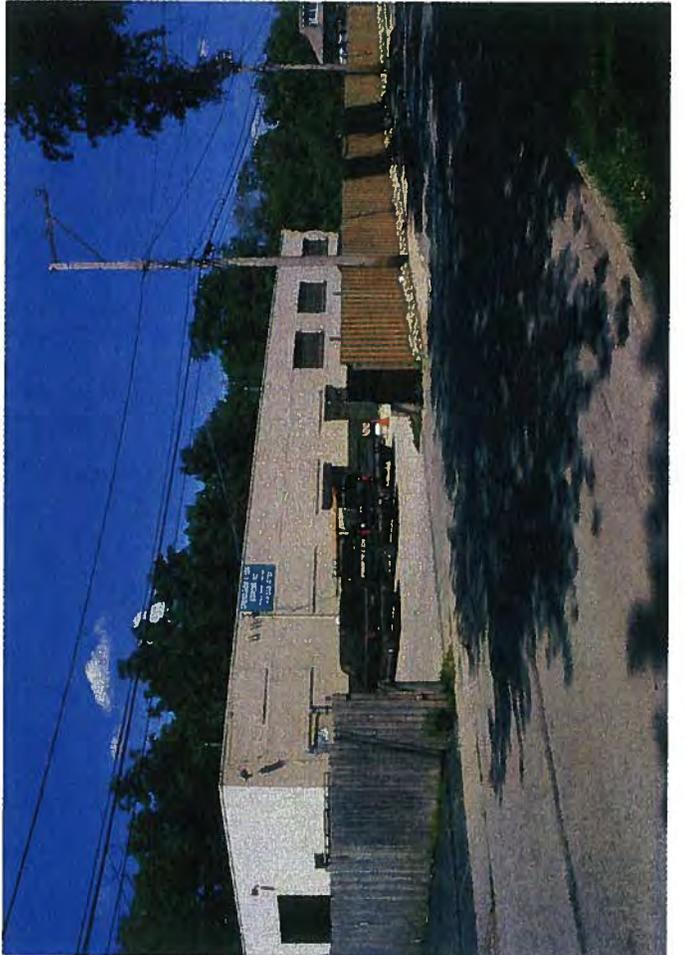
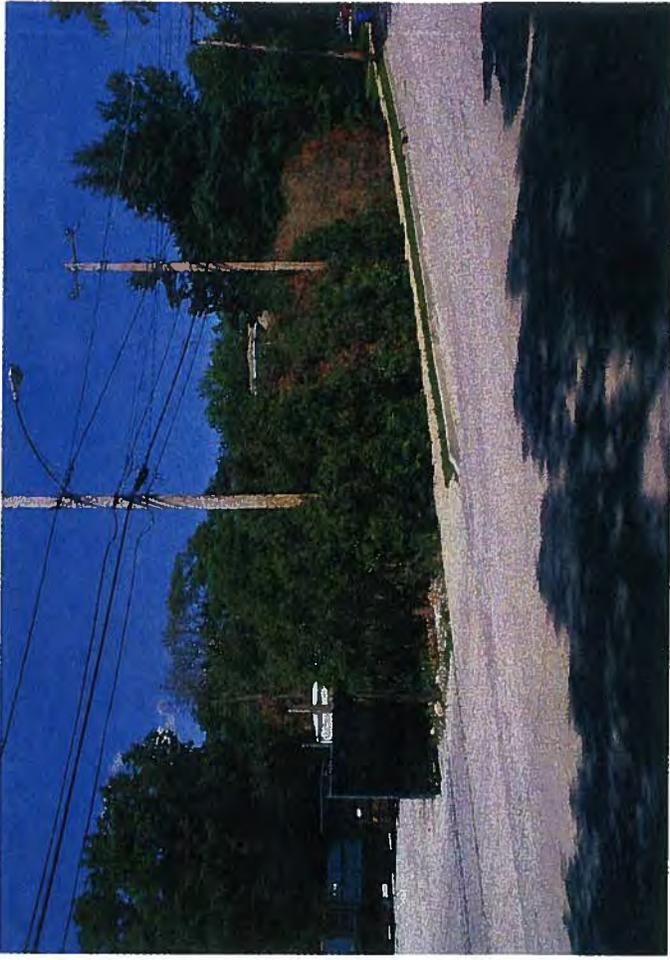
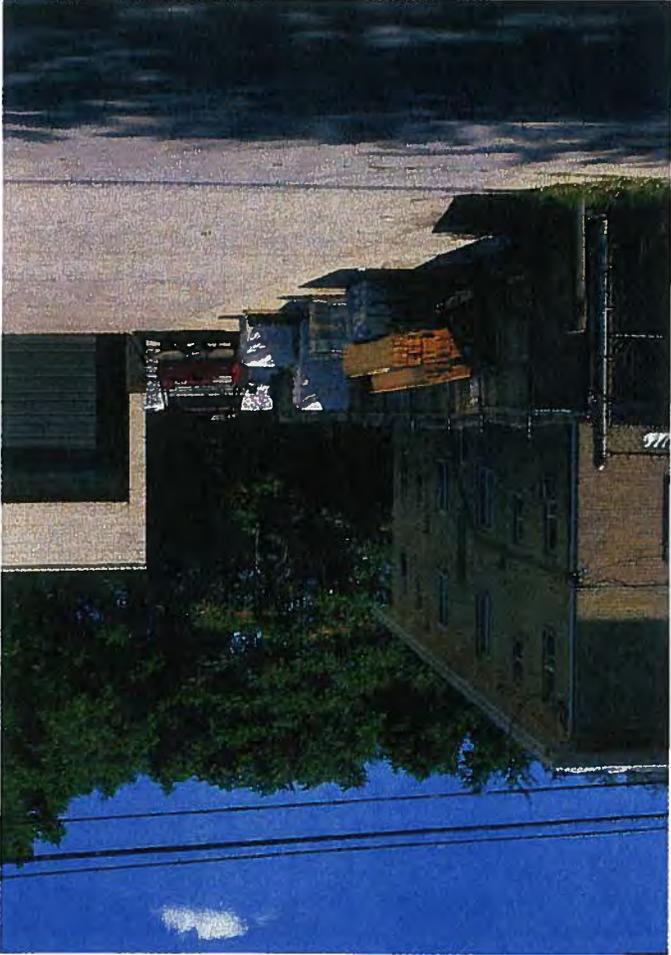
P.I.N.s: 05-10-411-035, 05-10-411-040 and 05-10-411-041

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 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 24 hours in advance of the meeting.

Michele Stegall,
Village Planner

350 Duane Street
7/5/2011



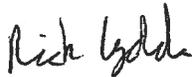
Plan Commission, Glen Ellyn.

July 15th, 2011.

I've supplied a color copy of the photo I showed at the plan commission public hearing with reference to 350 Duane Street on July 14th. At the meeting, I said that I hoped the trees that recently died would be replaced as they screened the property much more than the 6ft fence. The color photo shows the dead trees but you can still see much more clearly how they effectively screened the vehicles in the yard.

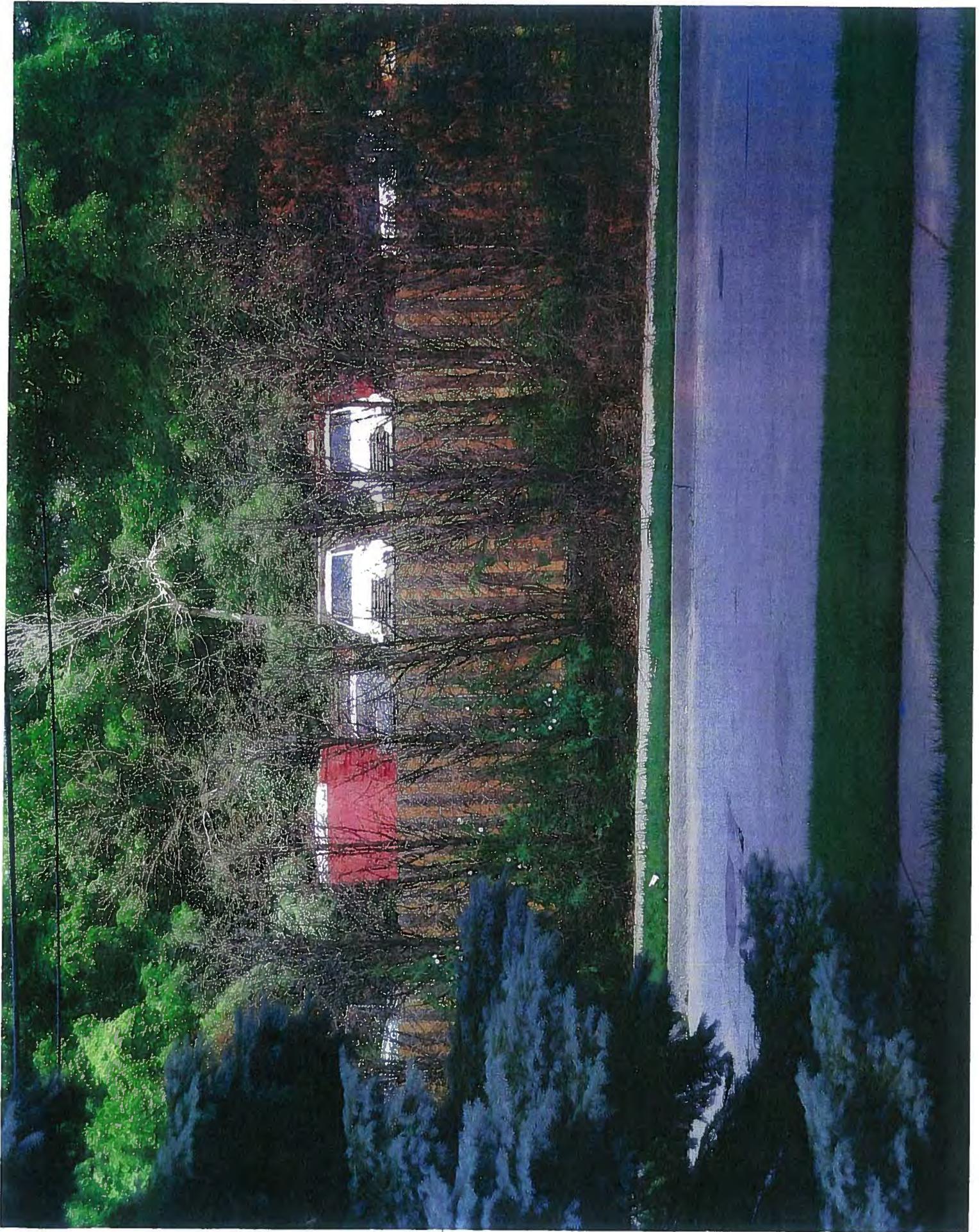
The photo was taken at eye level through my living room window.

Thank you,

A handwritten signature in black ink that reads "Rick Lyddon". The signature is written in a cursive style with a large initial "R".

Rick Lyddon

363 Duane Street.



materials as submitted and testimony presented. B. The occupancy of the space shall be limited to the occupancy per municipal state code.

The motion carried with eleven (11) "yes" votes as follows: Commissioners Girling, Ford, Bromann, Buckton, Dykstra, Lannen, McCormick, Strayer, Whalen, Whiston and Chairman Fullerton voted "yes."

PUBLIC HEARING – 350 DUANE STREET – SPECIAL USE PERMIT

A REQUEST FOR APPROVAL TO ALLOW OUTDOOR STORAGE AT 350 DUANE STREET. THE SUBJECT PROPERTY IS LOCATED ON THE NORTH SIDE OF DUANE STREET BETWEEN LORRAINE STREET AND EVERGREEN AVENUE IN THE C5B CENTRAL BUSINESS DISTRICT, CENTRAL SERVICE SUBDISTRICT. THE BUILDING ON THE SITE IS CURRENTLY OCCUPIED BY SPANDIKOW & SONS ROOFING, MILLER WOODWORKING AND AMERI-CLEAN.

(Mark Spandikow, Petitioner)

Staff Introduction

Village Planner Michele Stegall stated that Mark Spandikow, the owner of the property at 350 Duane Street, is requesting permission for a Special Use Permit to allow outdoor storage at that address. Mr. Spandikow is the owner of Spandikow & Son Roofing, one of the three tenants in the subject building. Ms. Stegall displayed a photograph of the subject property and described its location which is in the C5B Central Business District, Central Service Sub-District. Ms. Stegall described the surrounding land uses. Ms. Stegall stated that the Village has been in semi-regular communication with Mr. Spandikow since 1995 regarding enforcement efforts for the outdoor storage on his property. Ms. Stegall stated that Mr. Spandikow has submitted a special use permit application to allow the existing storage to remain on his property. Mr. Spandikow would like to store shingles, cement blocks, bricks, salt, etc., on the site.

Ms. Stegall displayed and described a site plan of the subject property. She clarified that vehicles associated with a tenant or tenants are allowed on the site. Ms. Stegall described fencing located at the site and explained that some of the shrubbery in front of the site is currently struggling.

Petitioner's Presentation

Mark Spandikow, 519 Elm Street, Glen Ellyn, Illinois stated that he brought his business to Glen Ellyn in 1978 and purchased the subject building approximately six (6) years later. Mr. Spandikow stated he has been able to provide the best prices for roofing to the residents of Glen Ellyn by buying in bulk each spring. Mr. Spandikow stated that he delivers roofing materials to the purchaser's home on the day work begins at that location.

Mr. Spandikow stated that one of his tenants keeps plows along the fence line which are not visible there. He also added that no salt is kept on the site. Mr. Spandikow stated that shrubbery installed on his site has died because gravel has destroyed the roots that

are located at the surface of the ground. Mr. Spandikow stated he has installed a solid fence which he tries to always keep closed and that he has improved the property since first purchasing it.

Responses to Questions from the Plan Commission

Ms. Stegall responded to Commissioner Girling that the Village has periodically received complaints about the subject property. Ms. Stegall explained for Commissioner Bromann that the nature of the complaints received by the Village regarding the subject property include appearance, dust and noise. Ms. Stegall responded to Commissioner Lannen that the roofing company on the site has been grandfathered in to the C5B zoning district. Ms. Stegall added that the Comprehensive Plan views the subject site as a future redevelopment site. Mr. Spandikow responded to Commissioner Strayer regarding the six (6) conditions recommended by staff as a condition of approval. 1. He stated that he did not feel evergreen shrubs will survive if planted but that the cedar fence at that location could remain. 2. Mr. Spandikow stated he could add a fabric screen to a fence currently installed along the northern property line rather than installing a new wood fence. Mr. Spandikow then responded to Commissioner Strayer that he could install a new, 6-foot solid wood fence at that location although he didn't see the need because of the trees located there. 3. Mr. Spandikow stated he could move materials inside the building on his site within 24 hours after being dropped off. 4. Mr. Spandikow stated no construction debris is outdoors. 5. A gate would screen the adjacent storage area from view and the gate would be closed at all times. 6. That certain outdoor storage areas be used only during the winter months. Mr. Spandikow responded to Commissioner Girling that his business operations will not really change with the addition of the proposed conditions. Mr. Spandikow responded to Commissioner Buckton that the area west of the building is an adequate storage space for his business. Mr. Spandikow responded to Commissioner McCormick that offices and storage are located within the building. Mr. Spandikow responded to Commissioner Ford that he asks everyone at the site to keep the fence closed at all times and he locks the fence at the end of the day. Mr. Spandikow responded to Commissioner Girling that he does not feel he needs to add to the list of materials that he will store outside. Mr. Spandikow responded to Commissioner Dykstra that the tenants store some equipment type material outside. Mr. Spandikow responded to Commissioner McCormick that he stores shingles outside during the winter. Mr. Spandikow responded to Commissioner Lannen that he installed fencing on his site to provide screening from the neighboring properties. He also added that bushes he installed on his property are difficult to maintain. Mr. Spandikow responded to Commissioner Bromann that the tenants' use of outdoor storage is on an informal basis (not in their lease) and that the tenants have been asked to keep the site neat which they do. Mr. Spandikow responded that the current tenants have been on the site between two to 14 years. Mr. Spandikow responded to Commissioner Strayer that he does not store hazardous material on the site. Mr. Spandikow responded to Commissioner Whiston that the special use permit, if approved, would also apply to the tenants. Mr. Spandikow responded to Commissioner Buckton that he prefers that the gate to the west of his building is closed for the sake of appearance.

Mr. Spandikow responded to Commissioner Strayer that the home to the east of the subject site is occupied and has a mini-warehouse in the rear. He also responded that a wood fence separates the two properties. Mr. Spandikow responded to Commissioner Girling that he responded on the Special Use Application that no excessive fumes, traffic, noise, glare and odors will be generated from the outdoor storage on the subject site. He added that the noise, etc., is generated from trucks entering and exiting the site and that delivery of materials does not create dust. He added that dust is created by cars entering and exiting the site. Commissioner Girling asked how frequently the staging area is used, and Mr. Spandikow replied that products are generally located there but that he can move products inside. Mr. Spandikow responded to Commissioner Bromann that he would have to pave the entire lot in order to pave the parking area for the employees. Mr. Spandikow responded to Commissioner Whalen that his tenants cannot keep all of their equipment inside the buildings and that all of the equipment on the property is the property of his tenants. Mr. Spandikow stated he would consider buffering the property with bushes and would consider Commissioner Whiston's suggestion to contact the Morton Arboretum for information. Mr. Spandikow responded to Commissioner Strayer that he has owned the property for 16 years.

Persons in Favor of or in Opposition to the Petition

John Knuth, 359 Duane Street, Glen Ellyn, Illinois stated that Mr. Spandikow had trash on his site in the past and was ordered to install a fence and plant some trees on his property. Mr. Knuth also stated that in the past sewer trucks had parked on the site, and there was activity there into the night. Mr. Knuth displayed photographs of modifications done on the site. He also stated that dust spreads to the homes in the area and he has been unable to open his windows for years. Mr. Knuth felt that Mr. Spandikow's business should not be allowed to operate at its current location and that the homeowners in the subject area have been ignored. He displayed photographs from 2004 and stated that granite was being ground at night. Mr. Knuth stated that he had been informed that a dress shop and bakery were to be located on the site. Mr. Knuth requested data sheets regarding hazardous material on the site. Mr. Knuth stated there is a trailer currently on the site and a couch was recently outdoors on the property for two weeks. Mr. Knuth stated that the subject business is not in a proper location and asked that they relocate. Mr. Knuth does not believe that trees or a fence would help the current situation as a fence won't help with the dust situation. Mr. Knuth also stated he would prefer retail shops on the site and claimed that his property value is affected by the subject property.

Richard Lyddon, 363 Duane Street, Glen Ellyn, Illinois displayed a photograph he took of the subject site through his living room window. He stated that he appreciated that trees were on the property but that many trees have died. Mr. Lyddon requested that Mr. Spandikow plant trees rather than using a fence to screen headlights from the site.

Blake Stahl, 337 Duane Street, Glen Ellyn, Illinois who lives west of the subject property recommended a height restriction (not above the fence line) to storage along the western side of the Spandikow site. Mr. Stahl requested that temporary storage be moved indoors because storage has been an eyesore since he moved into the neighborhood in 2003 and

there is a residential neighborhood nearby. Mr. Stahl also expressed a concern regarding the children in the neighborhood because large trucks drop off material in the street and he wondered if dropping off the material was allowed. Mr. Stahl also commented that operations begin on the site at 5:30 or 6:00 a.m. daily.

Tony Vopenka, 251 Sunset Avenue, Glen Ellyn, Illinois stated that he built a multi-family dwelling near the subject site approximately 50 years ago. Mr. Vopenka stated that 18-wheelers unload products on Duane Street because an 18-wheeler will not fit on the subject site. He stated that the 18-wheelers turn in the street and tear down wires. Mr. Vopenka also felt that the Spandikow business as well as its supply deliveries should not exist in Glen Ellyn.

Fred Foss, 345 Duane Street, Glen Ellyn, Illinois displayed photographs of trees on the subject site. Mr. Foss also stated that trucks entering and exiting the site raise dust. Regarding delivery of materials, trucks from a former business at the site were able to turn around on the site to exit. Mr. Foss stated that trucks now park in front of his home and unload material from the street, and he added that he has called the police regarding this situation. Mr. Foss stated that Mr. Spandikow has responded to him that there's nothing he can do about the trucks at his site. Mr. Foss also stated that he would like to see Mr. Spandikow's equipment stored outdoors near snowplows stored on the site. Mr. Foss added that snow is stored on Mr. Spandikow's sidewalk and people then can't use the sidewalk. He stated that the snow is also moved across the street onto the neighbors' property, including his own. Mr. Foss hoped that material on the site can be moved back so that it is not visible. He also stated he would vote against the requested special use permit. Mr. Foss responded to Commissioner Buckton that there was a mover on the site prior to Mr. Spandikow. He also responded to Commissioner Buckton that material is delivered from trucks onto the subject site in seconds, and he responded to Commissioner Dykstra that the delivery times vary.

In response to the public's questions/comments, Mr. Spandikow responded to Commissioner Strayer that he has trucks that haul roofing materials operating on the premises. Mr. Spandikow also responded to Commissioner Strayer that one of his tenants has a crane and another tenant has a truck that plows snow in the winter and mows lawns in the summer. Mr. Spandikow also responded that a former tenant had equipment that made a grinding noise. Mr. Spandikow stated his hours of operation are generally from 7:00 a.m. to 4:00-5:00 pm. He stated that the tenant who plows snow is operating at the site at night. Mr. Spandikow also responded to Commissioner Strayer that any vehicle turning on the lot creates dust from the gravel driveway and that he does not do anything to keep the dust down. Mr. Spandikow also responded to Commissioner Strayer that paving the lot would be too costly and that he keeps materials below the fence line which is 6 feet. He also responded to Commissioner Strayer that a sofa was dropped off on his property by an unknown person so he had it removed. Mr. Spandikow responded to Commissioner Strayer that neither he nor his tenants have received any citations regarding the subject property.

Mr. Spandikow responded to Commissioner Strayer that he has never been represented by Mr. Strayer's law firm. Chairman Fullerton stated that Commissioners could recuse

themselves if they have been customers of Mr. Spandikow roofing company, and some Commissioners have had work done on their homes by Spandikow Roofing Company. Ms. Stegall suggested getting a recommendation from the new Village Ethics Officer regarding this situation. Chairman Fullerton agreed with Ms. Stegall's recommendation and did not want to have a vote until the issue is resolved.

Motion

Chairman Fullerton moved, seconded by Commissioner Girling, to continue the public hearing until August 11, 2011 so that the Village Ethics Officer has a chance to review any potential conflicts of interest among the Commissioners. Commissioner Strayer clarified that the Village Ethics Officer will review information regarding Plan Commissioners who have had a relationship with the petitioner regarding roofing work.

The motion carried unanimously with eleven (11) "yes" votes and zero (0) "no" votes as follows: Chairman Fullerton and Plan Commissioners Girling, Bromann, Buckton, Dykstra, Ford, Lannen, McCormick, Strayer, Whalen and Whiston voted yes.

Trustee Report

No Trustee was present to offer a report.

Chairman's Report

Chairman Fullerton reviewed the new business opening process improvement team as requested by Village President Pfefferman. Several Plan Commissioners 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
JANUARY 12, 2012

The meeting was called to order by Chairman Julie Fullerton at 7:35 p.m. Plan Commissioners Craig Bromann, Erik Ford, Jeff Girling, Jay Strayer, Ray Whalen and Lyn Whiston were present. Plan Commissioners Todd Buckton, Linda Dykstra, Heidi Lannen and Julie McCormick were excused. Also present were Village Planner Michele Stegall and Recording Secretary Barbara Utterback.

On the agenda were two applications including a special use permit for 350 Duane Street and a pre-application meeting for the Deer Glen II Subdivision.

350 DUANE STREET – PUBLIC HEARING - SPECIAL USE PERMIT

A REQUEST FOR APPROVAL OF A SPECIAL USE PERMIT TO ALLOW OUTDOOR STORAGE AT 350 DUANE STREET. THE SUBJECT PROPERTY IS LOCATED ON THE NORTH SIDE OF DUANE STREET BETWEEN LORRAINE STREET AND EVERGREEN AVENUE IN THE C5B CENTRAL BUSINESS DISTRICT, CENTRAL SERVICE SUBDISTRICT. THE BUILDING ON THE SITE IS CURRENTLY OCCUPIED BY SPANDIKOW & SONS ROOFING, MILLER WOODWORKING, AMERI-CLEAN, MILLER CRANE, RON RITCHIE PAVING AND AVALANCHE SNOW REMOVAL AND LAWN MAINTENANCE.

(Mark Spandikow, petitioner)

Chairman Fullerton stated that Plan Commissioners Whiston and Bromann would be recusing themselves from voting on this petition.

Staff Introduction

Village Planner Michele Stegall stated that the Plan Commission had considered the subject request on July 14, 2011, however, the request was continued to allow time to confer with the Village ethics officer regarding potential conflicts of interest.

Ms. Stegall stated that the subject property at 350 Duane Street is owned by Mark Spandikow, and she displayed a site plan. She stated that the petitioner is requesting approval of a special use permit to allow outdoor storage on the subject property such as shingles, cement blocks, bricks, pipes, wheelbarrows, box plows and salt spreading boxes, the majority of which support Spandikow Roofing Company which is one of the main tenants on the site. Ms. Stegall displayed a site plan and indicated storage areas on the property for the Spandikow Roofing Company and other tenants. Ms. Stegall reviewed some conditions as suggested by Village staff.

Petitioners' Presentation

Mark Spandikow, 509 Elm Street, Glen Ellyn, is the owner of the subject property at 350 Duane Street, Glen Ellyn, Illinois. He indicated that box plows owned by Ameri-Clean are located next to the fence during the summer and are moved when brought to job sites. He also stated that the nearby residents' biggest complaint at the previous meeting was truck traffic, however, he stated that truck traffic could be reduced considerably by receiving one large shipment of materials on one truck instead of daily deliveries. Mr. Spandikow also stated that all roofing material is located behind the building and is not visible. Mr. Spandikow added that the neighbors who moved into the area were aware of the commercial site at the subject location and added that the building was constructed by UPS in the 1940's before many of the neighborhood houses were built. Mr. Spandikow added that his main concern is the location of the shingles and the box plows and that he could probably do without the other storage areas.

Responses to Questions from the Plan Commission

Mr. Spandikow verified for Plan Commissioner Strayer that trucks with material for his roofing business stop on the street and transfer material to the subject site which is a quicker process than having trucks enter the site to unload the material. Mr. Spandikow also responded to Plan Commissioner Strayer that a temporary drop-off area is located against the fence on the west side of the site. He stated that he relocates the dropped-off material inside the building or to the rear of the building. He added that materials cannot be dropped off at that location during the winter because of snow. Mr. Spandikow responded to Plan Commissioner Girling that products will generally be located in the drop-off area during the summer months and that the products are considered temporary because they are moved and replaced by other products. He added that there are almost always materials in this area. Mr. Spandikow responded to Plan Commissioner Strayer that all spaces in the subject building are leased. Mr. Spandikow also responded to Plan Commissioner Strayer that noise was heard from the subject location when a granite company formerly located there would grind granite. Mr. Spandikow responded to Plan Commissioner Strayer that the businesses located on the site include a snowplowing company, a woodworking company, a company that transports a crane to sites and the Spandikow Roofing Company. When Plan Commissioner Strayer stated that a neighbor had complained about dust being created at the site, Mr. Spandikow responded that that neighbor had complained about dust being created at the site prior to him being located at the site and that dust is created by the gravel parking surface at the site. Mr. Spandikow replied to Plan Commissioner Strayer that he does not water his lot because of the dust and that watering the lot would not be helpful because too much water would be required which would be expensive and the lot would quickly dry up. Mr. Spandikow also responded to Plan Commissioner Strayer that paving the lot would be extremely expensive because of prohibitive drainage costs and detention requirements. Mr. Spandikow also responded to Plan Commissioner Strayer that he has owned the subject property for approximately 12 years. Plan Commissioner Ford asked about the gate closing policy on the property, and Mr. Spandikow stated he asks the tenants to close the gates when they leave the site although that can be difficult during snowy winter months.

Mr. Spandikow also responded to Plan Commissioner Ford that the gates are generally open during the day. He also stated that he has added fencing and shrubbery to the site over the years. Mr. Spandikow responded to Plan Commissioner Whalen that one tenant has been added to the site since July of last year. Plan Commissioner Whalen asked Mr. Spandikow what happened to material no longer located on the site when he became compliant, and Mr. Spandikow replied that it was either used as material or some of the material was brought back into the building. Mr. Spandikow responded to Plan Commissioner Strayer that he is not concerned about retaining the temporary storage area on the site. Mr. Spandikow responded to Plan Commissioner Girling that he could possibly install an electrically operated gate that would allow easier opening and closing. Mr. Spandikow responded to Plan Commissioner Ford that he would prefer not to install new shrubs on the site because salt at that location kills the shrubs. Mr. Spandikow responded to Plan Commissioner Whalen that plows were on the site when the Village inspector was there. Mr. Spandikow also responded to Plan Commissioner Whalen that he is not aware of unregistered vehicles on the site. Plan Commissioner Whalen also asked if shingles received at the site should be covered to protect them from the elements, and Mr. Spandikow replied that his supplier keeps shingles out in the open. Plan Commissioner Whalen asked if the additional tenants at the site have created the need for outdoor storage, and Mr. Spandikow responded that he has always needed outdoor storage space on the site.

Persons in Favor of or in Opposition to the Petition

Fred Foss, 345 Duane Street, Glen Ellyn, Illinois stated that he lives directly across the street from the subject property. Mr. Foss stated he has no problem with the petitioner using the subject lot, however, he would like the Village to regulate the property. He stated the doors at the site are often open and he recommended that the tenants pay fines if the doors are left open. Mr. Foss also described a plywood delivery several days ago that blocked the street for a very short period of time, however, he felt the street should not be disrupted in such a manner. He added that having extra tenants on the site is profitable, however, delivery to the site then becomes more difficult. Mr. Foss added that the subject property has become more of a nuisance to him as a property owner across the street in a residential area than it was before Mr. Spandikow was there. He also felt that some sites should be more regulated by the Village with residents being kept informed about the situation. Mr. Foss stated that some trees at the subject site died due to salt and he preferred the landscaping they provided at that location. Mr. Foss responded to Plan Commissioner Strayer that neither dust nor odors at the site are a problem.

John Knuth, 359 Duane Street, Glen Ellyn, Illinois stated that the Spandikow Roofing Company should be located elsewhere. Mr. Knuth stated that activity began at the subject site at 5:00 a.m. this morning with snow removal equipment being loaded. Mr. Knuth also felt that too many businesses are located at the subject site and that nothing was resolved when he recently phoned the police. He stated that he has a letter from Senator Fawell stating that retail shops should be located at the subject location. Mr. Knuth stated that Mr. Spandikow would have enough room for his business, however, he has too many businesses with vehicles located at the site.

Plan Commissioner Girling moved, seconded by Plan Commissioner Whalen, to close the public hearing.

Comments from the Plan Commission

Plan Commissioner Whalen did not support the petitioner's application. He felt that the excessive number of tenants at the site is a nuisance and that there would be room to store materials in the building if it wasn't leased to so many tenants. Plan Commissioner Whalen stated that activity on the site has increased along with the number of vehicles there and that he felt the petitioner was using a loophole by renting out the building to multiple tenants so they could use the lot for vehicle storage. Plan Commissioner Ford was supportive of permitting storage in two areas on the site and felt that the petitioner should close the gates on a regular basis. He did not feel that material drop-off was within the purview of the Plan Commission. Plan Commissioner Girling felt that the petitioner and his tenants have the right to be at the subject location, however, renting the spaces has created a self-imposed hardship for the petitioner. Plan Commissioner Girling added that the petitioner needs to store materials behind his building because he has created a hardship for himself; therefore, he was not in favor of the petitioner's application. Plan Commissioner Strayer stated that outdoor storage is permitted in the subject zoning district with a special use permit, however, the outdoor storage and related activity is disturbing to the existing neighborhood. Although Plan Commissioner Strayer did not feel the situation was hazardous, he was not in favor of the petition. Chairman Fullerton stated that although Mr. Spandikow has the right to be at the subject location and has been there for a long period of time, she felt that a special use should not be granted when a situation is created by a petitioner. She added that if Mr. Spandikow had less tenants, he could perhaps move his storage inside the building since the street in the area is being negatively affected.

Motion

Plan Commissioner Girling moved, seconded by Plan Commissioner Strayer, to recommend that the Village Board not approve a Special Use Permit in accordance with Section 10-5-7.2(B)25 of the Glen Ellyn Zoning Code to allow outdoor storage at 350 Duane Street 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 a Special Use should not be granted when the hardship is self-imposed. 2. The proposed use would be hazardous or disturbing to existing or future neighborhood uses of the property due to the excessive noise, dust, and traffic created by the self-imposed hardship.

The motion to deny the request carried by a vote of four (4) "yes" votes and one (1) "no" vote as follows: Plan Commissioners Girling, Strayer, Whalen and Chairman Fullerton voted yes; Plan Commissioner Ford voted no.

Village Of Glen Ellyn

Ordinance No. _____

**An Ordinance Denying a Special Use Permit Request
to Allow Outdoor Storage at 350 Duane Street
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 _____, 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 Request
to Allow Outdoor Storage at 350 Duane Street
Glen Ellyn, IL 60137**

Whereas, Mark Spandikow, owner of property located at 350 Duane Street, has petitioned the Village President and Board of Trustees for approval of a Special Use Permit in accordance with Section 10-5-17.2(B)25 of the Glen Ellyn Zoning Code to allow outdoor storage on the site; and

Whereas, the types of the materials the petitioner is requesting approval to store outside on the property include such things as shingles, cement blocks, bricks, pipes, wheelbarrows, box plows, salt spreading boxes and other similar items; and

Whereas, the proposed outdoor storage is intended to support Spandikow & Son Roofing and other tenants in the building which include Miller Woodworking, Ameri-Clean, Miller Crane, Ron Ritchie Paving, and Avalanche Snow Removal and Lawn Maintenance; and

Whereas, the subject property is located on the south side of Duane Street between Lorraine Street and Evergreen Avenue in the C5B Central Business District, Central Service Sub-District and is legally described as follows:

PARCEL ONE: LOTS 36 AND 37 IN BLOCK ONE IN GLEN TERRACE, BEING A SUBDIVISION OF PART OF THE SOUTHEAST ¼ OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1913 AS DOCUMENT 112265, IN DUPAGE COUNTY ILLINOIS.

PARCEL TWO: THE EAST ½ OF LOT 31 AND ALL OF LOTS 32, 33, 34 AND 35 IN BLOCK ONE, IN GLEN TERRACE, BEING A SUBDIVISION OF PART OF THE SOUTHEAST ¼ OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1913 AS DOCUMENT 112265, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.s: 05-10-411-035, 05-10-411-040 and 05-10-411-041; 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 July 14, 2011 and January 12, 2012 at which hearings the Plan Commission considered the petitioner's request for approval of the requested Special Use Permit; and

Whereas, at the July 14, 2011 and January 12, 2012 public hearings, the petitioner presented evidence and testimony in support of the request, and a total of four (4) residents spoke in opposition to the request; 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 January 12, 2012 Plan Commission meeting, a draft of which is attached hereto as Exhibit "B", and pursuant to Section 10-10-14 of the Zoning Code, by a vote of four (4) "yes" and one (1) "no," the Plan Commission recommended denial of the requested Special Use Permit; and

Whereas, the Village President and Board of Trustees have reviewed the evidence, exhibits, and materials presented at the July 14, 2011 and January 12, 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:

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 medium density residential development on the property and states that the Village should "*Protect residential areas from the encroachment of incompatible land uses and the adverse impacts of adjacent activities.*";

2. The proposed use is not designed and shall not be 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 visibility of the outdoor storage areas to the surrounding residential properties negatively impacts the character of neighborhood;
3. The proposed use will be hazardous or disturbing to existing or future neighborhood uses of the property because of the excessive noise, dust and traffic generated by the proposed use and its negative impact on the character of the surrounding residential area; and
4. The hardship of the petitioner has been self-imposed by renting the building to multiple tenants whose space could otherwise be used to store the materials in the building, yet the petitioner is requesting approval to store outside; and

Whereas, based on the aforementioned findings of fact, the President and Board of Trustees find it appropriate to deny the requested Special Use Permit.

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 July 14, 2011 Plan Commission meeting attached hereto as Exhibit "A" and the minutes from the January 12, 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 July 14, 2011 and January 12, 2012 public hearings 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 request for a Special Use Permit to allow outdoor storage at 350 Duane Street.

Section Three: The existing outdoor storage on the property shall be removed within forty five (45) 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 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 owners 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 owners 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:

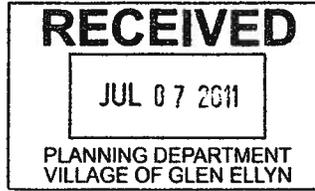
Village Clerk of the
Village of Glen Ellyn, Illinois

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

X:\Plandev\PLANNING\DEVELOPMENT PROJECTS\Duane\Duane 350\Duane 350, SUP Outdoor Storage\Ordinance Denial.doc



350 Duane St. Unit A. Glen Ellyn, IL 60137
Ph. (630) 858-3730 Fax. (630) 790-2249
www.Spandikow.com



5-20-2011

Special Use Permit Narrative Statement

This application is for the temporary storage of roofing material.

Reason for the request:

Throughout the entire year bundles of shingles are stored outside and used as needed to be delivered to jobsites. This allows us to not leave large quantities of shingles in customers driveways and yards.

All shingles neatly stacked on pallets. Pallet dimensions approx. 4'x4' and 5' tall. Pallets stacked close together in orderly fashion.

Fencing:

Existing 6' chain-link fence with fabric screen is blocking view of North from Prairie Path. Material would be screened by existing trees on the South with existing wood fencing to the East and existing trees and fencing on North end of property (existing trees and vines are between the fence and Prairie Path). North fence is chain-link with wild grape vines covering them. East and South fence is treated cedar. Existing fence on West side is treated cedar. Newly planted evergreens are on the South side, west of the East driveway. These evergreens will grow to a height of 20' or more.

Storage containers: Storage containers will not be placed on property as previously stated.

Landscape Plan: Landscaping has been outlined above, see drawing for clarification.

Application: Above narrative explains all materials to be stored.

Site Plan: See separate drawing

List of material: Shingles, asphalt roofing with granulated surface. Weight: 78lb per bundle, plastic wrap. Neatly stacked on pallets, which can be moved on moments notice. Shingles do not produce hazardous waste and do not emit light. Squirrels are not attracted to this material. Other materials stored: empty pallets which would be removed every 24 -48 hrs.

Time of Year of Storage: January through December.

Additional Materials: Wheelbarrows against North fence. Empty trash cans, neatly stacked.

Snow plows against North and East fence. 30 x 8' area

Empty salt spreading boxes 10 x 10 ft area

Cement blocks neatly stacked on pallets, North fence 4 x 8 area

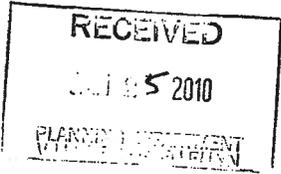
Bricks and flue pipes in NW corner, neatly stacked on pallets. 6 x 8 area

Temporary drop area for pallets on SWC of Building

Temporary drop area for shingle delivery on W. Fence line

Sincerely,

Mark Spandikow



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 Filed: _____ Application No: _____

Name of Applicant: MARK SPANDIKOW c/o DUANE ST. LLC

Contact Information: _____

Address of Applicant: 509 ELM ST. GLEN ELLYN

Business Phone: 630-858-3730 Fax: 630-790-2249

Cell/Home Phone: 630-772-7000 Email: ROOFER3000@SBCGLOBAL.NET

Property Interest of Applicant: OWNER

(Owner, Contract Purchaser, Owner Representative)

Name of Owner: MARK SPANDIKOW

Contact Information: _____

Address of Owner: 509 ELM ST. GLEN ELLYN

Business Phone: 630-858-3730 Fax: 630-790-2249

Cell/Home Phone: 630-772-7000 Email: _____

Address and Legal Description of Property: 350 DUANE ST. GLEN ELLYN

LOTS 36 & 37 IN BLOCK 1 IN GLEN TERRACE, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 SECT. 10, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1913 AS DOCUMENT 112265 IN DUPLICATE. (CONTINUED BELOW)

Permanent Index No. (PIN): 6510411040 Zoning: BUSINESS

Lot Dimensions: 340.60' X 150' Lot Area: _____

Present Use: warehouse

Requested Use/Construction: OUTSIDE STORAGE

Estimated Date to Begin New Use/Construction: IMMEDIATE

Name(s), Address(es) and Phone No(s). of Experts (architects, engineers, etc.):

MARK SPANDIKOW ; 509 ELM ST. GLEN ELLYN EXPERT OUTSIDE STORAGE MANAGER

CONTINUE of Legal Descrip:

THE EAST 1/2 OF LOT 31 AND all of lots 32, 33, 34 + 35 IN BLOCK ONE OF GLEN TERRACE BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECT. 10, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT RECORDED MAY 29 1913 AS DOC. 112265.

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: _____

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: SPECIAL USE OF OUTSIDE STORAGE WILL BE HARMONIOUS WITH COMPREHENSIVE PLAN + ZONING CODE
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 CONSTRUCTION NEEDED. ROOF MATERIAL IS NEATLY STACKED ON 4X4 PALLETS AND HIDDEN FROM VIEW BEHIND N. SIDE OF BUILDING AND BEHIND A SCREENED FENCE.
3. Will not be hazardous or disturbing to existing or future neighborhood uses: OUTSIDE STORAGE OF SOME MATERIAL AND ~~SEWAGE~~ ~~WATER~~ WILL BE INCONSPICUOUS. THESE WILL NOT BE HAZARDOUS OR DISTURBING - FUTURE NEIGHBORHOOD USES.
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: HIGHWAY WILL NOT BE BLOCKED OFF. STREET SERVES THE FACILITY. POLICE ARE ON THE ALERT AT ALL TIMES. FIREMEN WILL BE ABLE TO ACCESS AREA. AREA IS DRAINED PROPERLY. GARBAGE IS NOT BLOCKED. WATER CAN BE USED. SEWER IS ADEQUATE. SCHOOL CHILDREN CAN GET TO SCHOOL OK.
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 PUBLIC COST IS INCURRED. IT WILL NOT BE DETRIMENTAL TO ECONOMIC WELFARE OF 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: _____

There will be no fumes, traffic, noise glare or odors coming from the storage box or shafts

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: _____

Approaches are existing and do not interfere with traffic

8. Will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief: _____

WILL AID IN LOWERING POTENTIAL FLOOD. ROOF MATERIAL IS STORED ON DRAINED CEMENT PAD. DOES NOT BLOCK THE FLOW OF WATER. NO PUBLIC EXPENSE WILL BE NEEDED TO PROTECT AGAINST FLOOD. RESCUE CAN BE DONE WITHOUT IMPEDIMENT

9. Will not result in destruction, loss or damage of natural, scenic or historic features of major importance to the community: _____

WILL NOT RESULT IN ANY DESTRUCTION. STORAGE WILL NOT AFFECT SCENERY OR HISTORIC FEATURES OF COMMUNITY. BONUS: ELIMINATES POSSIBILITY OF VANDALS SPRAY PAINTING MY WALLS.

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.

1-24-10
Date

Mark Spandoli
Signature of Applicant

THE BEST INTERESTS OF THE APPLICANT WILL BE SERVED BY COMPLETING THIS APPLICATION IN DETAIL

OWNERSHIP BY A CORPORATION

Date: 1-23-10

Address: 350 Duane Street, Glen Ellyn

Legal Description: See PLAT

LIST ALL SHAREHOLDERS AND OFFICERS/DIRECTORS (AND % OF INTEREST OWNED IN EXCESS OF 5% OF STOCK)

Name: MARK SPANDIKOW Address: 509 Elm St. Glen Ellyn % 50

Name: DONNA SPANDIKOW Address: 11 % 50

Name: _____ Address: _____ % _____

1216 E. Central Road
Arlington Heights, IL 60005
Phone: 708-392-7600
Fax: 708-392-7719



218 N. County Street
Waukegan, IL 60085
Phone: 708-336-2473
Fax: 708-336-2113

PLAT OF SURVEY

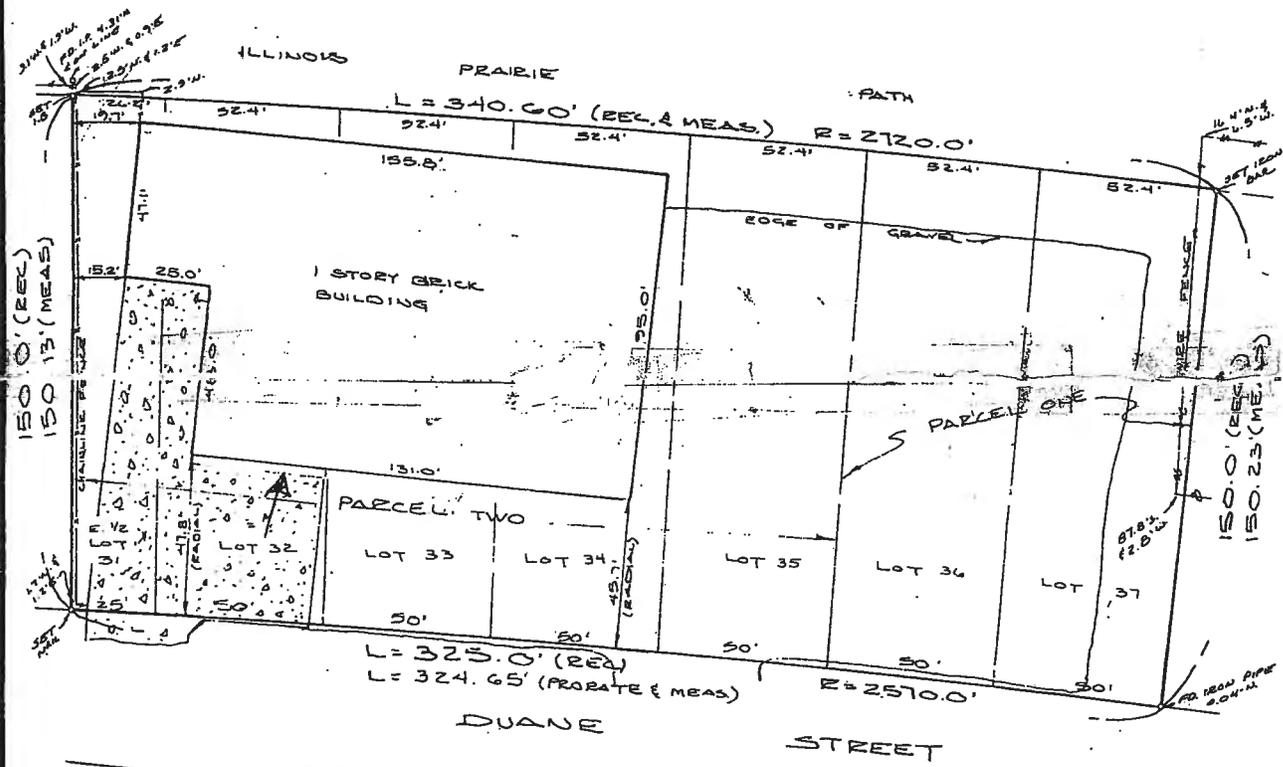
9800 S. Roberts Road
Palos Hills, IL 60465
Phone: 708-430-4077
Fax: 708-598-0696

PIN# 0510411040

460 S. County Farm Road
Wheaton, IL 60187
Phone: 708-690-3733
Fax: 708-690-3735

PARCEL ONE: LOTS 36 AND 37 IN BLOCK 1 IN CLEM TERRACE, BEING A SUBDIVISION OF PART OF THE SOUTH EAST 1/4 OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1913 AS DOCUMENT 112265, IN DUPAGE COUNTY, ILLINOIS.

PARCEL TWO: THE EAST 1/2 OF LOT 31 AND ALL OF LOTS 32, 33, 34 AND 35, IN BLOCK 1 IN CLEM TERRACE, BEING A SUBDIVISION OF PART OF THE SOUTH EAST 1/4 OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 29, 1913 AS DOCUMENT 112265, IN DUPAGE COUNTY, ILLINOIS.



STATE OF ILLINOIS)
) S.S.
COUNTY OF LAKE)

On behalf of MID AMERICA SURVEY COMPANY, I hereby certify that the above described property was surveyed under my supervision and that the annexed plat is a correct representation of said survey.
Dated at Waukegan, IL, _____

MID AMERICA SURVEY COMPANY

By David R. Mann
Registered Illinois Land Surveyor

All distances shown are in feet & decimal parts thereof. No angle or distance are to determine by scaling.

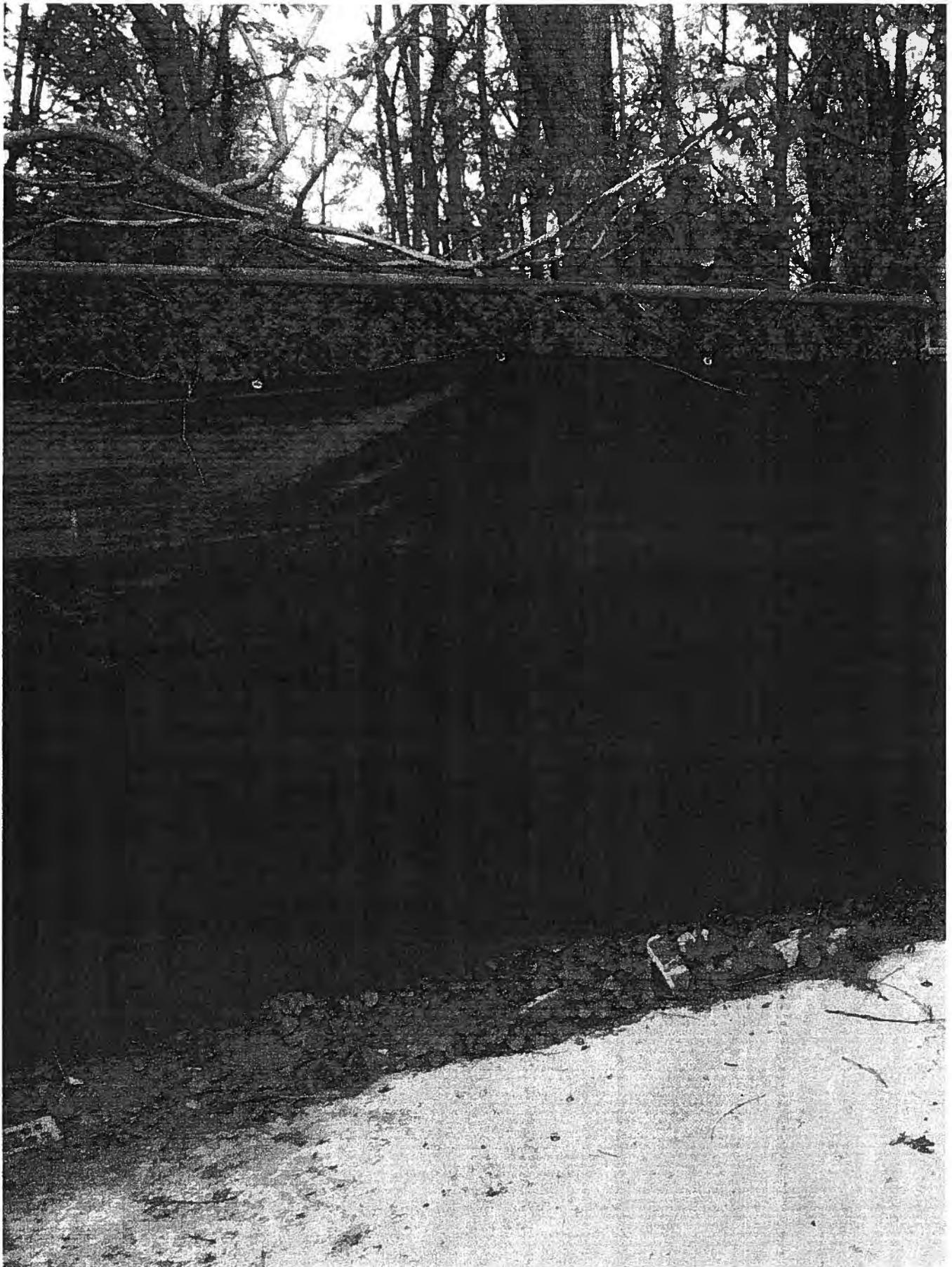
Job No. _____
Address _____

Township _____
County _____

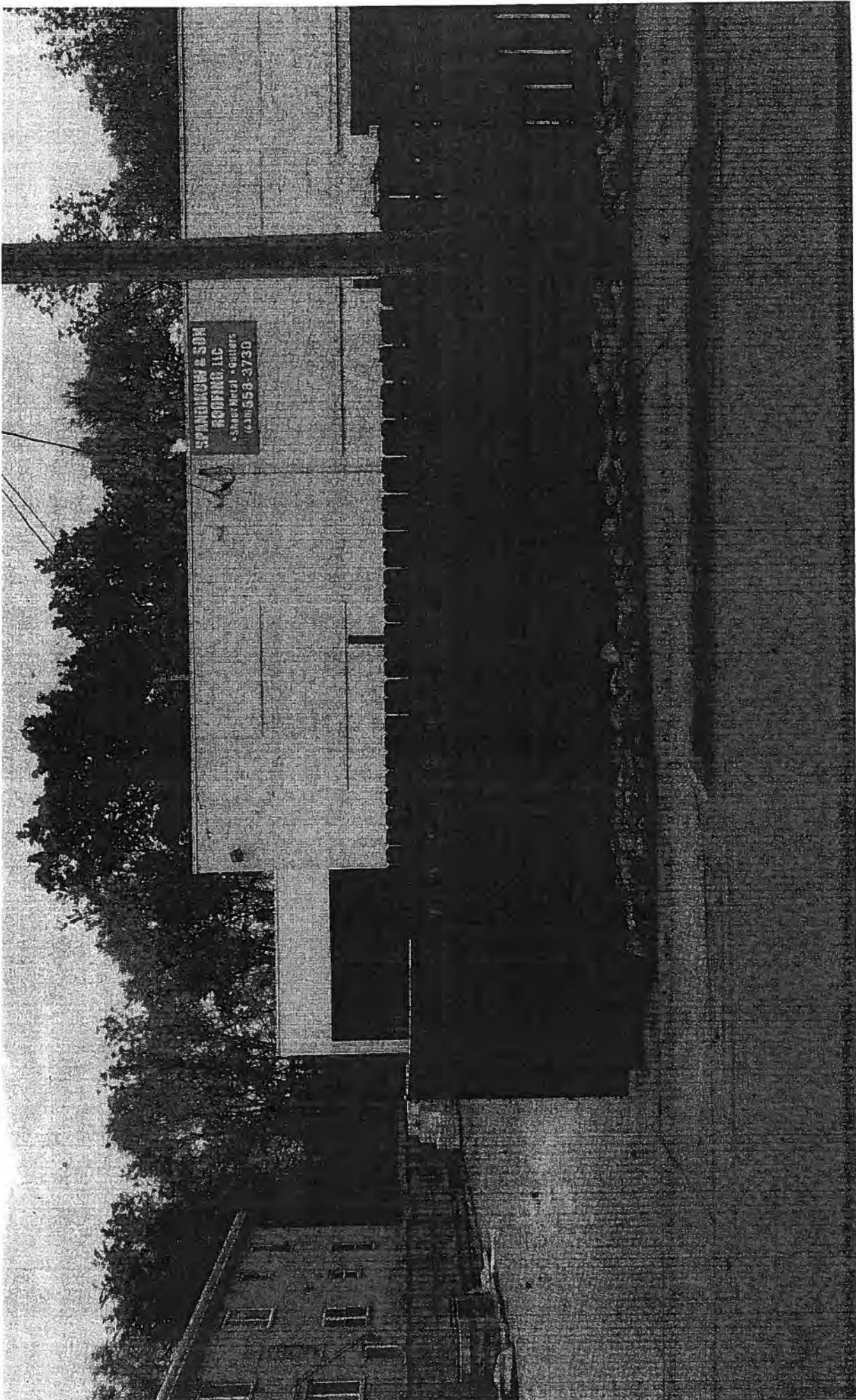
NOTES:
RADIUS WERE CALCULATED FROM EXISTING MONUMENTATION.
Compare your description and site markings with this plat and at once report any discrepancies which you may find.

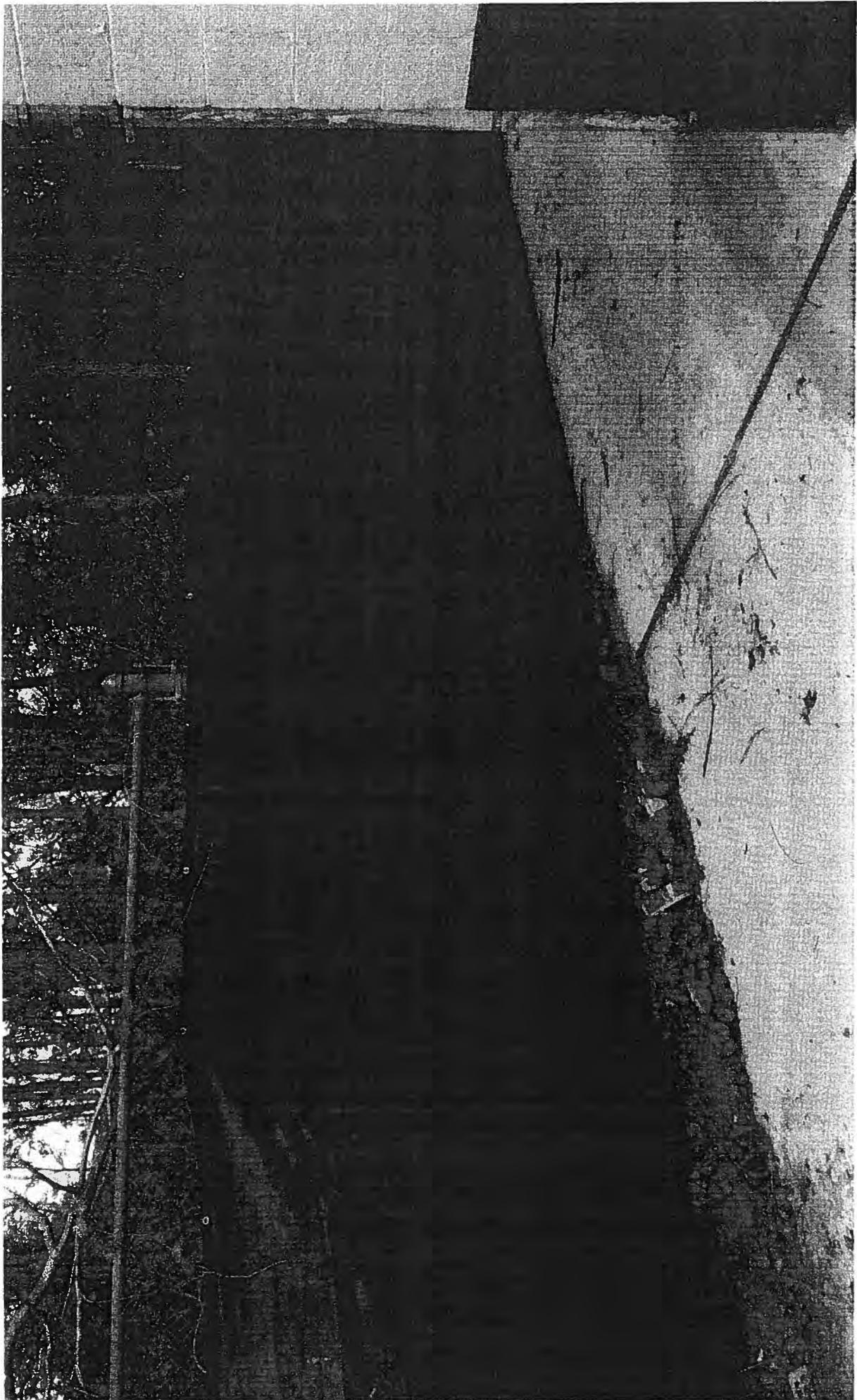
COPYRIGHT 1995 MID AMERICA SURVEY COMPANY





SPANKOW & SON
ROOFING LLC
• Sheet Metal • Gutters
(336) 858-3730





MEMORANDUM

TO: Mark Franz, Village Manager

FROM: Staci Hulseberg, Planning and Development Director
Michael Strong, Planning Intern

DATE: January 24, 2012

RE: Glenbard Wastewater Authority Bemis Road Plant – AT&T License Agreement



Background. In 2011, the Village began negotiations with AT&T, represented by New Cingular Wireless PCS, LLC, regarding a License Agreement to allow the construction of a new 28-foot x 12-foot equipment shelter and 100' monopole tower to support cellular antennas at the southeast corner of the Glenbard Wastewater Authority (GWA) property on Bemis Road.

The GWA property on Bemis Road is unique in that it is owned by the Village of Glen Ellyn but is located within the corporate limits of Lombard. As the property owner, the Village is responsible to enter into the License Agreement. However, all zoning and building permit matters are to be handled by the Village of Lombard.

In March 2011, the GWA Executive Oversight Committee (EOC) voted to authorize the commencement of negotiations with AT&T. The Village and New Cingular Wireless PCS, LLC recently reached an agreement on the terms of the License Agreement (attached). The GWA EOC reviewed the final License Agreement on January 19, 2012 and voted to recommend approval of the Agreement and to move forward with the proposal. On January 23, 2012, the Village of Lombard Plan Commission voted 6-0 to recommend approval of the conditional use and 5 variations necessary to allow the construction of the facility building and monopole in Lombard. The Lombard Village Board is expected to consider the request at a meeting on February 2, 2012 (letter attached).

Issues. The attached License Agreement has a term of five years and allows for three, five-year extensions at AT&T's option. AT&T would pay the GWA an annual License Fee in the amount of \$24,000, or \$2,000 per month. The License Fee would increase 4.0% annually. This revenue will benefit both the Villages of Lombard and Glen Ellyn by providing revenue to the GWA. The agreement allows AT&T to permit other cell companies to collocate on the tower, but allows the Village to require License Agreements and additional rental fees for those additional users. Since the Bemis Road plant is a secure facility, AT&T will only be allowed to access the property during business hours. Any access during non-business hours will require a call-out of GWA staff. The Agreement also includes our standard language requiring the cellular company to cover all costs resulting from any lawsuit filed by a third party (similar to the T-Mobile license agreement for the Cottage Avenue water tower).

Recommendation. Village staff recommends that the Village Board approve the License Agreement with AT&T.

Action Requested. It is requested that the Village Board review the proposed License Agreement and authorize the execution of said Agreement between the Village of Glen Ellyn and AT&T (represented by New Cingular Wireless PCS, LLC). An Ordinance has been prepared approving the License Agreement.

C: Erik Lanphier, Glenbard Wastewater Authority
Adam Simon, Ancel Glink

Attachments:

- License Agreement
- Lombard Plan Commission Notification Letter
- Draft Ordinance Approving License Agreement

LICENSE AGREEMENT

THIS LICENSE AGREEMENT ("License" or "Agreement") dated this ___ day of _____, 2011 is entered into by Village of Glen Ellyn, having its principal office at 535 Duane Avenue, Glen Ellyn, IL60137 ("Licensor"), and New Cingular Wireless PCS, LLC, a Delaware limited liability company, with its principal offices at 12555 Cingular Way, Suite 1300, Alpharetta, GA30004 ("AT&T"). Licensor and AT&T are sometimes referred to herein individually as a "Party" and collectively as the "Parties."

BACKGROUND

A. Licensor owns or otherwise controls certain Property(s) and other property and improvements (collectively, "Property") located at 21 W 551 Bemis, Glen Ellyn, DuPage County, State of Illinois, which is located within the corporate limits of the Village of Lombard.

B. Currently, the Glenbard Wastewater Authority (the "Authority") operates a wastewater treatment facility for the Village of Glen Ellyn and Village of Lombard, both of which jointly manage the Agency, on the Property.

C. To improve or enhance wireless communications, Licensor and AT&T desire that AT&T install and operate a personal communication base station and appurtenant antenna(s), equipment and accessories (collectively, the "Station") in and/or on the Property in such a manner that does not interfere with the principal use of the Property by the Authority.

THEREFORE, the Parties agree as follows:

1. OPTION

(a) Licensor grants to AT&T an option (the "**Option**") to lease the Licensed Premises (as hereinafter defined) for the purposes permitted in this License Agreement.

(b) During the Option Term (as defined below) AT&T and its agents, engineers, surveyors and other representatives will have the right to enter upon the Licensed Premises to inspect, examine, conduct soil borings, drainage testing, material sampling, radio frequency testing and other geological or engineering tests or studies of the Licensed Premises (collectively, the "**Tests**"), to apply for and obtain licenses, permits, approvals, or other relief required of or deemed necessary or appropriate at AT&T's sole discretion for its use of the Licensed Premises and include, without limitation, applications for zoning variances, zoning ordinances, amendments, special use permits, and construction permits (collectively, the "**Government Approvals**"), initiate the ordering and/or scheduling of necessary utilities, and otherwise to do those things on or off the Property that, in the opinion of AT&T, are necessary in AT&T's sole discretion to determine the physical condition of the Property, the environmental history of the Property, Licensor's title to the Property and the feasibility or suitability of the Property for AT&T's Permitted Use, all at AT&T's expense. AT&T will restore the Property to its condition as it existed at the commencement of the Option Term, reasonable wear and tear and casualty not caused by AT&T excepted. In addition, AT&T shall indemnify, defend and hold Licensor harmless from and against any and all injury, loss, damage or claims arising directly out of AT&T's Tests; the obligation for which shall survive the expiration of the Option Term and this Agreement. During the Option Term, and during the term of this Agreement, AT&T shall be required to obtain, maintain, and present evidence of, the types and amounts of insurance described in Section 6 below.

(c) In consideration of Licensor granting AT&T the Option, AT&T agrees to pay Licensor the sum of Two Thousand and No/100 Dollars (\$2,000.00) within thirty (30) business days of the Effective Date. The Option will be for an initial term of one (1) year commencing on the Effective Date (the "Initial Option Term") and may be renewed by AT&T for an additional six (6) months (the "Renewal Option Term") upon written notification to Licensor and the payment of an additional Two Thousand and No/100 Dollars (\$2,000.00) no later than ten (10) days prior to the expiration date of the Initial Option Term. The Initial Option Term and any Renewal Option Term are collectively referred to as the "Option Term."

(d) During the Option Term, AT&T may exercise the Option by notifying Licensor in writing. If AT&T exercises the Option then Licensor licenses the Licensed Premises to AT&T subject to the terms and conditions of this Agreement. If AT&T does not exercise the Option during the Initial Option Term or any extension thereof, this Agreement will terminate and the Parties will have no further liability to each other, except such covenants which expressly survive the expiration or earlier termination of the Agreement. Subject to Section 8(l), the date on which AT&T exercises the Option shall be deemed the Commencement Date of this Agreement.

(e) This Option may be assigned only in the manner permitted for this License according to Section 8(b) below.

2. LICENSE, ACCESS AND USE.

(a) From and after the Commencement Date, Licensor licenses to AT&T the use of certain spaces in and/or on the Property, comprising not more than nine hundred square feet (900 sq. ft.) oriented in a roughly 20 foot x 45 foot area, as indicated on Exhibit A (the "Licensed Premises"). Licensor also grants to AT&T and its representatives the right of access to the Licensed Premises (and other necessary areas of the Property), in accordance with Section 11 for AT&T's Permitted Use.

(b) Licensor permits AT&T to access and use the Licensed Premises to install, construct, operate, maintain, repair, protect, replace, substitute and/or remove the Station, including a monopole not taller than a One Hundred (100) feet and an equipment shelter measuring 28 feet x 12 feet, at its own expense, for its own telecommunications purposes, subject to the terms and conditions of this License Agreement (collectively, the "Permitted Use"). Licensor agrees to allow AT&T access to the Premises during ordinary business hours (7:00AM - 4:00PM Monday through Friday ("Business Hours")) for regular maintenance and repairs, and twenty-four (24) hours a day, seven (7) days a week for emergency purposes. In the event Tenant needs access after Business Hours for emergency repairs, Tenant shall contact Landlord to provide access to the Licensed Premises within forty-five (45) minutes of receipt of notice. AT&T also has the right, reasonably exercised and so as not to interfere with Licensor or the Authority, to install its own public utility services, including electricity and telephone services. Upon at least three (3) business days' notice to AT&T, Licensor shall be allowed to obtain access to and inspect AT&T's facilities on the Property and Licensed Premises at any reasonable time, including during the course of installation and removal. For the purpose of providing notice, Licensor shall contact AT&T by telephone at (800) 638-2822. The number may be used twenty-four (24) hours a day, seven (7) days a week.

(c) The Parties anticipate that the installation of the Station may require utility connections. AT&T shall pay for the electricity and telecommunications services required for its operations at a rate charged by the servicing utility company. AT&T shall have the right to draw

electricity, by separate meter, and other utilities by separate utility service from any utility company that will provide service to the Licensed Premises (including a standby power generator for AT&T's exclusive use). AT&T shall install the Station in a good and workmanlike manner and may use such means as are reasonably necessary or appropriate to install and connect the Station, consistent with Exhibit B. If AT&T wishes to make subsequent changes, but not additions, to the dimensions/location of the Licensed Premises, AT&T will submit a new Exhibit to Licensor for Licensor's approval. Licensor shall have the absolute right to accept or reject subsequent changes. Further, Licensor agrees to cooperate with AT&T in arranging for AT&T's installation and operation of, and access to, the Station, without cost to Licensor. Licensor's approval of Exhibit B shall not substitute for or be deemed the approval of an application for all necessary zoning and building permits required to permit the erection of the Station.

(d) AT&T will provide complete maintenance and repair services for the Station (whether or not the defects and repairs are covered by manufacturer's warranties), with the objective of keeping the Station and Licensed Premises clean, in good condition and repair and in compliance with applicable laws.

(e) Any part of the Station that can be painted or colored shall be installed and maintained by AT&T in the same color as the nearest administrative building on the Property is painted from time-to-time. Likewise, any equipment structure constructed on the Licensed Premises shall be designed to use building materials complementary to those employed in the nearest administrative building on the Property. Licensor agrees to permit AT&T to install a six (6) foot tall fence or other permanent barrier, with barb-wire, or a reasonable substitute, along the top edge, to limit access to the Licensed Premises. The Licensor shall notify AT&T when it is necessary to maintain the Property outside the Licensed Premises and AT&T shall be required, at its own cost and expense, to protect its Station while such work progresses.

(f) All work performed by AT&T within the Property shall be performed in a lien-free manner. AT&T covenants and warrants not to suffer or permit any lien of mechanics or materialmen or others to be placed against the Property or the license fees due hereunder in connection with the Station. In case of any lien, AT&T shall immediately cause it to be released and removed of record or shall secure a title insurance policy sufficient to provide Licensor protection from such lien.

3. TERM. This License runs for five (5) years, plus three (3), five (5) year terms renewable at AT&T's option. The initial term begins on the Commencement Date. As used in this License, "term" means the initial term and any renewal term. This Agreement shall automatically renew upon the same terms and conditions unless AT&T notifies Licensor in writing of AT&T's intention not to renew this Agreement at least sixty (60) days prior to the expiration of the existing term.

4. LICENSE FEE. Subject to paragraph 8(l), beginning with the Commencement Date, AT&T will pay Licensor annually, in advance, by the fifth (5th) day of the month, a License Fee of Twenty Four Thousand and No/100 Dollars \$24,000.00). The License Fee shall be increased annually by 4.0% of the previous year's License Fee.

5. COMPLIANCE WITH LAWS. Each Party agrees to comply with all applicable laws, rules and regulations respecting its own property and uses. This License is governed by the laws of the State and Village in which the Licensed Premises are located.

6. NON-INTERFERENCE. Where there are existing radio frequency user(s) on the Property, Licensor will provide AT&T, upon execution of this Agreement, with a list of all existing radio frequency user(s) on the Property to allow AT&T to evaluate the potential for interference. Each Party agrees not to interfere with operations of the other in the Property, nor to allow third parties to do so. Licensor will not grant, after the date of this Agreement, a lease, license or any other right to any third party for the use of the Property, if such use may in any way adversely affect or interfere with the Station, the operations of AT&T or the rights of AT&T under this Agreement. Licensor will notify AT&T in writing prior to granting any third party the right to install and operate communications equipment on the Property. If there is interference to the Station, the operations of AT&T or the rights of AT&T hereunder which AT&T demonstrates by clear and convincing evidence is directly caused by a party claiming rights under a later-dated agreement, Licensor will cause such interference to cease within seventy two (72) hours after receipt of notice of interference from AT&T together with evidence of such interference. In the event any such interference does not cease within the aforementioned cure period, Licensor shall cease all non-Authority operations which are suspected of causing interference (except for intermittent testing to determine the cause of such interference) until the interference has been corrected. In order to satisfy this clear and convincing evidence standard, AT&T must present to Licensor a radio frequency study showing the radio frequency conditions on the Property that are causing interference to Licensee's operations. This License does not grant AT&T any authority to interfere with the use and operation of the Authority without its express written consent. AT&T shall indemnify, defend, save and hold harmless the Licensor from and against any claims, liabilities or damages, of any kind whatsoever, arising from interference by AT&T with the Authority's use and operation of the Property.

7. INDEMNIFICATIONS AND INSURANCE.

(a) AT&T hereby agrees to indemnify, defend and hold Licensor and the Owner harmless from and against any and all injury, damage, liability or loss (or any claims in respect of the foregoing), costs or expenses (including reasonable attorneys' fees and court costs) arising directly from the installation, use, maintenance, repair or removal of the Station or AT&T's breach of any provision of this Agreement, except to the extent attributable to the act or omission of Licensor, Authority or their respective employees, agents or independent contractors for which the Licensor, Authority or their respective agents, may be held liable under the laws of the State of Illinois. AT&T accepts the Licensed Premises in a AS-IS, WHERE-IS condition and has relied on no oral or written representations from Licensor, except as may be provided herein, in determining the suitability of the Licensed Premises for AT&T's Permitted Use hereunder. To the extent permitted by applicable law, Licensor agrees to indemnify, defend and hold AT&T harmless from and against any and all injury, loss, damage or liability (or any claims in respect of the foregoing), costs or expenses (including reasonable attorneys' fees and court costs) arising directly from the actions or failure to act for which the Licensor may be held liable under the laws of the State of Illinois, except to the extent attributable to the negligent or intentional act or omission of AT&T, its employees, agents or independent contractors.

(b) AT&T, Licensor and the Authority shall each be responsible for maintaining insurance covering their own property, whether or not it is located on the Licensed Premises. AT&T's insurance shall contain a waiver of subrogation in favor of the Licensor and Authority in relation to any property covered by the insurance located on the Licensed Premises.

(c) AT&T shall procure, maintain and provide evidence of, for the duration of this License, insurance against claims for injuries to persons or damages to property which may arise from or in connection with AT&T's use, installation, construction, operation, maintenance, repair, protection,

replacement, substitution and/or removal of the Station. The cost of such insurance shall be borne by AT&T. Coverage shall include, but shall not be limited to the following:

- (i) Broad form Comprehensive General Liability Coverage;
 - (ii) Worker's Compensation Insurance as required by statute and Employer's Liability Insurance.
- (d) AT&T shall maintain limits to no less than:
- (i) General Liability: \$3,000,000.00 combined single limit per occurrence for bodily injury, personal injury and property damage.
 - (ii) Worker's Compensation and Employer's Liability: Worker's Compensation limits as required by statute and Employers Liability limits of \$1,000,000.00 per accident and \$1,000,000.00 per disease.
 - (iii) Umbrella coverage of not less than five million dollars (\$5,000,000.00).
 - (iv) If, during renewal periods, the amount of insurance coverage should no longer be reasonably adequate because of the risks involved or inflation, the Licensor may request in writing, and AT&T shall promptly increase, the amount of all insurance provided.
 - (v) AT&T may satisfy the foregoing requirements by obtaining and delivering copies of the appropriate endorsements to any master policy of liability insurance AT&T may maintain, subject to the reasonable approval of the Village Attorney.

(e) The Licensor and Authority, and their officers, officials, employees, agents, successors and assigns (collectively, the "Covered Group") are to be covered as additional insured with respect to liability arising out of the property owned, occupied or used by AT&T on the Licensed Premises and/or arising out of activities performed by or on behalf of AT&T on the Licensed Premises, including those performed by independent contractors hired by AT&T or its or their subcontractors. The coverage shall contain no special limitation on the scope of the protection afforded to the Covered Group. AT&T's insurance coverage shall be primary insurance as respects the Covered Group. Any insurance or self-insurance maintained by the Licensor or Authority covering like risks shall be considered secondary, contingency and excess of AT&T's insurance and shall not contribute with it.

(f) Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Covered Group.

(g) Coverage shall state that AT&T's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

(h) Each insurance policy required by this Agreement shall not be canceled or non-renewed without thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the Licensor.

(i) Insurance shall be placed with insurers authorized to do business in Illinois.

(j) Upon Licensor's request, but not more frequently than once per calendar year, AT&T shall furnish the Licensor with certificate of insurance and the endorsements effecting coverage as required by this Section. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received by the Licensor before AT&T performs any Tests on the Licensed Premises.

(k) Under no circumstances shall the Licensor be deemed to have waived any of the insurance requirements of this Agreement by any action or omission including, but not limited to (i) allowing any Tests or work to commence by or on behalf of AT&T before Licensor is in receipt of certificates of insurance; (ii) failing to review any certificate of insurance received; or (iii) failing to advise AT&T that any certificate of insurance fails to contain all the required insurance provisions, or may be deficient in any other manner. AT&T agrees that the obligations to provide the insurance required under this Agreement is solely its responsibility and that is a requirement which cannot be waived by any action, inaction or omission by Licensor.

(l) AT&T hereby agrees to pay for any costs incurred by the Licensor including, but not limited to, attorney's fees, experts' fees, and other related costs associated with enforcing Licensor's rights hereunder and administrative hearings and building and zoning permits, or litigation in the event that any suit is filed or claim made by a third party regarding the invalidity or limitations associated with this License or the zoning authority necessary for the implementation hereof. For the purpose of this provision, the Village of Lombard is intended to be a third party beneficiary.

8. **WARRANTY OF TITLE AND RIGHT TO LICENSE.** Licensor represents and warrants (by and through its undersigned representative, acting only in his or her official capacity) that (a) Licensor owns or controls the Property or all relevant portions thereof (including the Licensed Premises), and except for the Authority's use and possession of the Property thereunder, it is unencumbered, by any contract, agreement or title covenants, conditions, restrictions, limitations or liens of record or not of record which would adversely affect AT&T's use and enjoyment of the Licensed Premises or access to them; (b) Licensor has the rights of use and access granted to AT&T under this License; (c) Licensor is duly organized/formed, validly existing and in good standing and has all rights, power and authority to make this License and bind itself hereto; and (d) AT&T, during the term, shall have quiet and peaceful use and enjoyment of the Licensed Premises for its Permitted Use, and any sale of the Property shall be subject to AT&T's rights under this Agreement, so long as it is compliance with all of its covenants and obligations contained herein.

9. **MISCELLANEOUS.**

(a) All rights granted to AT&T under this License are revocable only when this License expires or is sooner terminated, according to its terms.

(b) Assignment; Subleasing:

(i) Licensor agrees that AT&T may assign this License only to a related or controlling entity agreeing to be bound by all of AT&T's License obligations or unless otherwise approved by Licensor in writing. The Parties agree that this License may not be

assigned to any entity commonly referred to as a tower management company, unless it qualifies under the preceding sentence, without Licensor's advance written consent which may be given or withheld in the Licensor's complete and absolute discretion. Notwithstanding anything to the contrary contained in this License, AT&T may assign, mortgage, pledge, hypothecate, grant a security interest or otherwise transfer, without consent, its interest in this License to any financing entity, or agent on behalf of any financing entity to whom AT&T (i) has obligations for borrowed money or in respect of guaranties thereof, (ii) has obligations evidenced by bonds, debentures, notes, or similar instruments, or (iii) has obligations under or with respect to letters of credit, bankers acceptances and similar facilities or in respect of guaranties thereof. If Licensor is permitted to assign this License over to a successor Licensor, such successor must agree to be bound by all of Licensor's obligations under this License through an Assignment and Assumption Agreement reasonably acceptable to Licensor. Licensor may assign this License, in whole or in part, upon thirty (30) days written notice to AT&T.

(ii) AT&T does not object to and will make reasonable efforts to allow collocation of other wireless telecommunication companies on AT&T's monopole, provided that (A) such installation does not cause interference with AT&T's equipment or operations, (B) such collocation party enters into an agreement with AT&T that includes terms that are acceptable to AT&T and (C) said collocation carrier first enters into a separate ground lease agreement with Licensor for space outside the Licensed Premises. There will not be any collocation unless the new carrier enters into a separate ground lease agreement with the Licensor or obtains the Licensor's consent, which may be granted in Licensor's sole and absolute discretion. The foregoing requirements shall be enforceable notwithstanding whether any unused area exists within the Licensed Premises.

(c) Notices to either Party must be given in writing by overnight or certified mail, return receipt requested, if to Licensor, at the address set forth above, and if to AT&T at the following:

New Cingular Wireless PCS, LLC
Attn: Network Real Estate Administration
Re: Cell Site #: IL0694; Cell Site Name: Glenbard Wastewater Authority
Fixed Asset No: 10153768
12555 Cingular Way, Suite 1300
Alpharetta, GA 30004

With a required copy to:

New Cingular Wireless PCS, LLC
Attn.: Legal Department
Re: Cell Site #: IL0694; Cell Site Name: Glenbard Wastewater Authority
Fixed Asset No: 10153768
15 East Midland Avenue
Paramus, NJ 07652

A copy sent to the Legal Department is an administrative step which alone does not constitute legal notice. Either Party hereto may change the place for the giving of notice to it by thirty (30) days' prior written notice to the other as provided herein. The notice shall be effective when received or refused.

(d) To be valid, a revision of this License must be made in writing and signed by an authorized representative of AT&T and an authorized agent of the Licensor following approval by the Corporate Authorities.

(e) The terms and conditions contained in this License benefit and bind Licensor and AT&T, and each of their respective successors and (permitted) assigns. References in this License to "he", "she" or "it" are neutral and mean one and the same thing and the singular shall include the plural where the context requires.

(f) This License and the attached exhibits, once approved by the Village, constitute the entire agreement of the Parties over this subject matter and supersede all prior offers, negotiations and agreements.

(g) Licensor agrees that the Station, at all times, is and shall remain AT&T's personal property.

(h) Licensor represents and warrants, to the best of its knowledge that (i) the Licensed Premises, as of the date of this Agreement, is free of hazardous substances, including asbestos-containing materials and lead paint, and (ii) the Licensed Premises has never been subject to any contamination or hazardous conditions resulting in any environmental investigation, inquiry or remediation. AT&T will not generate or store any hazardous substances on or about the Licensed Premises except in compliance with applicable hazardous substance laws. Licensor's remedies for AT&T's misuse of the Licensed Premises are covered by Paragraph 6 hereof. Licensor hereby agrees to indemnify and defend AT&T from any losses, claims, damages, penalties, liabilities or costs that AT&T may suffer as a result of the presence of hazardous substances or petroleum in, on or under the Property, including the Licensed Premises, directly introduced by the Licensor or Authority unless the presence of such substances was caused by AT&T.

(i) This License Agreement contains all agreements, promises, and understandings between the Licensor and AT&T and does not constitute a binding agreement until executed by all Parties. All attachments, addendums and riders are incorporated herein by reference.

(j) Within sixty (60) days following termination or expiration of this License, AT&T shall, except if otherwise agreed to by Licensor, remove its equipment and improvements and shall restore the Licensed Premises to substantially the condition it existed on the Commencement Date, reasonable wear and tear and loss by casualty or other causes beyond AT&T's control excepted.

(k) Within thirty (30) days after the execution of this Agreement, AT&T will provide to the Licensor the following forms of security: (i) a One Thousand and No/100 Dollars (\$1,000.00) replenishable cash deposit, to be held in a segregated account, as and for a performance guaranty for the routine maintenance and repair of the Property necessitated from time to time by the Station ("Security Fund"); and (ii) a Fifteen Thousand and No/100 Dollars (\$15,000) bond as and for a performance guaranty for the removal of the Station within sixty (60) days after the expiration or earlier termination of this License. These forms of security shall be retained by Licensor for the term of the agreement and may be utilized to pay the Licensor for its costs, provided the Licensee has failed to cure any default in the manner described in Section 12 of this License

If the Licensor utilizes the Security Fund, it shall notify AT&T of the funds so utilized and AT&T will restore to the Security Fund an amount sufficient to maintain that fund at the maximum amount then in force. An example of the circumstance which would permit the Licensor to withdraw and utilize such funds would be a failure by AT&T to provide a report required by Section 10 hereof. The Licensor shall invest the Security Fund and shall credit interest income into the Security Fund. At the termination of this Agreement, the Licensor shall return to AT&T the amount, if any, in the Security Fund, which has not previously been expended or which will not be expended within the following six (6) month period for costs incurred or to be incurred by the Licensor as a result of the breach by AT&T of any provision of this Agreement.

(l) The Commencement Date shall not occur before AT&T submits to the Licensor the final engineering design plans for all parts of the Station, which plans shall be substantially consistent with the plans attached as Exhibit B. The Licensor, in cooperation with the Authority, shall promptly review those plans and indicate in writing to AT&T the approval of the plans or those parts of the plans which must be modified. The Licensor shall specifically review those parts of the plans which relate to any potential interference or damage with the Property. The decision of the Licensor shall be within its sole and exclusive discretion, provided, however, that AT&T may require the Licensor to make a final determination regarding approval or non-approval of the plans upon not less than thirty (30) days written notice. If Licensor shall fail to respond within the foregoing time period, the plans shall be deemed unapproved. If the Licensor shall finally reject the plans, and AT&T chooses not to re-submit additional or modified plans, the License shall be terminated. AT&T shall pay the reasonable costs incurred by the Licensor in the review of the plans by third-party independent consultants, not to exceed \$2,500. The review and approval described in this paragraph shall not be a substitute for compliance with all applicable zoning and building code requirements. AT&T also shall pay the reasonable costs incurred by the Licensor in the preparation of this Agreement, not to exceed \$4,000.

(n) Each Party shall be responsible for the reasonable legal fees incurred by the other for the Party's breach of this License. Provided, however, that any contest, challenge or attack upon the ability of the Licensor to enter into or allow the use permitted under this License, including but not limited to any attack on the zoning applicable to the Property or the Station and the uses allowed thereunder, shall be governed by the provisions of Section 7(l).

(o) If at any time after the date of this Agreement, Licensor receives a bona fide written offer from a third party seeking an assignment of the rental stream associated with this Agreement ("Rental Stream Offer"), Licensor shall immediately furnish AT&T with a copy of the Rental Stream Offer. AT&T shall have the right within twenty (20) days after it receives such copy and representation to match the Rental Stream Offer and agree in writing to match the terms of the Rental Stream Offer. Such writing shall be in the form of a contract substantially similar to the Rental Stream Offer. If AT&T chooses not to exercise this right or fails to provide written notice to Licensor within the twenty (20) day period, Licensor may assign the rental stream pursuant to the Rental Stream Offer, subject to the terms of this Agreement. Nothing herein shall compel or require Licensor to accept a Rental Stream Offer from AT&T or any third party and Licensor expressly retains the right to rescind any offer, acceptance or solicitation of an offer at any time until the consummation of the transaction contemplated by the Rental Stream Offer.

10. RADIO FREQUENCY EMISSIONS

(a) Within sixty (60) days after the Station has been installed and placed in operation, AT&T shall procure from a consultant, approved by the Licensor, a report regarding the level of radio frequency transmissions, at areas accessible to the public, from the Station; and during the term of this License, the Licensor may, not more than annually thereafter, require a similar report to be prepared. The report shall reflect measurements taken over whatever reasonable period of time and at whatever reasonable location the Licensor shall require, but shall at a minimum include such areas that are reasonably anticipated to be subject to human exposure.

The level of electronic transmissions from the AT&T facility, plus those in place on the Property at the time of the Commencement Date (total transmissions), measured at locations that are reasonably anticipated to be subject to human exposure, shall not in total exceed the level of radio frequency emissions permitted under the then current rules of the Federal Communications Commission or such other State or Federal Agency which shall regulate such transmissions. To the extent that the total transmission exceeds the maximum percentage provided above, AT&T shall be required to reduce its level of transmissions within ninety (90) days so that the total transmissions shall comply with the maximum percentage provided above.

In the event that the total transmission has been exceeded, the Licensor may require a report from an independent consultant at intervals of no less than six (6) months. In addition, if the total transmission is exceeded and cannot be remedied, the Licensor may terminate this License by written notice within ninety (90) days after the receipt of such report. In that case, the notice of termination shall permit AT&T to continue the License for not longer than a maximum of one hundred twenty (120) days thereafter.

(b) AT&T shall not be permitted to make subsequent changes to the Station which shall increase the total transmission above a level of the maximum permitted radio frequency transmission then permitted by any Federal or State regulatory agency, as measured in areas that are reasonably anticipated to be subject to human exposure.

11. TAXES.

(a) AT&T shall be solely responsible for and shall timely pay all taxes levied and assessed against it, its personal property, any improvements on the Licensed Premises, or AT&T's interest in the Licensed Premises. AT&T shall be responsible to pay such taxes directly. At the request of Licensor, AT&T shall provide evidence of payment of such taxes. Said payment of taxes shall be made on or before the due date for same. AT&T's obligation to pay taxes relating to the Licensed Premises in connection with AT&T's occupancy of the same shall survive the termination of this License, including any and all extensions or renewals thereof.

(b) AT&T shall have the right to protest all taxes, assessments, charges and impositions levied against its personal property, any improvements on the Licensed Premises, or AT&T's interest in the Licensed Premises, and Licensor agrees to join in such protest if required by law and to permit AT&T to proceed with the protest in Licensor's name, provided that all expense in any way relating to the protest are borne by AT&T. If the Licensor initiates an action to protest taxes or other assessments, AT&T may join in such action provided that AT&T pays its own expense of so participating. Licensor shall within thirty (30) days of receipt of notice of any increase in taxes,

assessments or other charges related to the Licensed Premises, send a copy of such notice to AT&T by certified mail, return receipt requested.

12. RIGHTS OF ACCESS.

(a) Licensor agrees to grant to AT&T the following Rights of Access:

- (i) **Ingress and Egress.** Except for emergency repairs, all installation, maintenance, repair, modification, protection, replacement or removal at the Station shall take place during Business Hours. In the event an emergency occurs during non-Business Hours, AT&T shall notify Licensor, which shall provide access in not more than forty-five (45) minutes.
- (ii) **Access for Construction.** Licensor shall grant to AT&T access upon and over the Property for the temporary storage and use of construction materials and equipment from time to time, that AT&T or one of AT&T's contractors, subcontractors, employees, agents or representatives is constructing, installing, removing, repairing, relocating, replacing, maintaining or operating improvements, installation or equipment pursuant to this License and during the time of set-up operations before, and clean-up operations after any such construction, installation, removal, repair, relocation, replacement, maintenance or operation. Except during the initial construction, which shall continue for a period of no more than 30 days, no temporary storage of materials and/or equipment shall be continue in excess of five (5) business days unless Licensor has given its specific consent.
- (iii) **Access for Utilities.** No new poles or similar facilities shall be installed to provide overhead utility lines to the Property or antennas. In the event the existing utility poles or similar facilities are not adequate for AT&T's utility requirements, AT&T shall cause any additional utility access lines to be run underground. If Licensor reasonably determines that utility lines must be relocated to accommodate improvements on Licensor's property, Licensor shall provide suitable replacement locations ("Alternate Access"), and all utility lines shall be relocated to the Alternate Access at AT&T's sole cost and expense. In such event, Licensor shall cooperate with AT&T to establish or relocate any required utility access, all at AT&T's sole cost and expense.
- (iv) Upon AT&T's request, Licensor will execute a separate recordable easement evidencing the access rights herein described.

(b) **Modifications.** If subsequent to the date of this License any Access, Construction or Utility Access obtained is still necessary and no longer adequately serves the Licensed Premises and AT&T's use thereof, Licensor agrees to cooperate with AT&T to relocate such access rights where practical, where practicality shall be determined in the Licensor's discretion and in deference to the Authority's principal use of the Property. In the event Licensor is unable to relocate any of the necessary

access, then, at AT&T's option, this License may be terminated, and if AT&T has prepaid rent to Licensor, AT&T shall be entitled to a rebate of unearned rent as of the date of termination.

13. DEFAULT; REMEDIES; TERMINATION.

(a) In the event of default under this License by AT&T, Licensor shall be entitled to remedies as shall then be provided by law, equity or as otherwise provided herein, except that Licensor shall not be entitled to remove any personal property (including fixtures) on the Property; and provided that prior to, and as a condition precedent to, the exercise of any remedy, Licensor shall give to AT&T written notice of default to AT&T and the nature of the default and AT&T shall have thirty (30) days (or, if the default cannot be cured within thirty (30) days, a longer period as shall be necessary to cure the default, acting with due diligence), after receipt of the notice within which to cure the default, during which period no remedy shall be pursued. If AT&T fails to cure a default within the applicable cure period, in addition to any other remedies available to Licensor, the Licensor may then, but not before, elect to terminate this License and commence proceedings to recover possession of the Licensed Premises, provided, however, AT&T, in its sole discretion, shall be permitted a six (6) month stay from receipt of a notice of termination at 200% of the then current license fee to find an alternative site.

(b) In the event there is a breach by Licensor with respect to any of the provisions of this Agreement or its obligations under it, AT&T shall give Licensor written notice of such breach. After receipt of such written notice, Licensor shall have thirty (30) days in which to cure any such breach, provided Licensor shall have such extended period as may be required beyond the thirty (30) days if the nature of the cure is such that it reasonably requires more than thirty (30) days and Licensor commences the cure within the thirty (30) day period and thereafter continuously and diligently pursues the cure to completion. AT&T may not maintain any action or effect any remedies for default against Licensor unless and until Licensor has failed to cure the breach within the applicable cure period. Notwithstanding the foregoing to the contrary, it shall be a default under this Agreement if Licensor fails, within seventy two (72) hours after receipt of written notice of such breach, to perform an obligation required to be performed by Licensor if the failure to perform such an obligation interferes with AT&T's ability to conduct its business in the Licensed Premises; provided, however, that if the nature of Licensor's obligation is such that more than seventy two (72) hours after such notice is reasonably required for its performance, then it shall not be a default under this Agreement if performance is commenced within such seventy two (72) hour period and thereafter diligently pursued to completion. Except as provided in paragraph (c) below, AT&T's sole and exclusive remedies for any Licensor default shall be, alternatively, termination of this License or specific performance. Except for the indemnity obligations set forth in this Agreement, and otherwise notwithstanding anything to the contrary in this Agreement, AT&T and Licensor each waives any claims that each may have against the other with respect to consequential, incidental or special damages, however caused, based on any theory of liability.

(c) The remedies described in this paragraph shall not be exclusive and may be pursued separately or cumulatively with any other remedies provided for in this Agreement. Upon a default, the non-defaulting Party may at its option (but without obligation to do so), perform the defaulting Party's duty or obligation on the defaulting Party's behalf, including but not limited to the obtaining of reasonably required insurance policies. The costs and expenses of any such performance by the non-defaulting Party shall be due and payable by the defaulting Party upon invoice therefor. If AT&T so performs any of Licensor's obligations hereunder, the full, undisputed amount of the reasonable and actual cost and expense incurred by AT&T shall be a credit against any subsequent License Fees or reimbursed to AT&T if the credit exceeds the License Fees for the remainder of the term.

(d) Notwithstanding anything in this License, AT&T shall have the right to terminate this License (i) at any time if AT&T is unable to obtain, or maintain, any Government Approval necessary for the construction or operation of the Station as now or hereafter intended by AT&T; or (ii) during any renewal term (but not during the initial term) for any reason (other than those enumerated above) upon providing written notice to the Licensor and upon such termination, paying a termination fee equivalent to one half of the annual License Fee; provided, however, that no such termination fee will be payable on account of the termination of this Agreement by AT&T pursuant to any other termination right granted in this Agreement. Additionally, the Licensor will retain any prepaid rent.

14. CASUALTY. Licensor will provide notice to AT&T of any casualty or other harm affecting the Property within forty-eight (48) hours of the casualty or other harm. If any part of the Station or Property is damaged by casualty or other harm as to render the Licensed Premises unsuitable, in AT&T's sole determination, for greater than one hundred eighty (180) days, then AT&T may terminate this Agreement by providing written notice to Licensor, which termination will be effective as of the date of such casualty or other harm. Upon such termination, AT&T will be entitled to collect all insurance proceeds payable to AT&T on account thereof and to be reimbursed for any prepaid License Fee on a pro-rata basis. Licensor agrees to permit AT&T to place temporary transmission and reception facilities on the Property, but only until such time as AT&T is able to activate a replacement transmission facility at another location; notwithstanding the termination of this Agreement, such temporary facilities will be governed by all of the terms and conditions of this Agreement, including License Fees. If Licensor or AT&T undertakes to rebuild or restore the Licensed Premises and/or the Station as applicable, Licensor agrees to permit AT&T to place temporary transmission and reception facilities on the Property at no additional License Fee until the reconstruction of the Licensed Premises and/or the Station is completed. If Licensor determines not to rebuild or restore the Licensed Premises, Licensor will notify AT&T of such determination within thirty (30) days after the casualty or other harm. If Licensor does not so notify AT&T, then Licensor will promptly rebuild or restore the Licensed Premises to substantially the same condition as existed before the casualty or other harm. Licensor agrees that the License Fee shall be abated until the Licensed Premises are rebuilt or restored, unless AT&T places temporary transmission and reception facilities on the Property.

15. WAIVER OF LICENSOR'S LIENS. Licensor waives any and all lien rights it may have, statutory or otherwise, concerning the Station or any portion thereof. The Station shall be deemed personal property for purposes of this Agreement, regardless of whether any portion is deemed real or personal property under applicable law; Licensor consents to AT&T's right to remove all or any portion of the Station from time to time in AT&T's sole discretion and without Licensor's consent.

IN WITNESS WHEREOF, the Parties have executed, or have caused their properly authorized representative to duly execute, counterparts of this License, on the date and year first above written.

LICENSOR:

VILLAGE OF GLEN ELLYN

By: _____

Print Name: _____

Its: _____

FEIN: _____

LICENSEE:

**New Cingular Wireless PCS,LLC,
a Delaware limited liability company**

By: AT&T Mobility Corporation

Its: Manager

By: _____

Print Name: Scott A. Root

Its: Manager, Network Implementations, IL/WI

FEIN: _____

STATE OF ILLINOIS)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged this ___ day of _____, 20___
by _____, the _____ of _____
_____, known to me to be the person executing the foregoing
document.

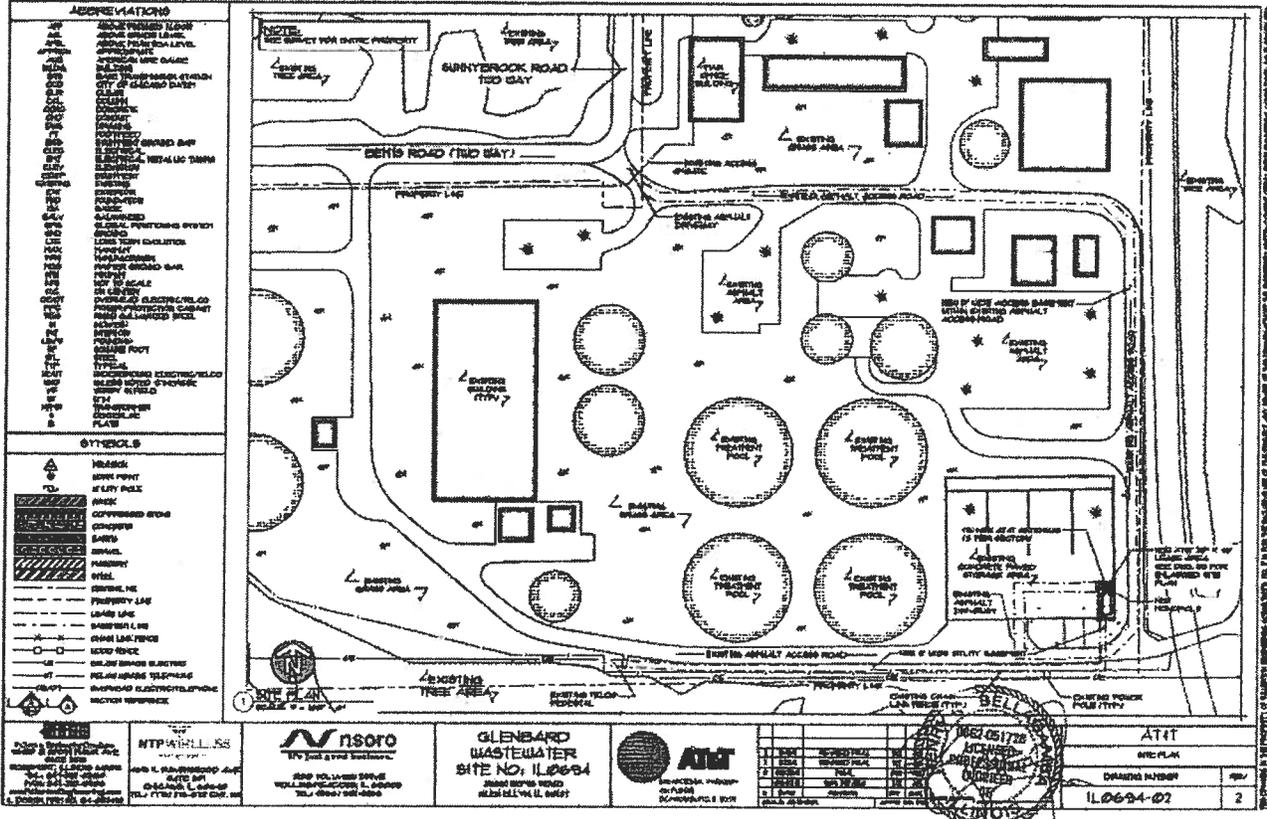
Notary Public

STATE OF ILLINOIS)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged this ___ day of _____, 20___
by **Scott A. Root**, the **Manager, Network Implementations**, IL/WI of AT&T Mobility Corporation, the
Manager of New Cingular Wireless PCS, LLC, a Delaware limited liability company, known to me to be
the person executing the foregoing document on behalf of the limited liability company.

Notary Public

EXHIBIT A
Licensed Premises



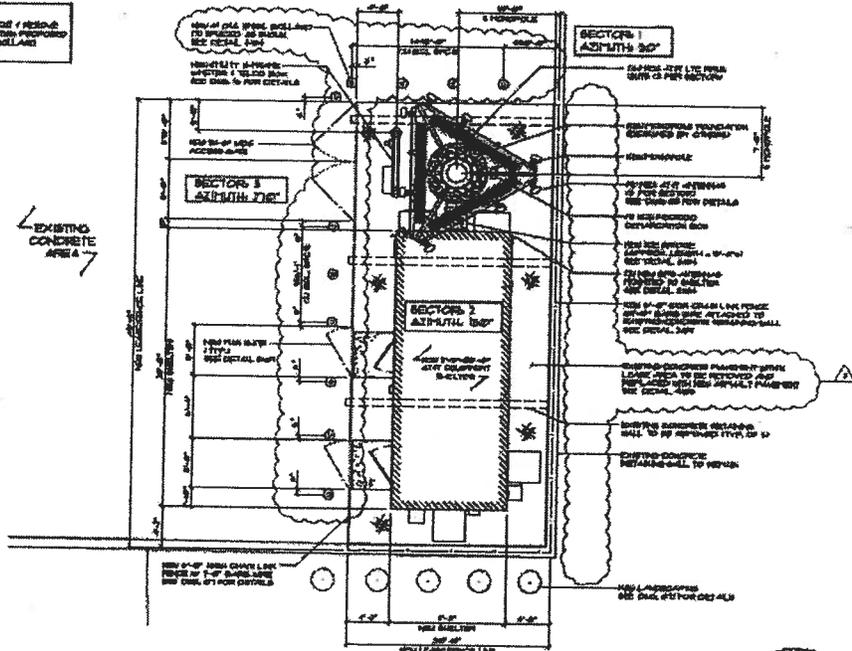
ABBREVIATIONS

AD	ADJUSTED LEVEL
AL	ASBESTOS
AN	ANODE
AP	APPROXIMATE
AS	ASPHALT
AW	AIRWAY
BA	BASIN
BB	BENTONITE
BC	BENCH MARK
BD	BUILDING
BE	BENTONITE
BF	BENTONITE
BG	BENTONITE
BH	BENTONITE
BI	BENTONITE
BJ	BENTONITE
BK	BENTONITE
BL	BENTONITE
BM	BENTONITE
BN	BENTONITE
BO	BENTONITE
BP	BENTONITE
BQ	BENTONITE
BR	BENTONITE
BS	BENTONITE
BT	BENTONITE
BV	BENTONITE
BW	BENTONITE
BX	BENTONITE
BY	BENTONITE
BZ	BENTONITE
CA	CANAL
CB	CANAL
CC	CANAL
CD	CANAL
CE	CANAL
CF	CANAL
CG	CANAL
CH	CANAL
CI	CANAL
CJ	CANAL
CK	CANAL
CL	CANAL
CM	CANAL
CN	CANAL
CO	CANAL
CP	CANAL
CQ	CANAL
CR	CANAL
CS	CANAL
CT	CANAL
CV	CANAL
CW	CANAL
CX	CANAL
CY	CANAL
CZ	CANAL
DA	DRAINAGE
DB	DRAINAGE
DC	DRAINAGE
DD	DRAINAGE
DE	DRAINAGE
DF	DRAINAGE
DG	DRAINAGE
DH	DRAINAGE
DI	DRAINAGE
DJ	DRAINAGE
DK	DRAINAGE
DL	DRAINAGE
DM	DRAINAGE
DN	DRAINAGE
DO	DRAINAGE
DP	DRAINAGE
DQ	DRAINAGE
DR	DRAINAGE
DS	DRAINAGE
DT	DRAINAGE
DV	DRAINAGE
DW	DRAINAGE
DX	DRAINAGE
DY	DRAINAGE
DZ	DRAINAGE
EA	ELECTRICAL
EB	ELECTRICAL
EC	ELECTRICAL
ED	ELECTRICAL
EE	ELECTRICAL
EF	ELECTRICAL
EG	ELECTRICAL
EH	ELECTRICAL
EI	ELECTRICAL
EJ	ELECTRICAL
EK	ELECTRICAL
EL	ELECTRICAL
EM	ELECTRICAL
EN	ELECTRICAL
EO	ELECTRICAL
EP	ELECTRICAL
EQ	ELECTRICAL
ER	ELECTRICAL
ES	ELECTRICAL
ET	ELECTRICAL
EV	ELECTRICAL
EW	ELECTRICAL
EX	ELECTRICAL
EY	ELECTRICAL
EZ	ELECTRICAL
FA	FENCE
FB	FENCE
FC	FENCE
FD	FENCE
FE	FENCE
FF	FENCE
FG	FENCE
FH	FENCE
FI	FENCE
FJ	FENCE
FK	FENCE
FL	FENCE
FM	FENCE
FN	FENCE
FO	FENCE
FP	FENCE
FQ	FENCE
FR	FENCE
FS	FENCE
FT	FENCE
FV	FENCE
FW	FENCE
FX	FENCE
FY	FENCE
FZ	FENCE
GA	GRAVEL
GB	GRAVEL
GC	GRAVEL
GD	GRAVEL
GE	GRAVEL
GF	GRAVEL
GG	GRAVEL
GH	GRAVEL
GI	GRAVEL
GJ	GRAVEL
GK	GRAVEL
GL	GRAVEL
GM	GRAVEL
GN	GRAVEL
GO	GRAVEL
GP	GRAVEL
GQ	GRAVEL
GR	GRAVEL
GS	GRAVEL
GT	GRAVEL
GV	GRAVEL
GW	GRAVEL
GX	GRAVEL
GY	GRAVEL
GZ	GRAVEL
HA	HAZARDOUS
HB	HAZARDOUS
HC	HAZARDOUS
HD	HAZARDOUS
HE	HAZARDOUS
HF	HAZARDOUS
HG	HAZARDOUS
HH	HAZARDOUS
HI	HAZARDOUS
HJ	HAZARDOUS
HK	HAZARDOUS
HL	HAZARDOUS
HM	HAZARDOUS
HN	HAZARDOUS
HO	HAZARDOUS
HP	HAZARDOUS
HQ	HAZARDOUS
HR	HAZARDOUS
HS	HAZARDOUS
HT	HAZARDOUS
HV	HAZARDOUS
HW	HAZARDOUS
HX	HAZARDOUS
HY	HAZARDOUS
HZ	HAZARDOUS
IA	IRREGULAR
IB	IRREGULAR
IC	IRREGULAR
ID	IRREGULAR
IE	IRREGULAR
IF	IRREGULAR
IG	IRREGULAR
IH	IRREGULAR
II	IRREGULAR
IJ	IRREGULAR
IK	IRREGULAR
IL	IRREGULAR
IM	IRREGULAR
IN	IRREGULAR
IO	IRREGULAR
IP	IRREGULAR
IQ	IRREGULAR
IR	IRREGULAR
IS	IRREGULAR
IT	IRREGULAR
IV	IRREGULAR
IW	IRREGULAR
IX	IRREGULAR
IY	IRREGULAR
IZ	IRREGULAR
JA	JUNCTION
JB	JUNCTION
JC	JUNCTION
JD	JUNCTION
JE	JUNCTION
JF	JUNCTION
JG	JUNCTION
JH	JUNCTION
JI	JUNCTION
JJ	JUNCTION
JK	JUNCTION
JL	JUNCTION
JM	JUNCTION
JN	JUNCTION
JO	JUNCTION
JP	JUNCTION
JQ	JUNCTION
JR	JUNCTION
JS	JUNCTION
JT	JUNCTION
JV	JUNCTION
JW	JUNCTION
JX	JUNCTION
JY	JUNCTION
JZ	JUNCTION
KA	KILN
KB	KILN
KC	KILN
KD	KILN
KE	KILN
KF	KILN
KG	KILN
KH	KILN
KI	KILN
KJ	KILN
KK	KILN
KL	KILN
KM	KILN
KN	KILN
KO	KILN
KP	KILN
KQ	KILN
KR	KILN
KS	KILN
KT	KILN
KV	KILN
KW	KILN
KX	KILN
KY	KILN
KZ	KILN
LA	LAND
LB	LAND
LC	LAND
LD	LAND
LE	LAND
LF	LAND
LG	LAND
LH	LAND
LI	LAND
LJ	LAND
LK	LAND
LL	LAND
LM	LAND
LN	LAND
LO	LAND
LP	LAND
LQ	LAND
LR	LAND
LS	LAND
LT	LAND
LV	LAND
LW	LAND
LX	LAND
LY	LAND
LZ	LAND
MA	MATERIAL
MB	MATERIAL
MC	MATERIAL
MD	MATERIAL
ME	MATERIAL
MF	MATERIAL
MG	MATERIAL
MH	MATERIAL
MI	MATERIAL
MJ	MATERIAL
MK	MATERIAL
ML	MATERIAL
MM	MATERIAL
MN	MATERIAL
MO	MATERIAL
MP	MATERIAL
MQ	MATERIAL
MR	MATERIAL
MS	MATERIAL
MT	MATERIAL
MV	MATERIAL
MW	MATERIAL
MX	MATERIAL
MY	MATERIAL
MZ	MATERIAL
NA	NOT A SCALE
NB	NOT A SCALE
NC	NOT A SCALE
ND	NOT A SCALE
NE	NOT A SCALE
NF	NOT A SCALE
NG	NOT A SCALE
NH	NOT A SCALE
NI	NOT A SCALE
NJ	NOT A SCALE
NK	NOT A SCALE
NL	NOT A SCALE
NM	NOT A SCALE
NN	NOT A SCALE
NO	NOT A SCALE
NP	NOT A SCALE
NQ	NOT A SCALE
NR	NOT A SCALE
NS	NOT A SCALE
NT	NOT A SCALE
NV	NOT A SCALE
NW	NOT A SCALE
NX	NOT A SCALE
NY	NOT A SCALE
NZ	NOT A SCALE
OA	OPEN AREA
OB	OPEN AREA
OC	OPEN AREA
OD	OPEN AREA
OE	OPEN AREA
OF	OPEN AREA
OG	OPEN AREA
OH	OPEN AREA
OI	OPEN AREA
OJ	OPEN AREA
OK	OPEN AREA
OL	OPEN AREA
OM	OPEN AREA
ON	OPEN AREA
OO	OPEN AREA
OP	OPEN AREA
OQ	OPEN AREA
OR	OPEN AREA
OS	OPEN AREA
OT	OPEN AREA
OV	OPEN AREA
OW	OPEN AREA
OX	OPEN AREA
OY	OPEN AREA
OZ	OPEN AREA
PA	PAVED AREA
PB	PAVED AREA
PC	PAVED AREA
PD	PAVED AREA
PE	PAVED AREA
PF	PAVED AREA
PG	PAVED AREA
PH	PAVED AREA
PI	PAVED AREA
PJ	PAVED AREA
PK	PAVED AREA
PL	PAVED AREA
PM	PAVED AREA
PN	PAVED AREA
PO	PAVED AREA
PP	PAVED AREA
PQ	PAVED AREA
PR	PAVED AREA
PS	PAVED AREA
PT	PAVED AREA
PV	PAVED AREA
PW	PAVED AREA
PX	PAVED AREA
PY	PAVED AREA
PZ	PAVED AREA
QA	QUANTITY
QB	QUANTITY
QC	QUANTITY
QD	QUANTITY
QE	QUANTITY
QF	QUANTITY
QG	QUANTITY
QH	QUANTITY
QI	QUANTITY
QJ	QUANTITY
QK	QUANTITY
QL	QUANTITY
QM	QUANTITY
QN	QUANTITY
QO	QUANTITY
QP	QUANTITY
QQ	QUANTITY
QR	QUANTITY
QS	QUANTITY
QT	QUANTITY
QV	QUANTITY
QW	QUANTITY
QX	QUANTITY
QY	QUANTITY
QZ	QUANTITY
RA	RAILROAD
RB	RAILROAD
RC	RAILROAD
RD	RAILROAD
RE	RAILROAD
RF	RAILROAD
RG	RAILROAD
RH	RAILROAD
RI	RAILROAD
RJ	RAILROAD
RK	RAILROAD
RL	RAILROAD
RM	RAILROAD
RN	RAILROAD
RO	RAILROAD
RP	RAILROAD
RQ	RAILROAD
RR	RAILROAD
RS	RAILROAD
RT	RAILROAD
RV	RAILROAD
RW	RAILROAD
RX	RAILROAD
RY	RAILROAD
RZ	RAILROAD
SA	SAND
SB	SAND
SC	SAND
SD	SAND
SE	SAND
SF	SAND
SG	SAND
SH	SAND
SI	SAND
SJ	SAND
SK	SAND
SL	SAND
SM	SAND
SN	SAND
SO	SAND
SP	SAND
SQ	SAND
SR	SAND
SS	SAND
ST	SAND
SV	SAND
SW	SAND
SX	SAND
SY	SAND
SZ	SAND
TA	TERRACE
TB	TERRACE
TC	TERRACE
TD	TERRACE
TE	TERRACE
TF	TERRACE
TG	TERRACE
TH	TERRACE
TI	TERRACE
TJ	TERRACE
TK	TERRACE
TL	TERRACE
TM	TERRACE
TN	TERRACE
TO	TERRACE
TP	TERRACE
TQ	TERRACE
TR	TERRACE
TS	TERRACE
TT	TERRACE
TV	TERRACE
TW	TERRACE
TX	TERRACE
TY	TERRACE
TZ	TERRACE
UA	UTILITY
UB	UTILITY
UC	UTILITY
UD	UTILITY
UE	UTILITY
UF	UTILITY
UG	UTILITY
UH	UTILITY
UI	UTILITY
UJ	UTILITY
UK	UTILITY
UL	UTILITY
UM	UTILITY
UN	UTILITY
UO	UTILITY
UP	UTILITY
UQ	UTILITY
UR	UTILITY
US	UTILITY
UT	UTILITY
UV	UTILITY
UW	UTILITY
UX	UTILITY
UY	UTILITY
UZ	UTILITY
VA	VALVE
VB	VALVE
VC	VALVE
VD	VALVE
VE	VALVE
VF	VALVE
VG	VALVE
VH	VALVE
VI	VALVE
VJ	VALVE
VK	VALVE
VL	VALVE
VM	VALVE
VN	VALVE
VO	VALVE
VP	VALVE
VQ	VALVE
VR	VALVE
VS	VALVE
VT	VALVE
VV	VALVE
VW	VALVE
VX	VALVE
VY	VALVE
VZ	VALVE
WA	WATER
WB	WATER
WC	WATER
WD	WATER
WE	WATER
WF	WATER
WG	WATER
WH	WATER
WI	WATER
WJ	WATER
WK	WATER
WL	WATER
WM	WATER
WN	WATER
WO	WATER
WP	WATER
WQ	WATER
WR	WATER
WS	WATER
WT	WATER
WV	WATER
WW	WATER
WX	WATER
WY	WATER
WZ	WATER
XA	WOOD
XB	WOOD
XC	WOOD
XD	WOOD
XE	WOOD
XF	WOOD
XG	WOOD
XH	WOOD
XI	WOOD
XJ	WOOD
XK	WOOD
XL	WOOD
XM	WOOD
XN	WOOD
XO	WOOD
XP	WOOD
XQ	WOOD
XR	WOOD
XS	WOOD
XT	WOOD
XV	WOOD
XW	WOOD
XX	WOOD
XY	WOOD
XZ	WOOD
YA	YARD
YB	YARD
YC	YARD
YD	YARD
YE	YARD
YF	YARD
YG	YARD
YH	YARD
YI	YARD
YJ	YARD
YK	YARD
YL	YARD
YM	YARD
YN	YARD
YO	YARD
YP	YARD
YQ	YARD
YR	YARD
YS	YARD
YT	YARD
YV	YARD
YW	YARD
YX	YARD
YY	YARD
YZ	YARD
ZA	ZONE
ZB	ZONE
ZC	ZONE
ZD	ZONE
ZE	ZONE
ZF	ZONE
ZG	ZONE
ZH	ZONE
ZI	ZONE
ZJ	ZONE
ZK	ZONE
ZL	ZONE
ZM	ZONE
ZN	ZONE
ZO	ZONE
ZP	ZONE
ZQ	ZONE
ZR	ZONE
ZS	ZONE
ZT	ZONE
ZV	ZONE
ZW	ZONE
ZX	ZONE
ZY	ZONE
ZZ	ZONE

SYMBOLS

▲	MARK
●	MARK
○	MARK
□	MARK
▨	MARK
▩	MARK
▪	MARK
▫	MARK
▬	MARK
▭	MARK
▮	MARK
▯	MARK
▰	MARK
▱	MARK
▲	MARK
△	MARK
▴	MARK
▵	MARK
▶	MARK
▷	MARK
▸	MARK
▹	MARK
►	MARK
▻	MARK
◀	MARK
◁	MARK
◂	MARK
◃	MARK
◄	MARK
◅	MARK
◆	MARK
◇	MARK
◈	MARK
◉	MARK
◊	MARK
◌	MARK
◍	MARK
◎	MARK
●	MARK
◐	MARK
◑	MARK

NOTE:
 CONCRETE TO BE CAST IN PLACE.
 REINFORCING CONCRETE SHALL BE CAST IN PLACE.
 FORMS SHALL BE AS SHOWN
 LOCATIONS.



1 ENLARGED SITE PLAN
 SCALE: 1/4" = 1'-0"

AT&T
 WIRELESS
 A T & T COMMUNICATIONS COMPANY

nsoro
 INC. CONSULTING ENGINEERS
 1000 N. WILSON AVENUE
 CHICAGO, ILLINOIS 60642
 TEL: 312.541.4000

**GLENBARD WASTEWATER
 SITE NO. IL0694**
 ASSESSMENT STUDY
 4125 W. 111th St. IL 60131

AT&T
 WIRELESS
 A T & T COMMUNICATIONS COMPANY

A. N. BELL
 062051728
 LICENSED PROFESSIONAL ENGINEER
 STATE OF ILLINOIS
 11/11/03

AT&T	
ENLARGED SITE PLAN	REV
DATE: 11/11/03	2

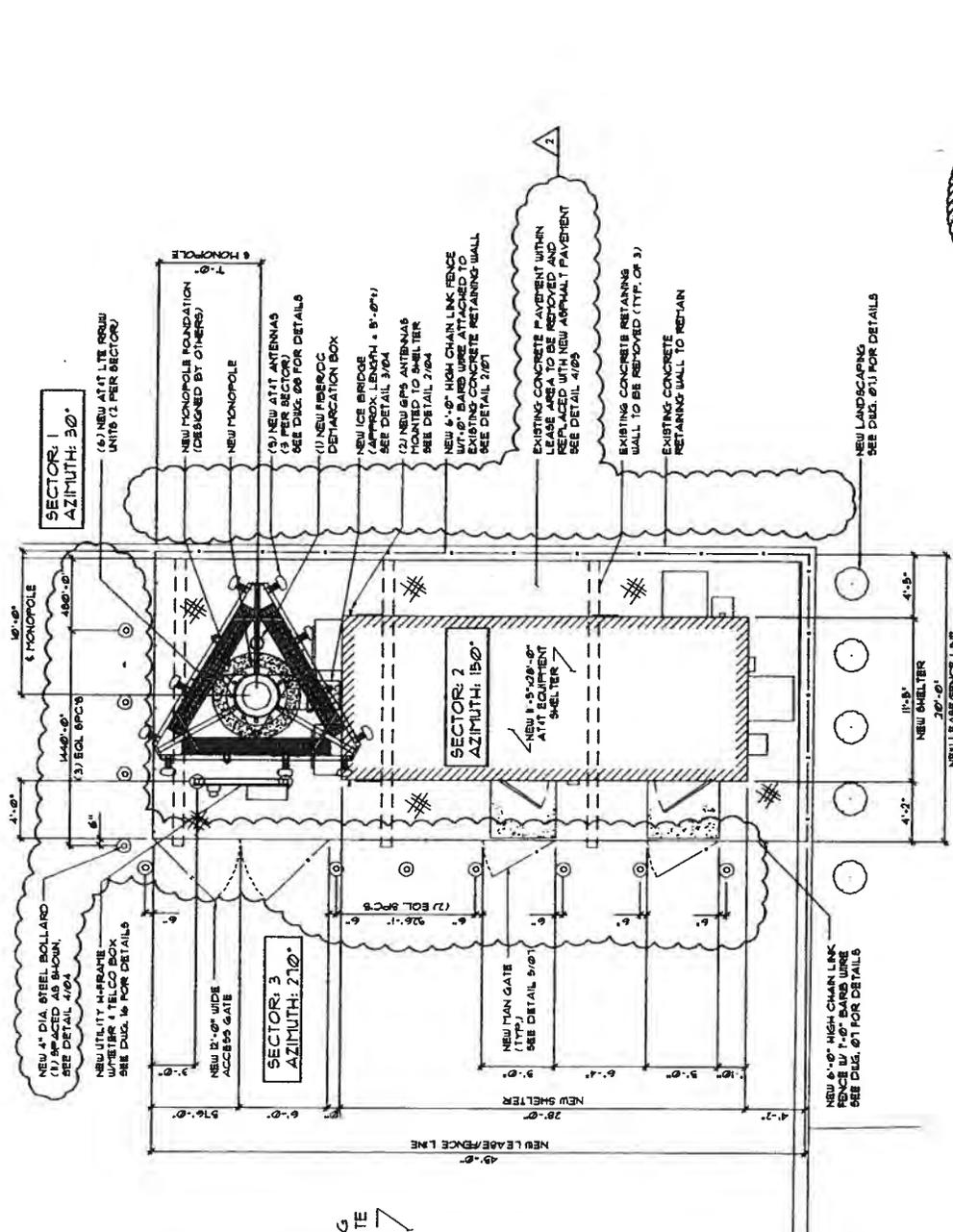
EXHIBIT B

Plans for the Station

(including utility connections)

THIS DRAWING IS THE PROPERTY OF FULLERTON DESIGNING CONSULTANTS, INC. IT IS FOR THE EXCLUSIVE USE OF THIS PROJECT. ANY REUSE OR MISUSE OF THIS DRAWING WITHOUT THE EXPRESSED WRITTEN CONSENT OF FULLERTON DESIGNING CONSULTANTS, INC. IS PROHIBITED.

NOTE:
 CONTRACTOR TO REMOVE & REPOUR
 EXISTING CONCRETE WITHIN PROPOSED
 LEASE AREA AND AT BOLLARD
 LOCATIONS.



EXISTING
 CONCRETE
 AREA

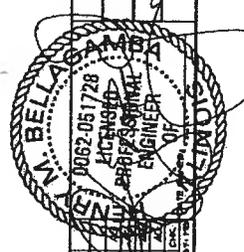
ENLARGED SITE PLAN
 SCALE: 1/8" = 1'-0"

NTP WIRELESS
 Fullerton Engineering Consultants
 5800 N. RAVENSWOOD AVE.
 SUITE 300
 ROSEMONT, ILLINOIS 60018
 TEL: 631-737-0100
 www.ntpwireless.com
 ILL. DESIGN FIRM NO. 04-0021538

nsoro
 It's just good business.
 3100 TOLLVIEW DRIVE
 ROLLING HEADS, IL 60008
 TEL: (666) 501-8156

**GLENBARD
 WASTEWATER**
 SITE NO: IL0694
 20531 EBERTS ROAD
 GLEN BLDG., IL 60151

AT&T
 28 NATIONAL PARKWAY
 SCHAUMBURG, IL 60173



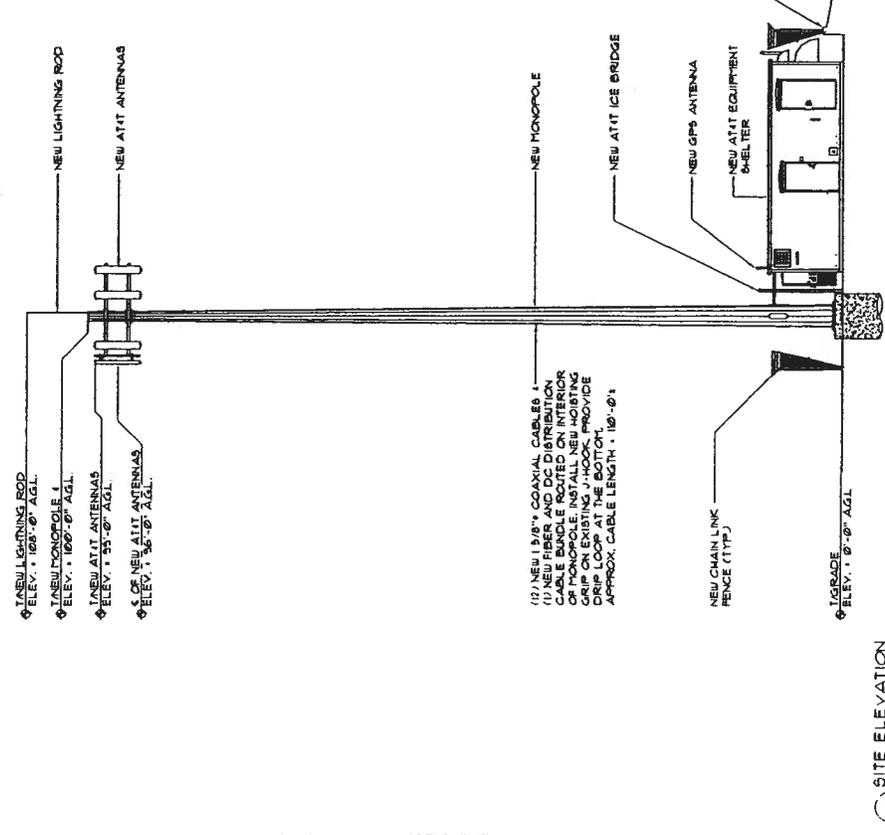
AT&T		ENLARGED SITE PLAN	
REV	BY	DATE	DESCRIPTION
2	JK	11/06/04	REVISED FINAL
1	JK	10/27/04	REVISED FINAL
0	JK	06/27/04	FINAL
B	JK	06/27/04	SPR REVISED
A	JK		REVISION
SCALE: AS SHOWN		BY	DATE
		JK	11/06/04
		APP'D BY	DATE
		JK	11/06/04
		DRAWING NUMBER	IL0694-03
		REV	2

ANTENNA NOTES:

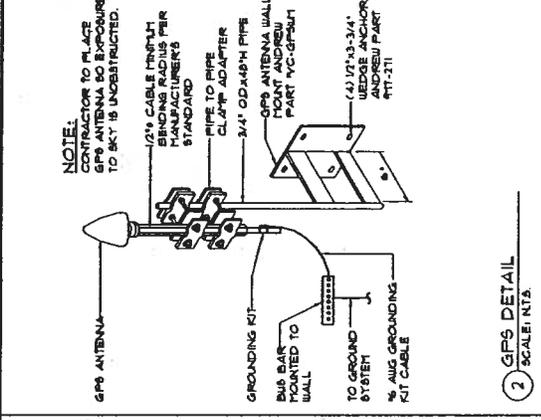
1. THE SIZE, HEIGHT, AND DIRECTION OF THE ANTENNA SHALL BE ADJUSTED TO MEET FCC REQUIREMENTS.
2. CONTRACTOR SHALL VERIFY HEIGHT OF ANTENNA WITH ATIT REPRESENTATIVE.
3. ALL ANTENNA AZIMUTH TO BE FROM TRUE NORTH.

STRUCTURAL NOTES:

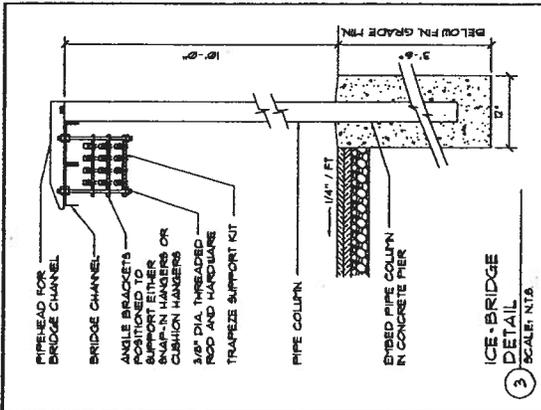
1. STRUCTURAL CALCULATION PREPARED BY OTHERS. CONTRACTOR TO COORDINATE WITH ATIT REPRESENTATIVE TO OBTAIN A COPY.
2. CONTRACTOR TO REFER TO TOWER STRUCTURAL CALCULATIONS FOR ADDITIONAL LOADS. NO ERECTION OR MODIFICATION OF TOWER SHALL BE MADE WITHOUT APPROVAL OF STRUCTURAL ENGINEER.



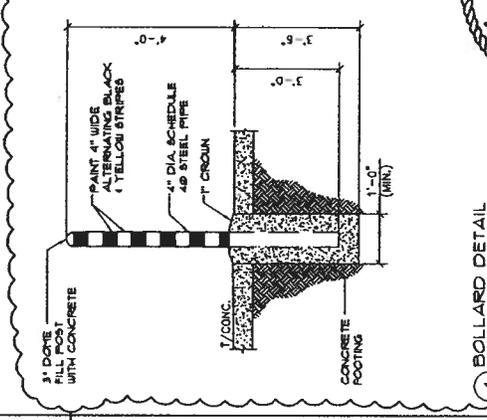
1) SITE ELEVATION
SCALE: N15



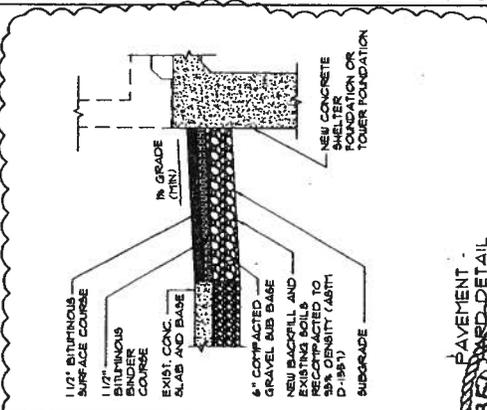
2) GPS DETAIL
SCALE: N15



3) ICE-BRIDGE DETAIL
SCALE: N15



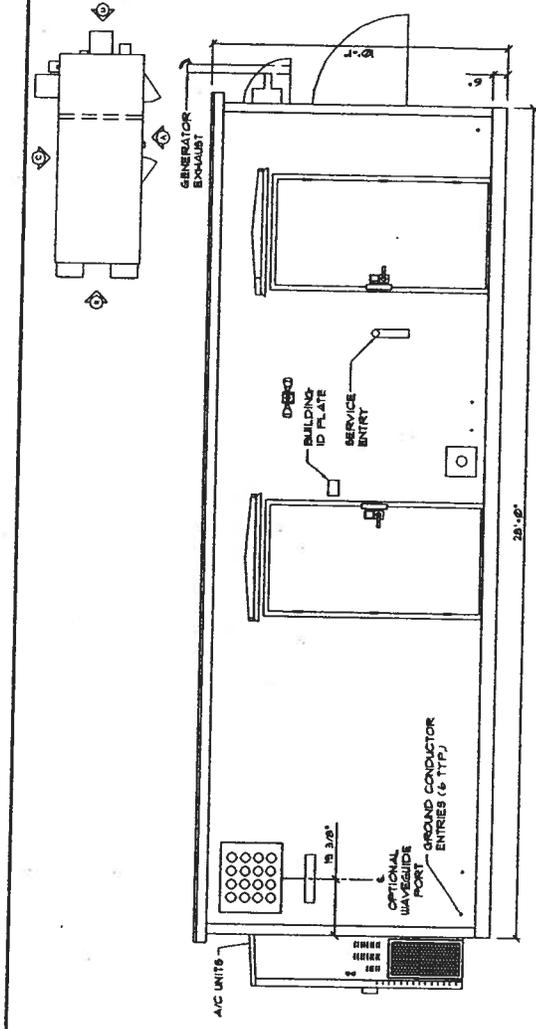
4) BOLLARD DETAIL
SCALE: N15



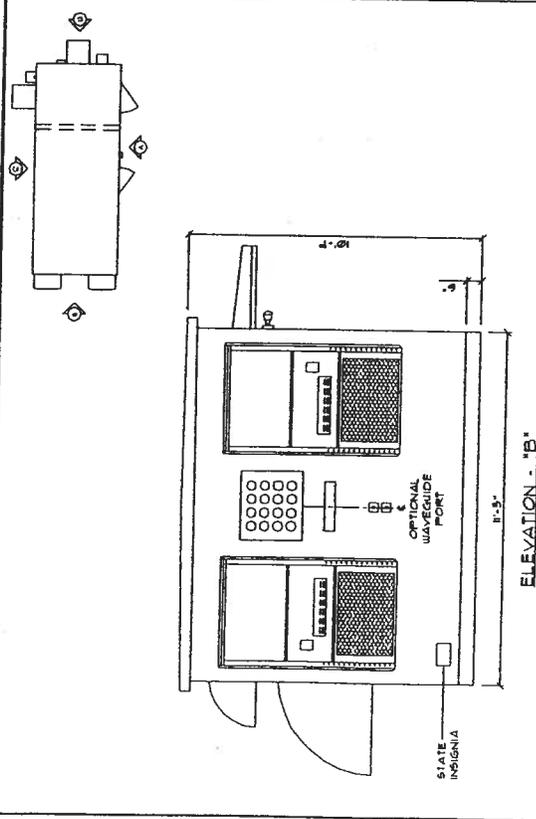
PAVEMENT DETAIL
SCALE: N15

<p>AT&T 300 NATIONAL PARKWAY 4th FLOOR SCHLAUBURG, IL 60175</p>		<p>GLENBARD WASTEWATER SITE NO: IL0694 21551 BETHS ROAD GLEN ELLEN, ILL. 60131</p>		<p>nsoro It's just good business. 3100 TOLLIVER DRIVE ROLLING MEADOWS, IL 60068 TEL: (846) 501-9356</p>		<p>NTP WIRELESS 445 N. RAVENWOOD AVE. CHICAGO, IL 60640 TEL: (773) 275-5172 EXT 100</p>	
<p>3) 07/04 REVISED FINAL</p>	<p>1) 02/04 REVISED FINAL</p>	<p>6) 06/07/8 30% REVIEW</p>	<p>8) DATE REVISION</p>	<p>002-051728 REGISTERED PROFESSIONAL ENGINEER N. B. ELKINS, INC.</p>	<p>AT4T SITE ELEVATION AND DETAILS</p>	<p>IL0694-04 DRAWING NUMBER</p>	<p>2 REV</p>

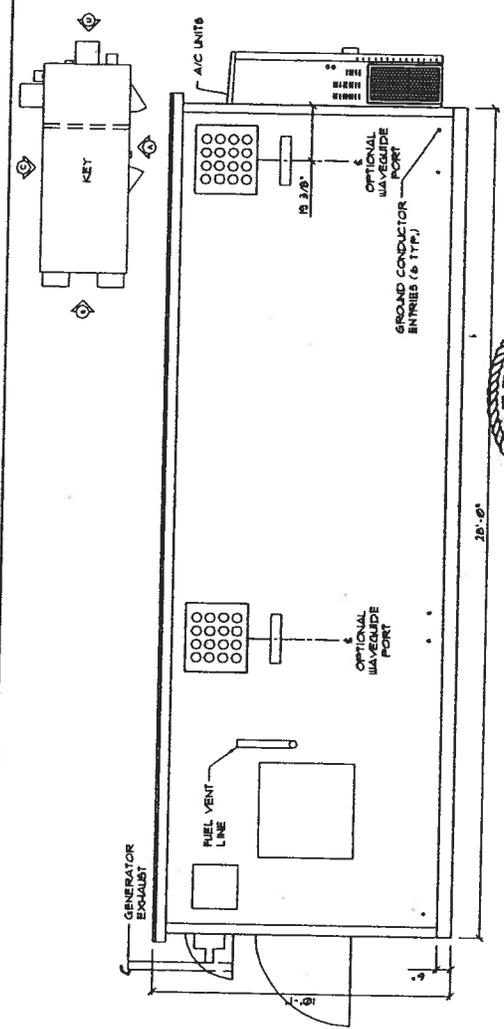
THIS DRAWING IS THE PROPERTY OF RALPHSON ENGINEERING CONSULTANTS, INC. IT IS FOR THE EXCLUSIVE USE OF THIS PROJECT. ANY RE-USE OF THIS DRAWING WITHOUT THE EXPRESSED WRITTEN CONSENT OF RALPHSON ENGINEERING CONSULTANTS, INC. IS PROHIBITED.



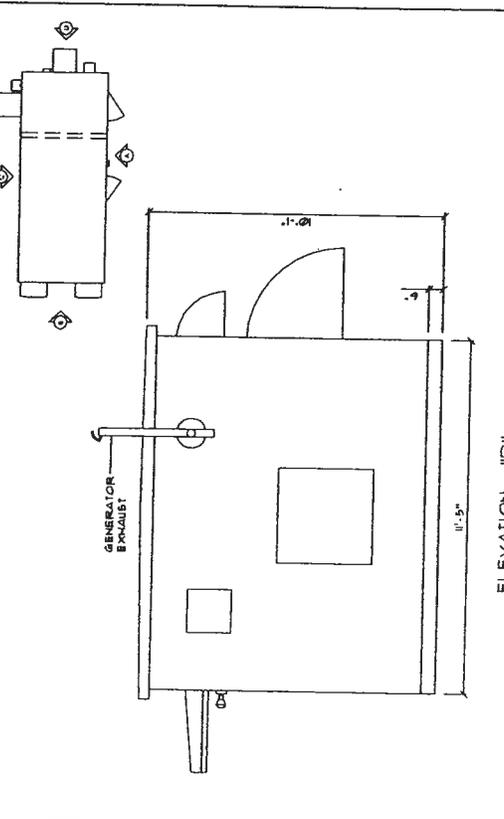
ELEVATION - "A"



ELEVATION - "B"



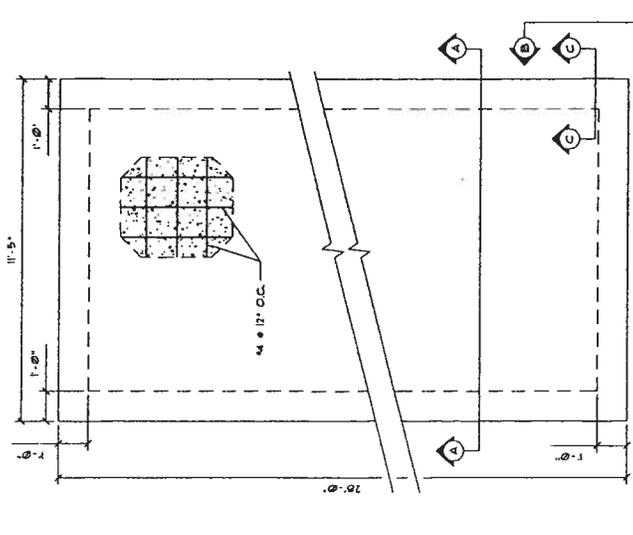
ELEVATION - "A"



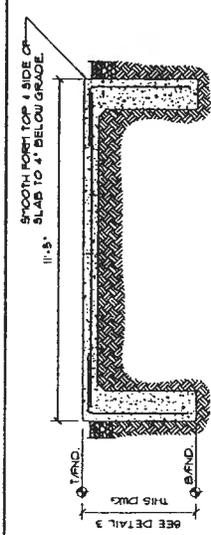
ELEVATION - "D"

<p>NTP WIRELESS It's just good business. 3100 TOLLVIEW DRIVE ROLLING MEADOWS, IL 60009 TEL: (866) 501-8356</p>		<p>GLENBARD WASTEWATER SITE NO: IL0694 21951 BETHS ROAD GLEN ELI, TN, IL 60131</p>		<p>AT&T 300 NATIONAL PARKWAY 4th FLOOR SCHLAUMBERG, IL 60173</p>		<p>0062-051728 KEVIN BELLAR PROFESSIONAL ENGINEER STATE OF ILLINOIS</p>	
1	1/20/11	REVISED FINAL	REL	AT&T	AT&T	AT&T	AT&T
2	1/20/11	REVISED FINAL	REL	AT&T	AT&T	AT&T	AT&T
3	2/20/11	REVISED FINAL	REL	AT&T	AT&T	AT&T	AT&T
4	2/20/11	REVISED FINAL	REL	AT&T	AT&T	AT&T	AT&T
5	2/20/11	REVISED FINAL	REL	AT&T	AT&T	AT&T	AT&T
6	2/20/11	REVISED FINAL	REL	AT&T	AT&T	AT&T	AT&T
7	2/20/11	REVISED FINAL	REL	AT&T	AT&T	AT&T	AT&T
8	2/20/11	REVISED FINAL	REL	AT&T	AT&T	AT&T	AT&T
9	2/20/11	REVISED FINAL	REL	AT&T	AT&T	AT&T	AT&T
10	2/20/11	REVISED FINAL	REL	AT&T	AT&T	AT&T	AT&T
SCALE AS SHOWN		APPROVED BY:		DRAWING NUMBER		REV	
				IL0694-05		2	

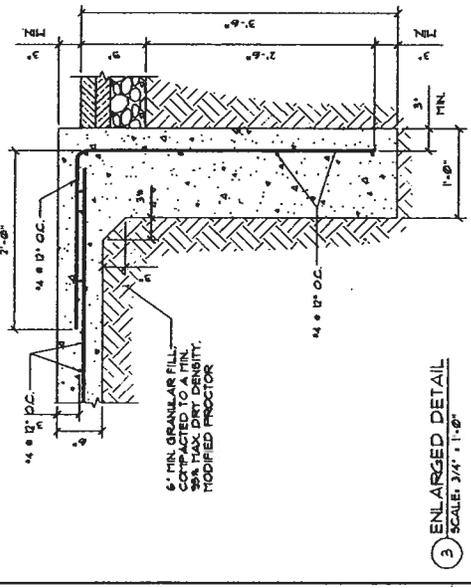
NOTES:
 1) REFER TO SITE PLAN FOR SHELTER ORIENTATION.
 2) FILLBORN ENGINEERING CONSULTANTS, INC. SHALL BE RESPONSIBLE FOR THE DESIGN OF THE SHELTER AND PROTECTIVE EXCESSIVELY SOFT OR LOOSE MATERIAL. THE FOOTING AND FLOOR SLAB, ANY UNSUITABLE MATERIAL THAT IS REMOVED SHALL BE REPLACED WITH ENGINEERED FILL THAT IS COMPACTED TO 95% (MIN) OF THE STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D-698).



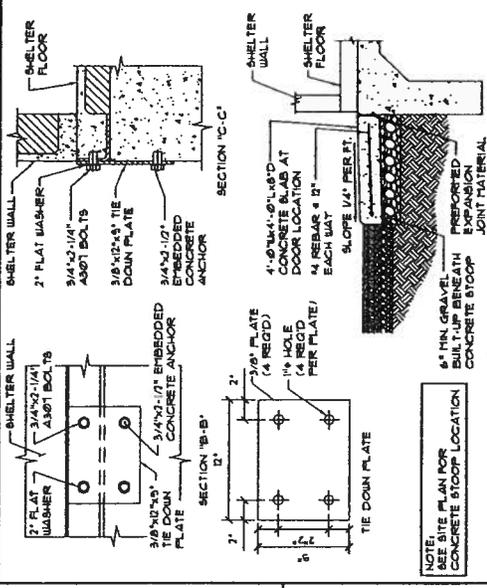
1) SHELTER CONCRETE PAD PLAN
 SCALE: 1/4" = 1'-0"



2) SECTION 'A-A'
 SCALE: 1/4" = 1'-0"



3) ENLARGED DETAIL
 SCALE: 3/4" = 1'-0"

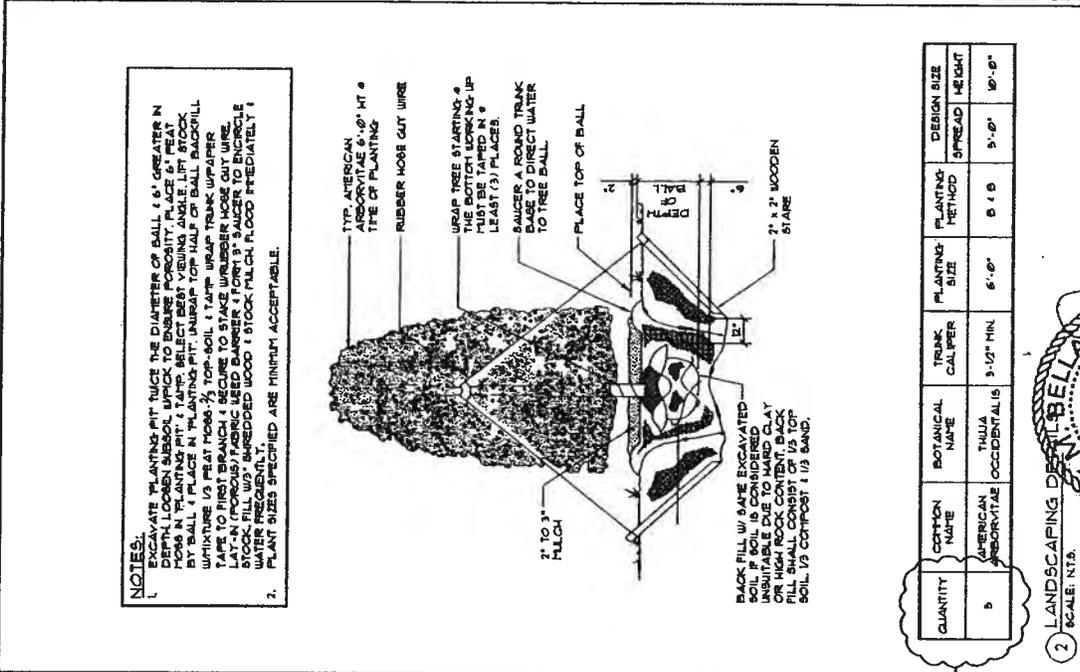


4) STOOPI DETAILS
 SCALE: N.T.S.

5) NOT USED
 SCALE: N.T.S.

<p>NTPWIRELESS 4818 N. RAVENWOOD AVE CHICAGO, IL 60640 TEL: (773) 278-5757 EXT 140 WWW.NTPWIRELESS.COM</p>		<p>nsoro It's just good business. 3100 VOLLEY DRIVE ROLLING MEADOWS, IL 60008 TEL: (846) 501-8356</p>		<p>AT&T 330 WINDLAND PARKWAY 48 FLOOR Schaumburg, IL 60173</p>	
<p>3) 2/20/11 1) 02/24/11 0) 08/27/10 8) DATE 9) SCALE AS SHOWN</p>	<p>REVISED FINAL REVISED FINAL 30% REVIEW REVISION</p>	<p>BY CHECKED BY APPROVED BY</p>	<p>DATE REVISION</p>	<p>SCALE AS SHOWN</p>	<p>AT&T SHELTER FOUNDATION DETAILS DRAWING NUMBER 110694-06 REV 2</p>





NOTES:

- EXCAVATE PLANTING PIT TWICE THE DIAMETER OF BALL & 6" GREATER IN DEPTH. LOOSEN SUBSOIL UP TO 18" TO ENSURE FERTILITY. PLACE 6" PEAT MOSS IN PLANTING PIT. TAMP. SELECT BEST VIEWING ANGLE. LIFT STOCK BY BALL. PLACE IN PLANTING PIT. UNWRAP TOP HALF OF BALL. BACKFILL W/INTURE 1/3 PEAT MOSS, 2/3 TOP-SOIL. TAMP. UNWRAP TRUNK W/PAPER. PLACE TOE OF BALL IN MOUND. SECURE TO STAKE W/ RUBBER HOSE GUT WIRE. LAY DOWN RUBBER HOSE GUT WIRE. UNWRAP BALL. PLACE TOE OF BALL IN MOUND. STOCK FILL W/3" SHARDED WOOD & STOCK MULCH. FLOOD IMMEDIATELY.
- PLANT SIZES SPECIFIED ARE MINIMUM ACCEPTABLE.

QUANTITY	CULTURAL NAME	BOTANICAL NAME	TRUNK CALIPER	PLANTING SIZE	PLANTING METHOD	DESIGN SIZE
1	AMERICAN ARBOVITAE	TULIA OCCIDENTALIS	3-1/2" MIN.	6'-0"	B & B	9'-0" x 10'-0"

LANDSCAPING DETAIL BELLAR

SCALE: N.T.S.

AT&T

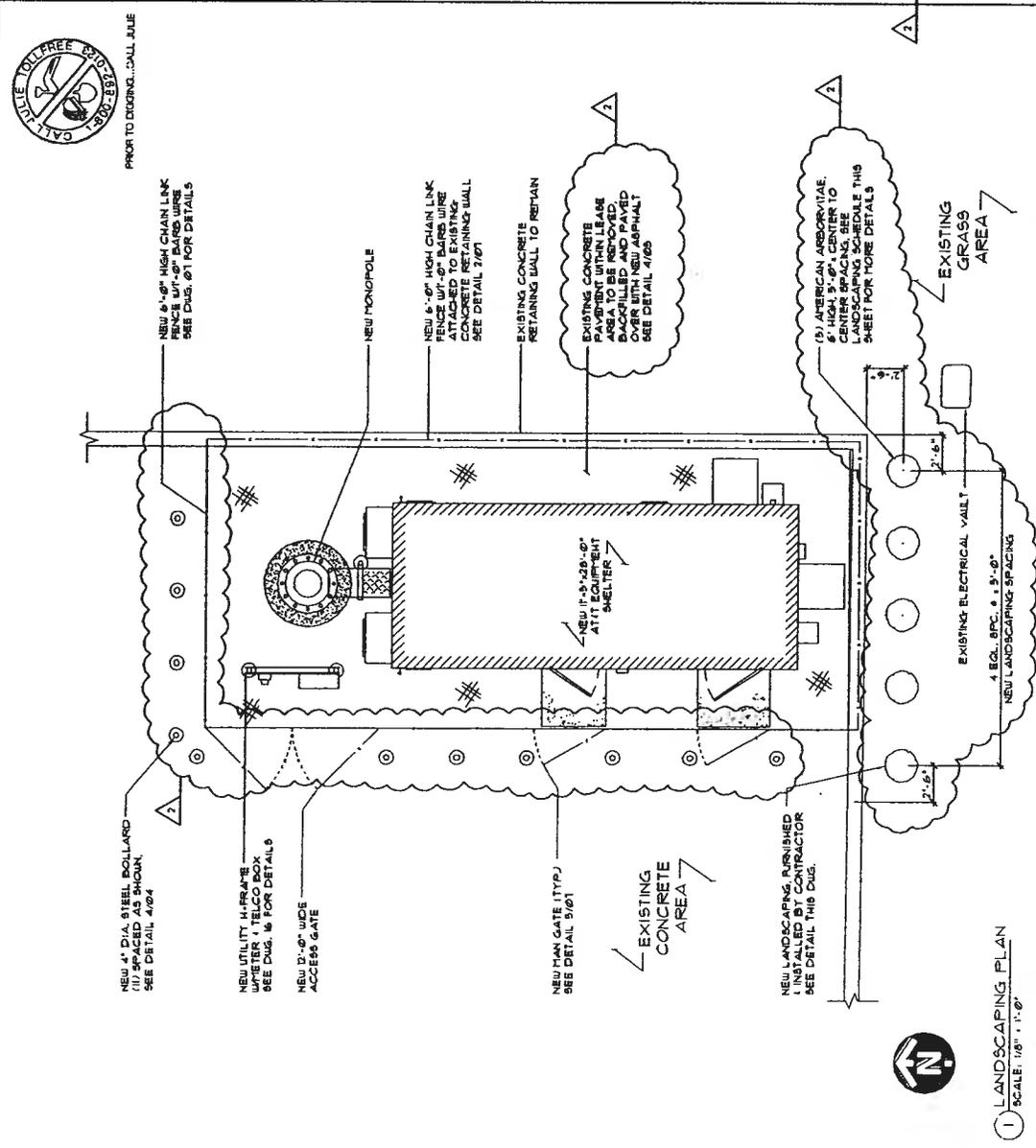
PROPOSED LANDSCAPING PLAN AND DETAILS

REV #1 DATE 05/20/94 BY [Signature]

REV #2 DATE 06/03/94 BY [Signature]

REV #3 DATE 06/07/94 BY [Signature]

SCALE: AS SHOWN



LANDSCAPING PLAN

SCALE: 1/8" = 1'-0"

nsoro
It's Just Good Business.
300 TOLLVIEW DRIVE
ROLLING MEADOWS, IL 60009
TEL: (866) 7501-9356

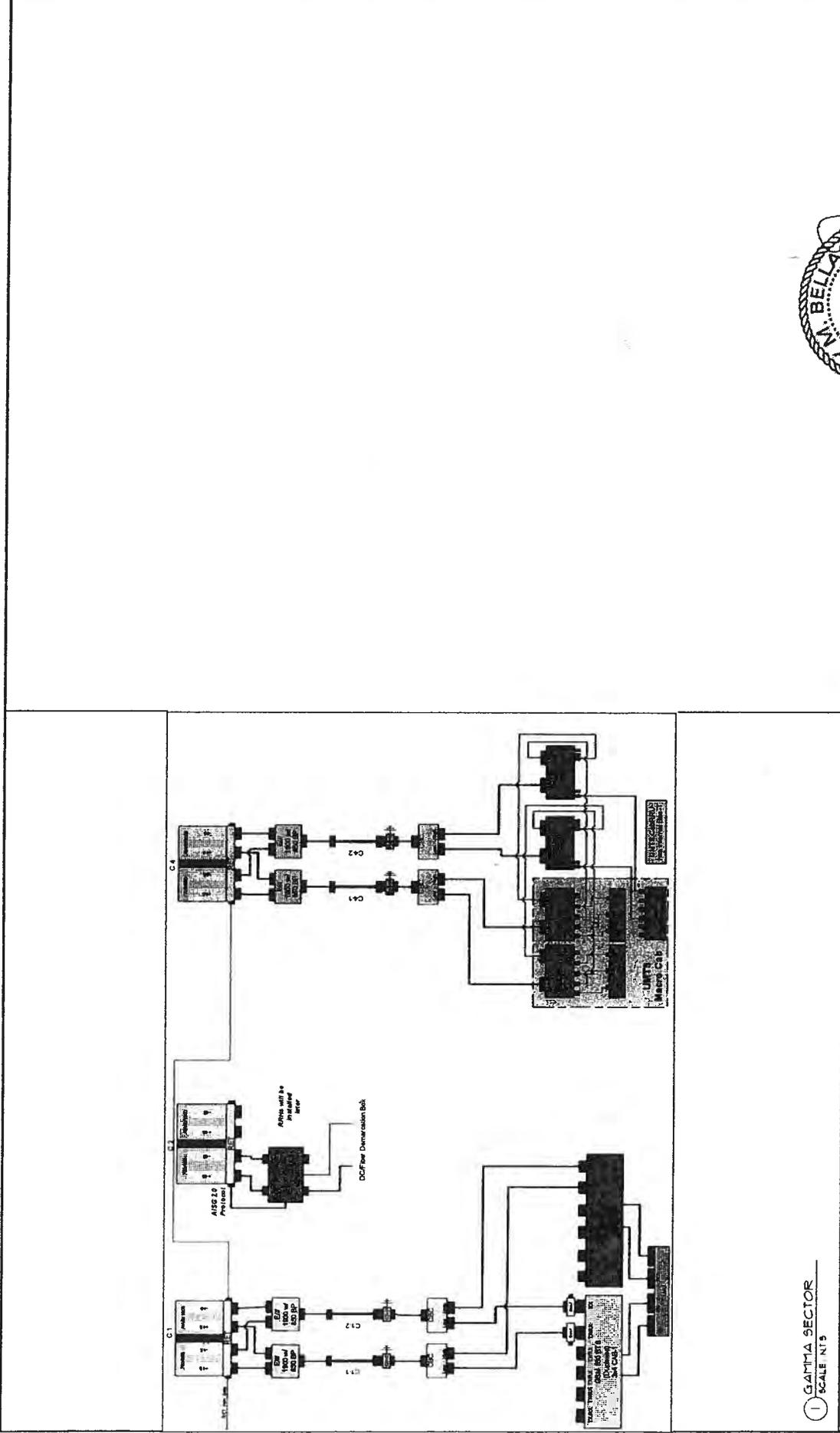
AT&T
INTERNATIONAL PARKWAY
4th FLOOR
SCHUMBERG, IL 60179

GLENBARD WASTEWATER
SITE NO: IL0694
7045 BERTH ROAD
GLEN ELLYN, IL 60131

NTP WIRELESS
3600 W. LAUREL AVE
ROSEMONT, ILLINOIS 60018
TEL: 614-232-0700
www.fiberoneil.com

AT&T
Fidelity Engineering Consulting
3600 W. LAUREL AVE
ROSEMONT, ILLINOIS 60018
TEL: 614-232-0700
www.fiberoneil.com

THIS DRAWING IS THE PROPERTY OF FILTERION ENGINEERING CONSULTANTS, INC. IT IS FOR THE EXCLUSIVE USE OF THIS PROJECT. ANY RE-USE OF THIS DRAWING WITHOUT THE EXPRESSED WRITTEN CONSENT OF FILTERION ENGINEERING CONSULTANTS, INC. IS PROHIBITED.



① GAMMA SECTOR
SCALE: NTS

Filterion Engineering Consultants
3600 W. BERTH HALL AVE
ROSEMONT, ILLINOIS 60068
TEL: 631-233-0200
WWW.FILTERION.COM
ILLINOIS LICENSE NO. 084-0092108

NTP WIRELESS
4415 N. RAVENWOOD AVE.
SUITE 301
CHICAGO, IL 60640
TEL: (773) 775-510 EXT 100

nsoro
It's just good business.
3100 TOLLVIEW DRIVE
ROLLING MEADOWS, IL 60008
TEL: (766) 501-9356

GLENBARD WASTEWATER
SITE NO: IL0694
24951 BERTH ROAD
GLEN ELLYN, IL 60131

AT&T
330 NATIONAL PARKWAY
SCHUMBERG, IL 60113

NO.	DATE	BY	CHK.	REVISION
2	06/07/98	SPR	SPR	REVISED FINAL
1	02/24/98	SPR	SPR	REVISED FINAL
0	06/07/98	SPR	SPR	FINAL
B	DATE	BY	CHK.	REVISION

SCALE: AS SHOWN

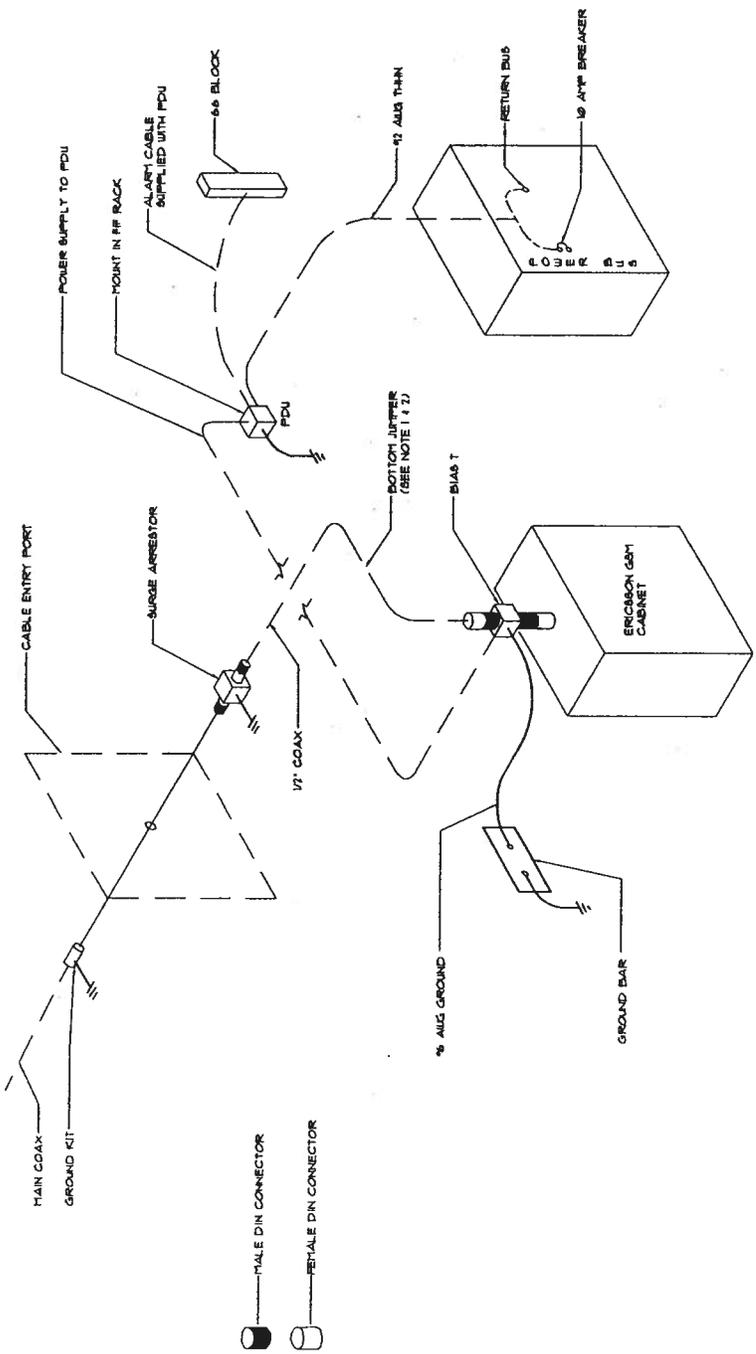


AT 4 T
ANTENNA COAX DIAGRAM
DRAWING NUMBER
IL0694-10
REV
2

THIS DRAWING IS THE PROPERTY OF FULLERTON ENGINEERING CONSULTANTS, INC. IT IS FOR THE EXCLUSIVE USE OF THIS PROJECT. ANY REUSE OF THIS DRAWING WITHOUT THE EXPRESSED WRITTEN CONSENT OF FULLERTON ENGINEERING CONSULTANTS, INC. IS PROHIBITED.

NOTE:

1. FOR BOTTOM JUMPERS USE 1/2" COAX
2. FABRICATE JUMPERS TO ASSURE THAT THE CONNECTOR IS 3/8" FROM THE FLATFLOOR ALLOWING ENOUGH BLACK TO REACH ALL BITS CONNECTIONS IF CABINET IS NOT IN PLACE



1 BOTTOM JUMPER & BIAS-T DETAIL
SCALE: N.T.S.

Fullerton Engineering Consultants
5600 W. BAYVIEW AVE.
ROSEMONT, ILLINOIS 60018
TEL: 631-237-0200
FAX: 631-237-0206
WWW.FULLERTON-ENG.COM
IL DESIGN FIRM NO. 061-0201428

NTP WIRELESS
1475 N. BAYVIEWWOOD AVE.
SUITE 301
CHICAGO, IL 60640
TEL: (773) 278-1512 EXT. 140

nsoro
It's just good business.
3100 TOLLVIEW DRIVE
ROLLING MEADOWS, IL 60008
TEL: (846) 594-0356

GLENBARD WASTEWATER
SITE NO: IL0694
21851 BERTH ROAD
GLEN ELL, TN, IL 60131



REV	DATE	BY	CHKD	REVISION
1	06/25/94	REVISOR	REVISOR	REVISED FINAL
2	07/20/94	REVISOR	REVISOR	REVISED FINAL
3	08/25/94	REVISOR	REVISOR	REVISED FINAL
4	09/25/94	REVISOR	REVISOR	REVISED FINAL
5	10/25/94	REVISOR	REVISOR	REVISED FINAL
6	11/25/94	REVISOR	REVISOR	REVISED FINAL
7	12/25/94	REVISOR	REVISOR	REVISED FINAL



AT&T
BOTTOM JUMPER & BIAS-T DETAIL
DRAWING NUMBER
IL0694-II
REV 2

CABLE MARKING COLOR CONVENTION TABLE

ALPHA, A, X, Y	A1-1 -45	A1-2 -45	A2-1 -45	A2-2 -45	A3-1 -45	A3-2 -45	A4-1 -45	A4-2 -45
SECTOR ANTENNA PORT (1/1)	RED WHITE SLATE	RED ORANGE BROWN	RED ORANGE SLATE	RED ORANGE BROWN	RED ORANGE SLATE	RED ORANGE BROWN	RED ORANGE SLATE	RED ORANGE BROWN
BAND (050/1500)	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET
BETA, B, T, Z	B1-1 -45	B1-2 -45	B2-1 -45	B2-2 -45	B3-1 -45	B3-2 -45	B4-1 -45	B4-2 -45
SECTOR ANTENNA PORT (1/1)	BLUE ORANGE SLATE	BLUE ORANGE BROWN	BLUE ORANGE SLATE	BLUE ORANGE BROWN	BLUE ORANGE SLATE	BLUE ORANGE BROWN	BLUE ORANGE SLATE	BLUE ORANGE BROWN
BAND (050/1500)	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET
GAMMA, C, Z, W	C1-1 -45	C1-2 -45	C2-1 -45	C2-2 -45	C3-1 -45	C3-2 -45	C4-1 -45	C4-2 -45
SECTOR ANTENNA PORT (1/1)	GREEN WHITE SLATE	GREEN ORANGE BROWN	GREEN ORANGE SLATE	GREEN ORANGE BROWN	GREEN ORANGE SLATE	GREEN ORANGE BROWN	GREEN ORANGE SLATE	GREEN ORANGE BROWN
BAND (050/1500)	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET
DELTA, D, W	D1-1 -45	D1-2 -45	D2-1 -45	D2-2 -45	D3-1 -45	D3-2 -45	D4-1 -45	D4-2 -45
SECTOR ANTENNA PORT (1/1)	YELLOW WHITE BROWN	YELLOW ORANGE BROWN	YELLOW ORANGE SLATE	YELLOW ORANGE BROWN	YELLOW ORANGE SLATE	YELLOW ORANGE BROWN	YELLOW ORANGE SLATE	YELLOW ORANGE BROWN
BAND (050/1500)	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET	ORANGE / VIOLET

NOTES:

- ALL COLOR CODE TAPE SHALL BE 3/16" AND SHALL BE INSTALLED USING A MINIMUM OF (3) WRAPS OF TAPE.
- ALL COLOR BANDS INSTALLED AT THE TOWER TOP SHALL BE A MINIMUM OF 3" WIDE AND SHALL HAVE A MINIMUM OF 3/4" OF SPACING BETWEEN EACH COLOR.
- ALL COLOR BANDS INSTALLED AT OR NEAR THE GROUND THAT BE ONLY 3/4" WIDE EACH TOP-JUMPER SHALL BE COLOR CODED WITH (1) SET OF 3" WIDE BANDS.
- EACH MAIN COAX SHALL BE COLOR CODED WITH (1) SET OF 3" BANDS NEAR THE TOP-JUMPER CONNECTION AND WITH 3/4" COLOR BANDS JUST PRIOR TO ENTERING THE B15 OR TRANSMITTER BUILDING.
- ALL BOTTOM JUMPER SHALL BE COLOR CODED WITH (1) SET OF 3/4" BANDS ON EACH END OF THE BOTTOM JUMPER.
- EACH COLOR CODES SHALL BE INSTALLED SO AS TO ALIGN NEATLY WITH ONE ANOTHER FROM SIDE-TO-SIDE.
- EACH COLOR BAND SHALL HAVE A MINIMUM OF (3) WRAPS AND SHALL BE NEATLY TIGHTENED AND SMOOTHED OUT SO AS TO AVOID UNRAVELING.
- X-POLE ANTENNAS SHOULD USE "XX-F" FOR THE "-45" PORT, "XX-T" FOR THE "-45" PORT.
- COLOR BAND "4" REFERS TO THE FREQUENCY BAND, ORANGE • 050, VIOLET • 1500, USED ON JUMPER ONLY.
- RF FEED LINE SHALL BE IDENTIFIED WITH A METAL TAG (STAINLESS OR BRASS) AND STAMPED WITH THE SECTOR ANTENNA POSITION AND CABLE NUMBER.
- ANTENNAS MUST BE IDENTIFIED, USING THE SECTOR LETTER AND ANTENNA NUMBER WITH A BLACK MARKER PRIOR TO INSTALLATION.

COAX LABELING

SCALE: NTS

FullerON
FullerON Engineering Consultants
30600 N. LAKEVIEW DRIVE
SUITE 2000
ROSEMONT, ILLINOIS 60068
TEL: 631-715-0100
www.FullerONEngineering.com
ILL. DESIGN FIRM NO. 04-002430

nsoro
It's just good business.
3100 TOLLVIEW DRIVE
ROLLING MEADOWS, IL 60008
TEL: (686) 561-9556

GLENBARD WASTEWATER
SITE NO: IL0694
21051 BEBBS ROAD
GLEN ELLYN, IL 60131

AT&T
INTERNATIONAL PARKWAY
48 FLOOR
SCHLAUBURG, IL 60073

NO.	DATE	REVISION	BY	CHK.	APP.
1	07/24	REVISED FINAL	ST	ST	ST
2	07/24	REVISED FINAL	ST	ST	ST
3	08/07/08	30% REVIEW	ST	ST	ST

Professional Engineer
No. 062.051728
Date: 08/07/08
By: ST
Checked: ST
Scale: NTS

CABLE MARKING LOCATION TABLE

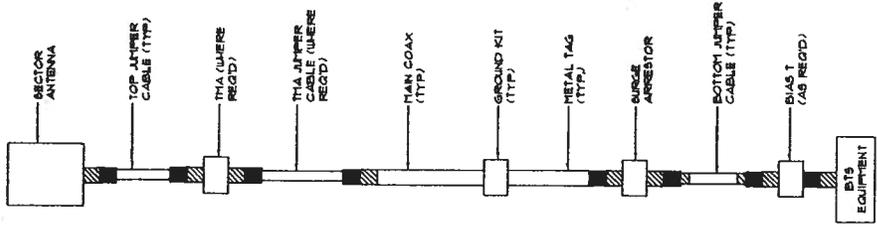
TAPE	1/46	LOCATIONS
X		EACH TOP JUMPER SHALL BE COLOR CODED WITH (1) SET OF 3" WIDE BANDS
X		EACH MAIN COAX SHALL BE COLOR CODED WITH (1) SET OF 3" WIDE BANDS NEAR THE TOP-JUMPER CONNECTION AND WITH (1) SET OF 3/4" WIDE COLOR BANDS JUST PRIOR TO ENTERING THE B15 OR TRANSMITTER BUILDING
X		MARKING TAGS SHALL BE ATTACHED AT CABLE ENTRY PORT ON THE INTERIOR OF THE SHELTER
X		ALL BOTTOM JUMPER SHALL BE COLOR CODED WITH (1) SET OF 3/4" WIDE BANDS ON EACH END OF JUMPER.

FIGURE 2: TAG DETAIL EXAMPLE



CABLE MARKING TAGS

TO PROVIDE ADDITIONAL IDENTIFICATION, RF CABLES SHALL BE IDENTIFIED WITH A METAL TAG MADE OF STAINLESS STEEL OR BRASS AND STAMPED WITH THE SECTOR ANTENNA POSITION AND CABLE NUMBER. THE TAG SHOULD BE ATTACHED WITH CORROSIVE PROOF WIRE OR WAX STRING AROUND THE CABLE. THE TAG SHOULD BE LABELED AS SHOWN ABOVE IN FIGURE 2.



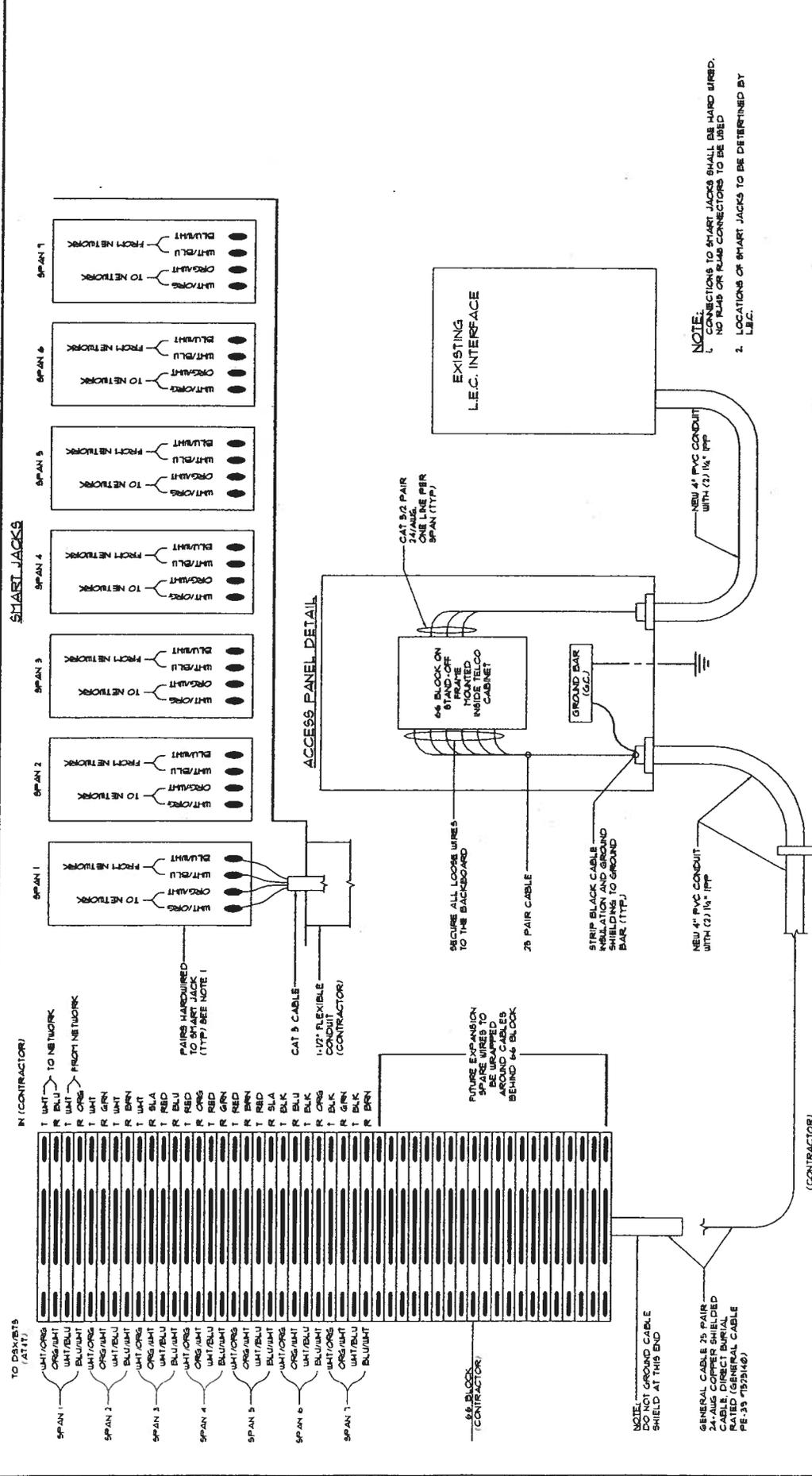
CABLE MARKING LOCATIONS DIAGRAM
1. COAX COLOR CODE IDENTIFICATION
DETAIL

Professional Engineer
No. 062.051728
Date: 08/07/08
By: ST
Checked: ST
Scale: NTS

REV.	DRAWING NUMBER
2	IL0694-12

AT&T
COAX LABELING

THIS DRAWING IS THE PROPERTY OF FULLERTON ENGINEERING CONSULTANTS, INC. IT IS FOR THE EXCLUSIVE USE OF THIS PROJECT AND REUSE OF THIS DRAWING WITHOUT THE EXPRESS WRITTEN CONSENT OF FULLERTON ENGINEERING CONSULTANTS, INC. IS PROHIBITED.



NOTE:
 1. DO NOT GROUND CABLE SHIELD AT THIS END
 2. GENERAL CABLE 25 PAIR 24 AWG COPPER SHIELDED CABLE DIRECT BURIAL RATED (GENERAL CABLE PE-35 (1979146))

TELCO INTERFACE
 SCALE: NTS

AT&T
 200 NATIONAL PARKWAY
 SCHLAUBURG, IL 60131

GLENBARD WASTEWATER
 SITE NO: IL0694
 31551 MEMS ROAD
 GLEN ELLEN, IL 60131

nsoro
 It's just good business.
 3100 TOLLVIEW DRIVE
 ROLLING HEADS, IL 60008
 TEL: (866) 591-8356

NTP WIRELESS
 4425 N. BALDWINWOOD AVE.
 CHICAGO, IL 60640
 TEL: (773) 278-1510 EXT 116
 IL DESIGN CERT NO. 04-020149

Professional Engineer Seal:
 ILLINOIS ENGINEERING CONSULTANTS, INC.
 0062 051728
 MICHAEL J. SCHLAUBURG
 PROFESSIONAL ENGINEER
 No. 0111176
 Exp. 12/31/11

1	07/01	REVISED FINAL	REVISED FINAL
2	07/01	REVISED FINAL	REVISED FINAL
3	07/01	REVISED FINAL	REVISED FINAL
4	07/01	REVISED FINAL	REVISED FINAL
5	07/01	REVISED FINAL	REVISED FINAL
6	07/01	REVISED FINAL	REVISED FINAL
7	07/01	REVISED FINAL	REVISED FINAL
8	07/01	REVISED FINAL	REVISED FINAL
9	07/01	REVISED FINAL	REVISED FINAL
10	07/01	REVISED FINAL	REVISED FINAL

SCALE: AS SHOWN

TELCO INTERFACE
 SCALE: NTS

TELCO INTERFACE		AT&T	
REV	DATE	BY	DESCRIPTION
1	07/01	MS	REVISED FINAL
2	07/01	MS	REVISED FINAL
3	07/01	MS	REVISED FINAL
4	07/01	MS	REVISED FINAL
5	07/01	MS	REVISED FINAL
6	07/01	MS	REVISED FINAL
7	07/01	MS	REVISED FINAL
8	07/01	MS	REVISED FINAL
9	07/01	MS	REVISED FINAL
10	07/01	MS	REVISED FINAL
DRAWING NUMBER		110694-13	
REV		2	

CABLE FROM 819	ALARM DEFINITION	LEVEL / ID	STATE	ALARM SIDE	DEVICE
1 WHITE/BLUE	SITE DOOR OPEN	1 / 0	BREAKING	FACTORY INSTALLED	FACTORY INSTALLED
2 BLUE/WHITE	M TEMP RADIO ROOF	1 / 1	BREAKING	FACTORY INSTALLED	FACTORY INSTALLED
3 WHITE/ORANGE	AC SURGE ARRESTOR FAIL	1 / 2	BREAKING	FACTORY INSTALLED	FACTORY INSTALLED
4 ORANGE/WHITE	SHORE DETECTOR	1 / 3	BREAKING	FACTORY INSTALLED	FACTORY INSTALLED
5 WHITE/GREEN	AC DISTRIBUTION FAIL	1 / 4	BREAKING	FACTORY INSTALLED	FACTORY INSTALLED
6 GREEN/WHITE	LO TEMP RADIO ROOF	1 / 5	BREAKING	FACTORY INSTALLED	FACTORY INSTALLED
7 WHITE/BROWN	24V BAT DISCONNECT FUSE FAIL	1 / 6	BREAKING	WHITE/BLUE	NC
8 BROWN/WHITE	RECT SYSTEM A1 ALARM FEED	1 / 7	BREAKING	BLUE/WHITE	COTTON
9 RED/BLUE	RECT SYSTEM A2 ALARM FEED	1 / 8	BREAKING	VIOLET/GREEN	MODULAR PLUG
10 BLUE/RED	RECT SYSTEM A3 ALARM FEED	1 / 9	BREAKING	VIOLET/WHITE	MODULAR PLUG
11 RED/ORANGE	OVER VOLTAGE FEED	1 / A	BREAKING	YELLOW/WHITE	MODULAR PLUG
12 ORANGE/BLACK	BATTERY ON DISCHARGE FEED	1 / B	BREAKING	WHITE/BLACK	MODULAR PLUG
13 BLACK/GREEN	FUSE FAIL TELCO	1 / C	BREAKING	RED/WHITE	MODULAR PLUG
14 GREEN/BLACK	THA TROUBLE	1 / D	BREAKING	WHITE/WHITE	MODULAR PLUG
15 BROWN/BLACK	WHITE STROBE FAIL	1 / E	BREAKING	BLUE	NC
16 BLACK/BLUE	RED STROBE FAIL	1 / F	BREAKING	WHITE/BLUE	NC
17 BLUE/BLACK	SIDE LIGHT FAILURE	1 / G	BREAKING	BLUE/WHITE	COTTON
18 BLACK/BLACK				WHITE/WHITE	NC
19 ORANGE/BLACK				ORANGE/WHITE	COTTON
20 BLACK/BLACK				ORANGE/WHITE	NC
21 BLACK/BLACK				WHITE/WHITE	COTTON
22 YELLOW/BLACK				WHITE/WHITE	NC
23 BLUE/BLACK				WHITE/WHITE	COTTON
24 BLUE/BLACK				WHITE/WHITE	NC
25 YELLOW/BLACK				WHITE/WHITE	COTTON
26 BLUE/BLACK				WHITE/WHITE	NC
27 YELLOW/BLACK				WHITE/WHITE	COTTON
28 ORANGE/BLACK				WHITE/WHITE	NC
29 YELLOW/BLACK				WHITE/WHITE	COTTON
30 GREEN/BLACK				WHITE/WHITE	NC
31 BROWN/BLACK				WHITE/WHITE	COTTON
32 BROWN/BLACK				WHITE/WHITE	NC
33 BROWN/BLACK				WHITE/WHITE	COTTON

- NOTE:**
- THE CONTRACTOR HAS MADE THIS INSET. ANY QUESTIONS CONTACT A CONTRACTOR REP.
 - POSITION 33 TO 36 ON THE 66 BLOCK IS FOR FUTURE USE
 - GC SHALL RUN CAT 5 CABLE FROM EQUIPMENT TO ASTERISK (*) TERMINAL ON 66 BLOCK AND LEAVE COILED AT 66 BLOCK FOR ATTT TO TERMINATE
 - CAT 5 CABLE SHALL RUN ALONG CABLE TRAY AND BE DRESSED PROPERLY WITH THE WRAPS ON IT SUCH THAT SHARP EDGES ARE POINTED AWAY FROM THE CABLE. CABLE SHALL BE STAPLED AGAINST ANY SURFACE TO HOLD IT IN PLACE

LEGEND:
 DENOTES CONTRACTOR RESPONSIBILITY

ALARM TERMINATION
 1 DIAGRAM
 SCALE: NTS

NTP WIRELESS
 4618 N. AVALONWOOD AVE.
 SUITE 301
 CHICAGO, IL 60640
 TEL: (773) 719-510 EXT 116
 WWW.NTPWIRELESS.COM
 ILL DESIGN FIRST NO. 94-0007138

nsoro
 It's just good business.
 3100 TOLLVIEW DRIVE
 ROLINGWOOD, IL 60008
 TEL: (847) 320-8336

GLENBARD WASTEWATER
 SITE NO: IL0694
 51931 BERKS ROAD
 GLEN BLDG. IL 60131

AT&T
 100 NATIONAL PARKWAY
 46 FLOOR
 SCHMUNBERG, K. 60173



NO.	DATE	BY	CHK	REVISION
1	07/01/14	MC		REVISED FINAL
2	07/01/14	RT		REVISED FINAL
3	07/01/14	NO		FINAL
4	07/01/14	NO		FOR REVIEW
5	07/01/14	NO		FOR REVIEW
6	07/01/14	NO		FOR REVIEW
7	07/01/14	NO		FOR REVIEW
8	07/01/14	NO		FOR REVIEW
9	07/01/14	NO		FOR REVIEW
10	07/01/14	NO		FOR REVIEW
11	07/01/14	NO		FOR REVIEW
12	07/01/14	NO		FOR REVIEW
13	07/01/14	NO		FOR REVIEW
14	07/01/14	NO		FOR REVIEW
15	07/01/14	NO		FOR REVIEW
16	07/01/14	NO		FOR REVIEW
17	07/01/14	NO		FOR REVIEW
18	07/01/14	NO		FOR REVIEW
19	07/01/14	NO		FOR REVIEW
20	07/01/14	NO		FOR REVIEW
21	07/01/14	NO		FOR REVIEW
22	07/01/14	NO		FOR REVIEW
23	07/01/14	NO		FOR REVIEW
24	07/01/14	NO		FOR REVIEW
25	07/01/14	NO		FOR REVIEW
26	07/01/14	NO		FOR REVIEW
27	07/01/14	NO		FOR REVIEW
28	07/01/14	NO		FOR REVIEW
29	07/01/14	NO		FOR REVIEW
30	07/01/14	NO		FOR REVIEW
31	07/01/14	NO		FOR REVIEW
32	07/01/14	NO		FOR REVIEW
33	07/01/14	NO		FOR REVIEW
34	07/01/14	NO		FOR REVIEW
35	07/01/14	NO		FOR REVIEW
36	07/01/14	NO		FOR REVIEW
37	07/01/14	NO		FOR REVIEW
38	07/01/14	NO		FOR REVIEW
39	07/01/14	NO		FOR REVIEW
40	07/01/14	NO		FOR REVIEW
41	07/01/14	NO		FOR REVIEW
42	07/01/14	NO		FOR REVIEW
43	07/01/14	NO		FOR REVIEW
44	07/01/14	NO		FOR REVIEW
45	07/01/14	NO		FOR REVIEW
46	07/01/14	NO		FOR REVIEW
47	07/01/14	NO		FOR REVIEW
48	07/01/14	NO		FOR REVIEW
49	07/01/14	NO		FOR REVIEW
50	07/01/14	NO		FOR REVIEW
51	07/01/14	NO		FOR REVIEW
52	07/01/14	NO		FOR REVIEW
53	07/01/14	NO		FOR REVIEW
54	07/01/14	NO		FOR REVIEW
55	07/01/14	NO		FOR REVIEW
56	07/01/14	NO		FOR REVIEW
57	07/01/14	NO		FOR REVIEW
58	07/01/14	NO		FOR REVIEW
59	07/01/14	NO		FOR REVIEW
60	07/01/14	NO		FOR REVIEW
61	07/01/14	NO		FOR REVIEW
62	07/01/14	NO		FOR REVIEW
63	07/01/14	NO		FOR REVIEW
64	07/01/14	NO		FOR REVIEW
65	07/01/14	NO		FOR REVIEW
66	07/01/14	NO		FOR REVIEW
67	07/01/14	NO		FOR REVIEW
68	07/01/14	NO		FOR REVIEW
69	07/01/14	NO		FOR REVIEW
70	07/01/14	NO		FOR REVIEW
71	07/01/14	NO		FOR REVIEW
72	07/01/14	NO		FOR REVIEW
73	07/01/14	NO		FOR REVIEW
74	07/01/14	NO		FOR REVIEW
75	07/01/14	NO		FOR REVIEW
76	07/01/14	NO		FOR REVIEW
77	07/01/14	NO		FOR REVIEW
78	07/01/14	NO		FOR REVIEW
79	07/01/14	NO		FOR REVIEW
80	07/01/14	NO		FOR REVIEW
81	07/01/14	NO		FOR REVIEW
82	07/01/14	NO		FOR REVIEW
83	07/01/14	NO		FOR REVIEW
84	07/01/14	NO		FOR REVIEW
85	07/01/14	NO		FOR REVIEW
86	07/01/14	NO		FOR REVIEW
87	07/01/14	NO		FOR REVIEW
88	07/01/14	NO		FOR REVIEW
89	07/01/14	NO		FOR REVIEW
90	07/01/14	NO		FOR REVIEW
91	07/01/14	NO		FOR REVIEW
92	07/01/14	NO		FOR REVIEW
93	07/01/14	NO		FOR REVIEW
94	07/01/14	NO		FOR REVIEW
95	07/01/14	NO		FOR REVIEW
96	07/01/14	NO		FOR REVIEW
97	07/01/14	NO		FOR REVIEW
98	07/01/14	NO		FOR REVIEW
99	07/01/14	NO		FOR REVIEW
100	07/01/14	NO		FOR REVIEW

AT&T
 ALARM TERMINATION
 DRAWING NUMBER
 110694-14

REV
 2

SITE WORK GENERAL NOTES:

1. THE SUBCONTRACTOR SHALL CONTACT UTILITY LOCATING SERVICES PRIOR TO THE START OF CONSTRUCTION.
2. ALL EXISTING ACTIVE WATER, GAS, ELECTRIC AND OTHER UTILITIES WHERE ENCOUNTERED IN THE WORK SHALL BE PROTECTED AT ALL TIMES AND WHERE REQUIRED FOR THE PROPER EXECUTION OF THE WORK, SHALL BE RELOCATED AS DIRECTED BY CONTRACTOR. EXTREME CAUTION SHOULD BE USED BY THE SUBCONTRACTOR WHEN EXCAVATING OR DRILLING PIERIS AROUND OR NEAR UTILITIES. SUBCONTRACTOR SHALL PROVIDE SAFETY TRAINING FOR THE WORKING CREW. THIS WILL INCLUDE BUT NOT BE LIMITED TO: A) FALL PROTECTION; B) CONFINED SPACE; C) ELECTRICAL SAFETY; D) TRENCHING AND EXCAVATION.
3. ALL SITE WORK SHALL BE AS INDICATED ON THE DRAWINGS AND PROJECT SPECIFICATIONS.
4. IF NECESSARY, RUBBISH, STUMPS, DEBRIS, STICKS, STONES AND OTHER REMISE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY.
5. ALL EXISTING INACTIVE SINKER WATER, GAS, ELECTRIC AND OTHER UTILITIES, WHICH INTERFERE WITH THE EXECUTION OF THE WORK, SHALL BE REMOVED AND/OR CAPPED, PLUGGED OR OTHERWISE DISCONTINUED AT POINTS WHICH WILL NOT INTERFERE WITH THE EXECUTION OF THE WORK SUBJECT TO THE APPROVAL OF CONTRACTOR, OWNER AND/OR LOCAL UTILITIES.
6. THE SUBCONTRACTOR SHALL PROVIDE SITE SIGNAGE IN ACCORDANCE WITH THE TECHNICAL SPECIFICATION FOR SITE SIGNAGE.
 1. THE SITE SHALL BE GRADED TO CAUSE SURFACE WATER TO FLOW AWAY FROM THE SITE EQUIPMENT AND TOUER AREAS.
 2. NO FILL OR EMBANKMENT MATERIAL SHALL BE PLACED ON FROZEN, GRADED FROZEN MATERIALS, SNOW OR ICE. SHALL NOT BE PLACED IN ANY PILL OR EMBANKMENT.
 3. THE SUB GRADE SHALL BE COMPACTED AND BROUGHT TO A SMOOTH UNIFORM GRADE PRIOR TO FINISHED SURFACE APPLICATION.
 4. THE AREAS OF THE OWNERS PROPERTY DISTURBED BY THE WORK AND NOT COVERED BY THE TOUER EQUIPMENT OR DRIVEWAY, SHALL BE GRADED TO A UNIFORM SLOPE, AND STABILIZED TO PREVENT EROSION AS SPECIFIED IN THE PROJECT SPECIFICATIONS.
7. SUBCONTRACTOR SHALL MINIMIZE DISTURBANCE TO EXISTING SITE DURING CONSTRUCTION. EROSION CONTROL MEASURES IF REQUIRED DURING CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE LOCAL GUIDELINES FOR EROSION AND SEDIMENT CONTROL.

STRUCTURAL STEEL NOTES:

1. ALL STEEL WORK SHALL BE PAINTED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS AND IN ACCORDANCE WITH ASTM A995 OR A56 UNLESS OTHERWISE NOTED.
2. ALL WELDING SHALL BE PERFORMED USING E70XX ELECTRODES AND WELDING SHALL CONFORM TO THE AISC WAREHOUSE WELD SIZES ARE NOT SHOWN PROVIDE THE PRINTED SIZE PER TABLE 2.4 IN THE AISC "MANUAL OF STEEL CONSTRUCTION". PAINTED SURFACES SHALL BE TOUCHED UP.
3. BOLTED CONNECTIONS SHALL BE ASTM A325 BEARING TYPE (9/16") CONNECTIONS AND SHALL HAVE MINIMUM OF TWO BOLTS UNLESS NOTED OTHERWISE.
4. NON-STRUCTURAL CONNECTIONS FOR STEEL GRATING MAY USE 3/8" DIA. ASTM A 307 BOLTS UNLESS NOTED OTHERWISE.
5. INSTALLATION OF CONCRETE EXPANSION/SHRINKAGE ANCHOR SHALL BE PER MANUFACTURER'S WRITTEN RECOMMENDED PROCEDURE. THE ANCHOR BOLT, DOUBLE OR ROD SHALL CONFORM TO MANUFACTURER'S RECOMMENDATION FOR EMBEDMENT DEPTH OR AS SHOWN ON THE DRAWINGS. NO REBAR SHALL BE CUT WITHOUT PRIOR CONTRACTOR APPROVAL WHEN DRILLING HOLES IN CONCRETE. SPECIAL INSPECTIONS, REQUIRED BY GOVERNING CODES SHALL BE PERFORMED IN ORDER TO MAINTAIN MANUFACTURER'S MAXIMUM ALLOWABLE LOADS.

CONCRETE AND REINFORCING STEEL NOTES:

1. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH THE ACT 301 ACTS 919, ACT 334, ASTM A618, ASTM A639 AND THE DESIGN AND CONSTRUCTION SPECIFICATION FOR CAST-IN-PLACE CONCRETE.
2. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI AT 28 DAYS UNLESS NOTED OTHERWISE. SLAB FOUNDATION DESIGN ASSUMING ALLOWABLE SOIL BEARING CAPACITY OF 2000 PSF.
3. REINFORCING STEEL SHALL CONFORM TO ASTM A 618, GRADE 60. DEFORMED UNLESS NOTED OTHERWISE. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A 185 WELDED STEEL WIRE FABRIC UNLESS NOTED OTHERWISE. BRACES SHALL BE CLASS "B" AND ALL HOOKS SHALL BE STANDARD UNO.
4. THE FOLLOWING MINIMUM CONCRETE COVER SHALL BE PROVIDED FOR REINFORCING STEEL UNLESS SHOWN OTHERWISE ON DRAWINGS:
 - CONCRETE CAST AGAINST EARTH 3 IN.
 - CONCRETE EXPOSED TO EARTH OR WEATHER:
 - 1/2" AND LARGER 6 IN.
 - 5/8" AND SMALLER 1 1/2 IN.
 - SLAB AND WALL 3 1/4 IN.
 - BEAMS AND COLUMNS 1 1/2 IN.
5. A CHAPTER 314" SHALL BE PROVIDED AT ALL EXPOSED EDGES OF CONCRETE UNO. IN ACCORDANCE WITH ACT 301 SECTION 424.

GENERAL NOTES:

1. FOR THE PURPOSE OF CONSTRUCTION DRAWING, THE FOLLOWING DEFINITIONS SHALL APPLY:
 - SUBCONTRACTOR - GENERAL CONTRACTOR (CONSTRUCTION) OWNER - AT&T
 - ORF - ORIGINAL EQUIPMENT MANUFACTURER
2. PRIOR TO THE SUBMISSION OF BIDS, THE BIDDING SUBCONTRACTOR SHALL VISIT THE CELL SITE TO FAMILIARIZE WITH THE EXISTING CONDITION AND TO CONFERT THAT THE WORK CAN BE ACCOMPLISHED AS SHOWN ON THE CONSTRUCTION DRAWINGS. ANY DISCREPANCY FOUND SHALL BE BROUGHT TO THE ATTENTION OF THE CONTRACTOR.
3. ALL MATERIALS FURNISHED AND INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. SUBCONTRACTOR SHALL ISSUE ALL APPROPRIATE NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF THE WORK.
4. DRAWINGS PROVIDED HERE ARE NOT TO SCALE AND ARE INTENDED TO SHOW OUTLINE ONLY.
5. UNLESS NOTED OTHERWISE, THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES, AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
6. "KITTING LIST" SUPPLIED WITH THE BID PACKAGE IDENTIFIES ITEMS THAT WILL BE SUPPLIED BY CONTRACTOR. ITEMS NOT INCLUDED IN THE BILL OF MATERIALS AND KITTING LIST SHALL BE SUPPLIED BY THE SUBCONTRACTOR.
7. THE SUBCONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIAL IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY STATED OTHERWISE.
8. IF THE SPECIFIED EQUIPMENT CANNOT BE INSTALLED AS SHOWN ON THESE DRAWINGS, THE SUBCONTRACTOR SHALL PROPOSE AN ALTERNATE INSTALLATION FOR APPROVAL BY THE CONTRACTOR. SUBCONTRACTOR SHALL DETERMINE ACTUAL ROUTING OF CONDUIT, POWER AND T/CABLES, GROUNDING CABLES AS SHOWN ON THE POWER GROUNDING AND TELCO PLAN DRAWINGS.
9. THE SUBCONTRACTOR SHALL PROTECT EXISTING IMPROVEMENTS, PAVEMENTS, CURBS, LANDSCAPING AND STRUCTURES. ANY DAMAGES PART SHALL BE REPAIRED AT SUBCONTRACTOR'S EXPENSE TO SATISFACTION OF OWNER.
10. SUBCONTRACTOR SHALL LEGALLY AND PROPERLY DISPOSE OF ALL SCRAP MATERIAL SUCH AS COAXIAL CABLES AND OTHER ITEMS RECOVERED FROM THE EXISTING FACILITY. ANTENNAS REMOVED SHALL BE RETURNED TO THE OWNER'S DESIGNATED LOCATION.
11. SUBCONTRACTOR SHALL LEAVE PREMISES IN CLEAN CONDITION.
12. CONSTRUCTION SHALL COMPLY WITH "GENERAL CONSTRUCTION SERVICES FOR CONSTRUCTION OF AT&T GSM SITES".

ABBREVIATIONS:

- ASL ABOVE GRADE LEVEL
- BSM BASE MOUNTED SUBSTATION
- EXISTING
- HN NOT TO SCALE
- HP NOT TO SCALE
- RF REFERENCE
- RF RADIO FREQUENCY
- TD TO BE DETERMINED
- TR TO BE RESOLVED
- TY TYPICAL
- REC REQUIRED
- BEF EQUIPMENT GROUND RING
- AMC AMERICAN WIRE GAUGE
- MSB MASTER GROUND BAR
- EG EQUIPMENT GROUND
- BCW BROAD COPPER WIRE
- SIAD SHIRT INTEGRATED ACCESS DEVICE
- GEN GENERATOR
- ISR INTERIOR GROUND RING (HALO)
- RBS RADIO BASE STATION

SYMBOLS:

- BSM SOLID GROUND BUS BAR
- BSM SOLID NEUTRAL BUS BAR
- SUPPLEMENTAL GROUND CONDUCTOR
- ⌋ 2-POLE THERMAL-MAGNETIC CIRCUIT BREAKER
- ⌋ MAGNETIC CIRCUIT BREAKER
- ⊙ CIRCULAR GROUND ROD
- ⊙ GROUND ROD
- ⊙ DISCONNECT SWITCH
- ⊙ METER
- ⊙ EXOTHERMIC WELD (CADWELD) (UNLESS OTHERWISE NOTED)
- ⊙ 5/8" x 10" COPPER CLAD STEEL GROUND ROD
- ⊙ 5/8" x 10" COPPER CLAD STEEL GROUND ROD WITH INSPECTION SLEEVE
- ⊙ EXOTHERMIC WELD (CADWELD) SLEEVE
- ⊙ 5/8" x 10" COPPER CLAD STEEL GROUND ROD

Fulton Engineering Company
 5666 W. BUREAU AVE
 ROSEMONT, ILLINOIS 60018
 TEL: 631-151-0200
 www.fultoneng.com
 ILLINOIS REG. NO. 054-024149

NTP WIRELESS
 1415 N. RAVENWOOD AVE
 SUITE 301
 CHICAGO, IL 60640
 TEL: (773) 278-5110 EXT 100

nsoro
 THE JUST GOOD BUSINESS.
 3100 TOLLVIEW DRIVE
 ROLLING MEADOWS, IL 60009
 TEL: (866) 561-8356

GLENBARD WASTEWATER
 SITE NO: IL0694
 2195 BERRY ROAD
 GLEN EL, IL 60131

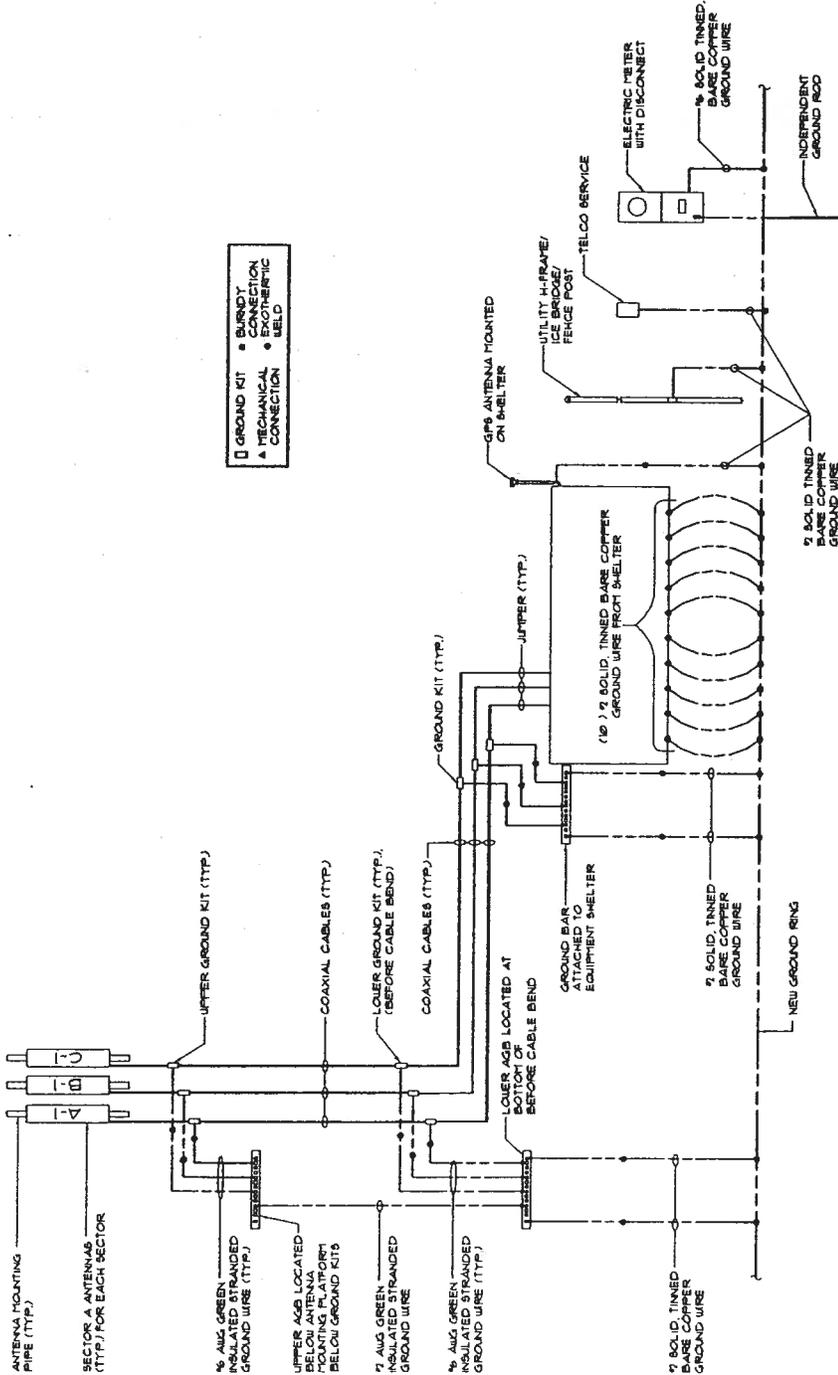
AT&T
 530 NATIONAL PARKWAY
 SCHLAUBURG, IL 60113



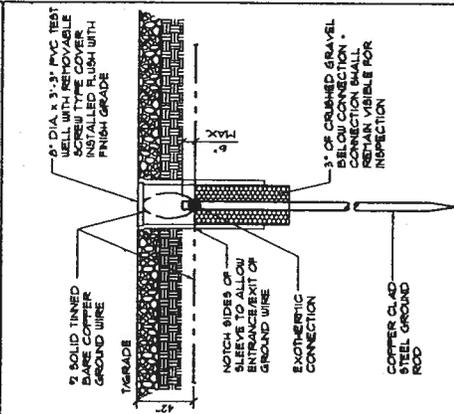
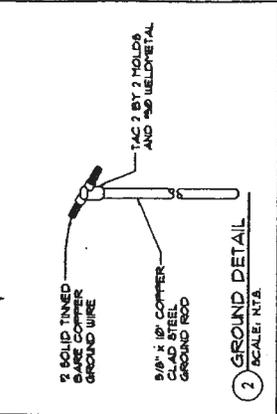
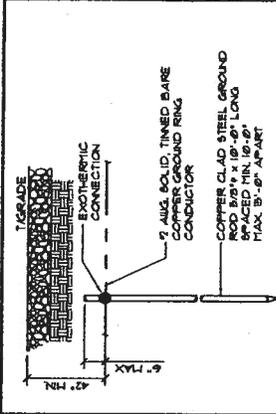
CONSTRUCTION NOTES	
AT&T	
DRAWING NUMBER	IL0694-15
REV	2

THIS DRAWING IS THE PROPERTY OF FULTON ENGINEERING COMPANY, INC. IT IS FOR THE EXCLUSIVE USE OF THE PROJECT. ANY REUSE OF THIS DRAWING WITHOUT THE EXPRESSED WRITTEN CONSENT OF FULTON ENGINEERING COMPANY, INC. IS PROHIBITED.

NOTES:
 1. ANTENNA MOUNTING PIPE (TYP.)
 2. ONE ANTENNA PER COAX PER SECTOR ARE SHOWN FOR DRAWING CLARITY. GROUNDING FOR ALL ANTENNAS IN ALL SECTORS IS TYPICAL AS SHOWN



1 RISER DIAGRAM
 SCALE: N.T.S.



2 GROUND TEST WELL DETAIL
 SCALE: N.T.S.

NTP WIRELESS
 Fullerton Engineering Company
 3600 W. BAYVIEW AVE
 ROSEMONT, ILLINOIS 60068
 TEL: 847-237-0200
 FAX: 847-237-0206
 WWW: WWW.NTPWIRELESS.COM
 ILLINOIS PERM. NO. 04-020138

nsoro
 (It's) just good business.
 3100 TOLLVIEW DRIVE
 ROLLING HEADS, ILL. 60008
 TEL: (846) 591-8356

GLENBARD WASTEWATER
 SITE NO: IL0694
 21651 BEHNS ROAD
 GLEN ELLYN, ILL. 60131

AT&T
 500 NATIONAL PARKWAY
 SCHWAUBURG, ILL. 60113

NO.	DATE	BY	CHKD.	REVISION
1	07/01	REVISED FINAL	REVISED FINAL	
2	07/01	REVISED FINAL	REVISED FINAL	
3	08/24/01	REVISED FINAL	REVISED FINAL	
4	08/24/01	REVISED FINAL	REVISED FINAL	
5	08/24/01	REVISED FINAL	REVISED FINAL	
6	08/24/01	REVISED FINAL	REVISED FINAL	
7	08/24/01	REVISED FINAL	REVISED FINAL	
8	08/24/01	REVISED FINAL	REVISED FINAL	
9	08/24/01	REVISED FINAL	REVISED FINAL	
10	08/24/01	REVISED FINAL	REVISED FINAL	
11	08/24/01	REVISED FINAL	REVISED FINAL	
12	08/24/01	REVISED FINAL	REVISED FINAL	
13	08/24/01	REVISED FINAL	REVISED FINAL	
14	08/24/01	REVISED FINAL	REVISED FINAL	
15	08/24/01	REVISED FINAL	REVISED FINAL	
16	08/24/01	REVISED FINAL	REVISED FINAL	
17	08/24/01	REVISED FINAL	REVISED FINAL	
18	08/24/01	REVISED FINAL	REVISED FINAL	
19	08/24/01	REVISED FINAL	REVISED FINAL	
20	08/24/01	REVISED FINAL	REVISED FINAL	
21	08/24/01	REVISED FINAL	REVISED FINAL	
22	08/24/01	REVISED FINAL	REVISED FINAL	
23	08/24/01	REVISED FINAL	REVISED FINAL	
24	08/24/01	REVISED FINAL	REVISED FINAL	
25	08/24/01	REVISED FINAL	REVISED FINAL	
26	08/24/01	REVISED FINAL	REVISED FINAL	
27	08/24/01	REVISED FINAL	REVISED FINAL	
28	08/24/01	REVISED FINAL	REVISED FINAL	
29	08/24/01	REVISED FINAL	REVISED FINAL	
30	08/24/01	REVISED FINAL	REVISED FINAL	
31	08/24/01	REVISED FINAL	REVISED FINAL	
32	08/24/01	REVISED FINAL	REVISED FINAL	
33	08/24/01	REVISED FINAL	REVISED FINAL	
34	08/24/01	REVISED FINAL	REVISED FINAL	
35	08/24/01	REVISED FINAL	REVISED FINAL	
36	08/24/01	REVISED FINAL	REVISED FINAL	
37	08/24/01	REVISED FINAL	REVISED FINAL	
38	08/24/01	REVISED FINAL	REVISED FINAL	
39	08/24/01	REVISED FINAL	REVISED FINAL	
40	08/24/01	REVISED FINAL	REVISED FINAL	
41	08/24/01	REVISED FINAL	REVISED FINAL	
42	08/24/01	REVISED FINAL	REVISED FINAL	
43	08/24/01	REVISED FINAL	REVISED FINAL	
44	08/24/01	REVISED FINAL	REVISED FINAL	
45	08/24/01	REVISED FINAL	REVISED FINAL	
46	08/24/01	REVISED FINAL	REVISED FINAL	
47	08/24/01	REVISED FINAL	REVISED FINAL	
48	08/24/01	REVISED FINAL	REVISED FINAL	
49	08/24/01	REVISED FINAL	REVISED FINAL	
50	08/24/01	REVISED FINAL	REVISED FINAL	
51	08/24/01	REVISED FINAL	REVISED FINAL	
52	08/24/01	REVISED FINAL	REVISED FINAL	
53	08/24/01	REVISED FINAL	REVISED FINAL	
54	08/24/01	REVISED FINAL	REVISED FINAL	
55	08/24/01	REVISED FINAL	REVISED FINAL	
56	08/24/01	REVISED FINAL	REVISED FINAL	
57	08/24/01	REVISED FINAL	REVISED FINAL	
58	08/24/01	REVISED FINAL	REVISED FINAL	
59	08/24/01	REVISED FINAL	REVISED FINAL	
60	08/24/01	REVISED FINAL	REVISED FINAL	
61	08/24/01	REVISED FINAL	REVISED FINAL	
62	08/24/01	REVISED FINAL	REVISED FINAL	
63	08/24/01	REVISED FINAL	REVISED FINAL	
64	08/24/01	REVISED FINAL	REVISED FINAL	
65	08/24/01	REVISED FINAL	REVISED FINAL	
66	08/24/01	REVISED FINAL	REVISED FINAL	
67	08/24/01	REVISED FINAL	REVISED FINAL	
68	08/24/01	REVISED FINAL	REVISED FINAL	
69	08/24/01	REVISED FINAL	REVISED FINAL	
70	08/24/01	REVISED FINAL	REVISED FINAL	
71	08/24/01	REVISED FINAL	REVISED FINAL	
72	08/24/01	REVISED FINAL	REVISED FINAL	
73	08/24/01	REVISED FINAL	REVISED FINAL	
74	08/24/01	REVISED FINAL	REVISED FINAL	
75	08/24/01	REVISED FINAL	REVISED FINAL	
76	08/24/01	REVISED FINAL	REVISED FINAL	
77	08/24/01	REVISED FINAL	REVISED FINAL	
78	08/24/01	REVISED FINAL	REVISED FINAL	
79	08/24/01	REVISED FINAL	REVISED FINAL	
80	08/24/01	REVISED FINAL	REVISED FINAL	
81	08/24/01	REVISED FINAL	REVISED FINAL	
82	08/24/01	REVISED FINAL	REVISED FINAL	
83	08/24/01	REVISED FINAL	REVISED FINAL	
84	08/24/01	REVISED FINAL	REVISED FINAL	
85	08/24/01	REVISED FINAL	REVISED FINAL	
86	08/24/01	REVISED FINAL	REVISED FINAL	
87	08/24/01	REVISED FINAL	REVISED FINAL	
88	08/24/01	REVISED FINAL	REVISED FINAL	
89	08/24/01	REVISED FINAL	REVISED FINAL	
90	08/24/01	REVISED FINAL	REVISED FINAL	
91	08/24/01	REVISED FINAL	REVISED FINAL	
92	08/24/01	REVISED FINAL	REVISED FINAL	
93	08/24/01	REVISED FINAL	REVISED FINAL	
94	08/24/01	REVISED FINAL	REVISED FINAL	
95	08/24/01	REVISED FINAL	REVISED FINAL	
96	08/24/01	REVISED FINAL	REVISED FINAL	
97	08/24/01	REVISED FINAL	REVISED FINAL	
98	08/24/01	REVISED FINAL	REVISED FINAL	
99	08/24/01	REVISED FINAL	REVISED FINAL	
100	08/24/01	REVISED FINAL	REVISED FINAL	

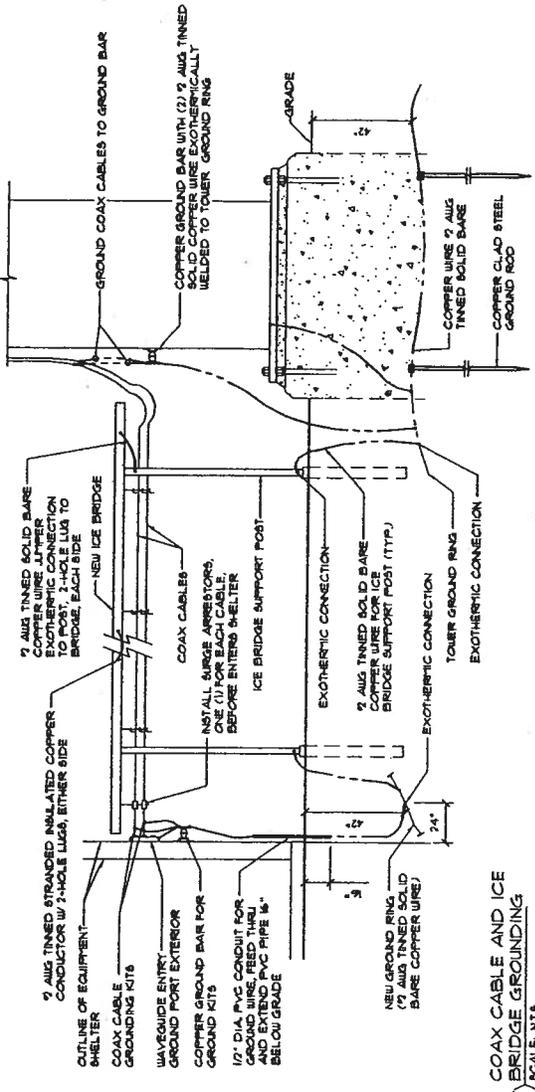
0062-051728
 ILLINOIS PROFESSIONAL ENGINEER
 08/24/01
 APPROVED BY: [Signature]
 SCALE: AS SHOWN

AT&T
 GROUNDING PLAN AND DETAILS
 DRAWING NUMBER
 REV
 IL 0694-19
 2

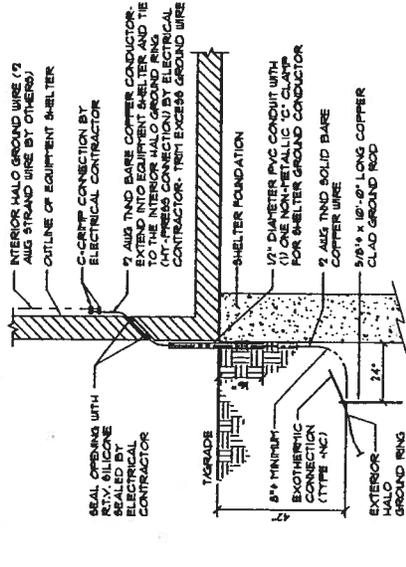
THIS DRAWING IS THE PROPERTY OF FULLERTON ENGINEERING COMPANY, INC. IT IS TO BE USED FOR THE EXCLUSIVE USE OF THE PROJECT AND NO REUSE OR REPRODUCTION OF THIS DRAWING WITHOUT THE EXPRESSED WRITTEN CONSENT OF FULLERTON ENGINEERING COMPANY, INC. IS PROHIBITED.

GROUNDING NOTES:

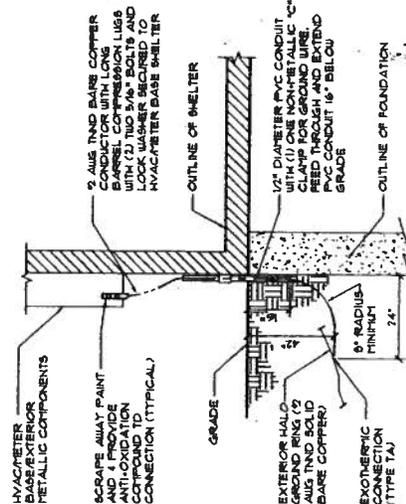
- ALL GROUND ELECTRODE SYSTEMS (INCLUDING TELECOMMUNICATION, RADIO, LIGHTNING PROTECTION AND AC POWER) SHALL BE BONDED TOGETHER BELOW GRADE BY TWO OR MORE COPPER BONDING CONDUCTORS IN ACCORDANCE WITH THE NEC, 2008 EDITION.
- THE SUBCONTRACTOR SHALL PREPARE ALL FALL-OFF-POTENTIAL RESISTANCE TO EARTH TESTING (PER IEEE 1000 AND 61) FOR GROUND ELECTRODE SYSTEMS. THE SUBCONTRACTOR SHALL FURNISH AND INSTALL SUPPLEMENTAL GROUND ELECTRODES AS NEEDED TO ACHIEVE A TEST RESULT OF 5 OHMS OR LESS.
- THE SUBCONTRACTOR IS RESPONSIBLE FOR PROPERLY SEQUENCING GROUNDING AND UNDERGROUND CONDUIT INSTALLATION AS TO PREVENT ANY LOSS OF CONTINUITY IN THE GROUNDING SYSTEM OR DAMAGE TO THE CONDUIT. PROVIDE TESTING RESULTS.
- METAL CONDUIT AND TRAY SHALL BE GROUNDING AND MADE ELECTRICALLY CONTINUOUS WITH LISTED COUPLING FITTINGS OR BY BONDING ACROSS THE DISCONTINUITY WITH #4 AWG COPPER WIRE OR APPROVED GROUNDING TYPE CONDUIT CLAMPS.
- METAL RACEWAY SHALL NOT BE USED AS THE NEC REQUIRED EQUIPMENT GROUND CONDUCTOR. STRANDED COPPER CONDUCTORS WITH GREEN INSULATION, SIZED IN ACCORDANCE WITH THE NEC, SHALL BE FURNISHED AND INSTALLED WITH THE POWER CIRCUITS TO BITS EQUIPMENT.
- EACH BITS CABINET FRAME SHALL BE DIRECTLY CONNECTED TO THE MASTER GROUND BAR WITH GREEN INSULATED SUPPLEMENTAL EQUIPMENT GROUND WIRES, #4 AWG STRANDED COPPER OR LARGER FOR INDOOR BITS, #2 AWG STRANDED COPPER FOR OUTDOOR BITS.
- CONNECTIONS TO THE GROUND BUS SHALL NOT BE DOUBLED UP OR STACKED. BACK TO BACK CONNECTIONS ON OPPOSITE SIDES OF THE GROUND BUS ARE PERMITTED.
- ALL EXTERIOR GROUND CONDUCTORS BETWEEN EQUIPMENT/GROUND BARS AND THE GROUND RING SHALL BE #2 AWG SOLID TINNED COPPER UNLESS OTHERWISE INDICATED.
- ALUMINUM CONDUCTOR OR COPPER CLAD STEEL CONDUCTOR SHALL NOT BE USED FOR GROUNDING CONNECTIONS.
- USE OF 90° BENDS IN THE PROTECTION GROUNDING CONDUCTORS SHALL BE AVOIDED WHEN 45° BENDS CAN BE ADEQUATELY SUPPORTED.
- EXOTHERMIC WELDS SHALL BE USED FOR ALL GROUNDING CONNECTIONS BELOW GRADE.
- ALL GROUND CONNECTIONS ABOVE GRADE (INTERIOR & EXTERIOR) SHALL BE FORGED USING HIGH PRESS CRIMPS.
- COMPRESSION GROUND CONNECTIONS MAY BE REPLACED BY EXOTHERMIC WELD CONNECTIONS.
- ICE BRIDGE BONDING CONDUCTORS SHALL BE EXOTHERMICALLY BONDED OR BOLTED TO THE BRIDGE AND THE TOWER GROUND BAR.
- APPROVED ANTI-OXIDANT COATINGS (I.E. CONDUCTIVE GEL OR PASTE) SHALL BE USED ON ALL COMPRESSION AND BOLTED GROUND CONNECTIONS.
- ALL EXTERIOR GROUND CONNECTIONS SHALL BE COATED WITH A CORROSION RESISTANT MATERIAL BONDING TO THE GROUND RING IN ACCORDANCE WITH THE NEC.
- BOND ALL METALLIC OBJECTS WITHIN 6 FT. OF MAIN GROUND WIRES WITH 1/2" AWG TIN-PLATED COPPER GROUND CONDUCTOR.
- GROUND CONDUCTORS USED IN THE FACILITY GROUND AND LIGHTNING PROTECTION SYSTEMS SHALL NOT BE BOLTED THROUGH METALLIC OBJECTS THAT FORM A RING AROUND THE CONDUCTOR, SUCH AS METALLIC CONDUITS, METAL SUPPORT CLIPS OR SLEEVES THROUGH WALLS OR FLOORS, WHEN IT IS REQUIRED TO BE HOUSED IN CONDUIT TO MEET CODE REQUIREMENTS OR LOCAL CONDITIONS. NONMETALLIC MATERIAL SUCH AS PVC PLASTIC CONDUIT SHALL BE USED WHERE USE OF METAL CONDUIT IS UNAVOIDABLE (E.G. NON-METALLIC CONDUIT PROHIBITED BY LOCAL CODE). THE GROUND CONDUCTOR SHALL BE BONDED TO EACH END OF THE METAL CONDUIT.



COAX CABLE AND ICE BRIDGE GROUNDING
SCALE: NTA



SHIELDER GROUNDING
SCALE: NTA



HVAC GROUNDING
SCALE: NTA

GROUNDING NOTES
SCALE: NTS

NTP WIRELESS
6000 WASHINGTON DRIVE
SUITE 200
ROSEMONT, ILLINOIS 60068
TEL: 631.337.0500
www.ntpwireless.com

nsoro
IT'S JUST GOOD BUSINESS.
3100 TOLLVIEW DRIVE
ROLLING HEADQUARTERS
TEL: (866) 561-8556

GLENBARD WASTEWATER
SITE NO: IL0694
7055 BEYS ROAD
GLEN ELLI, IL 60131

AT&T
52 NATIONAL PARKWAY
SCHLAUBURG, IL 60173

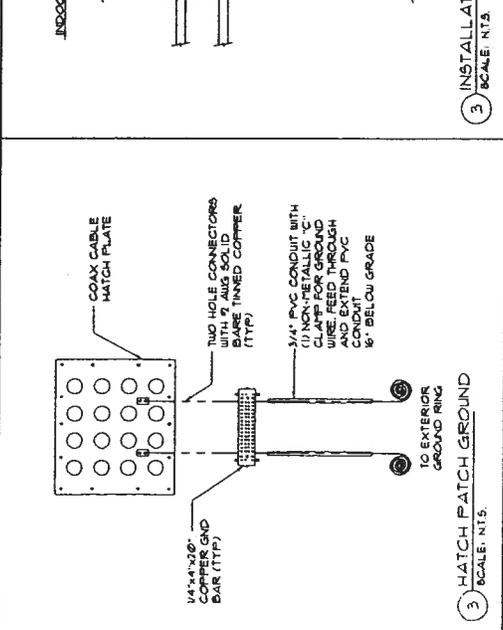
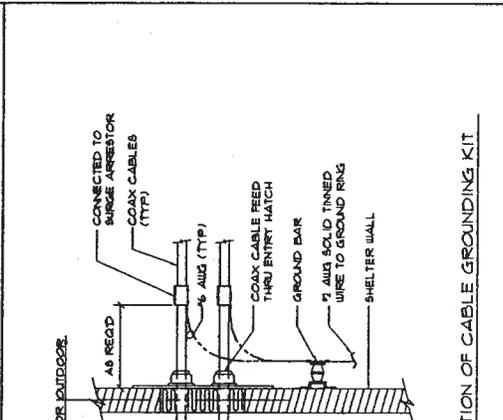
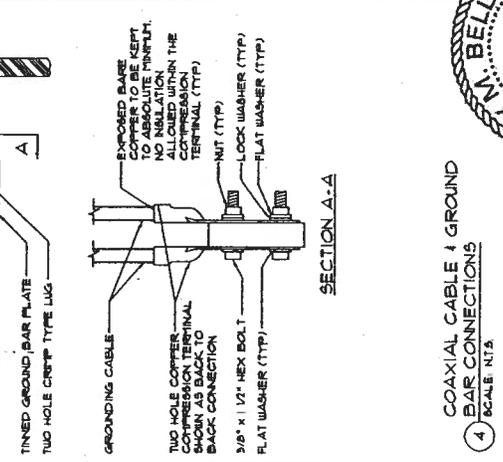
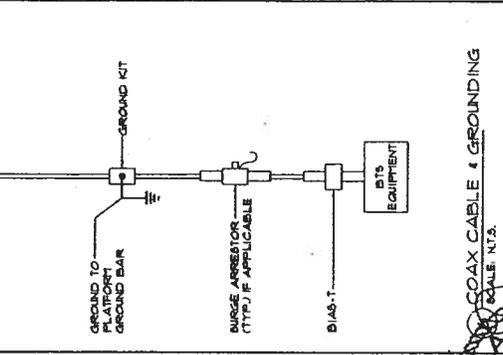
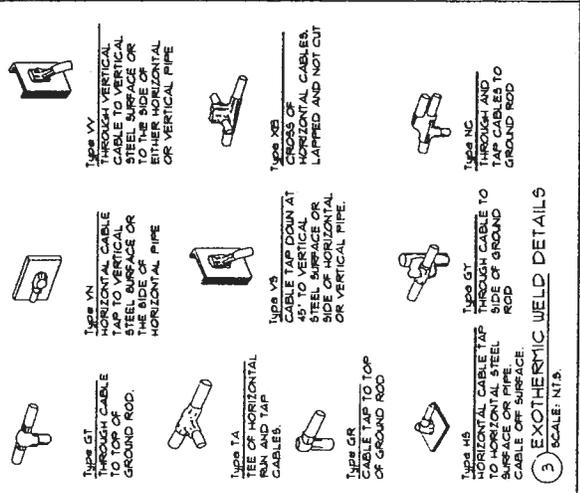
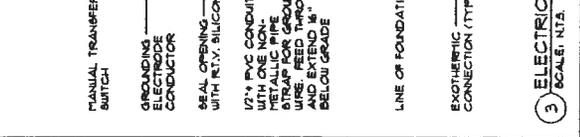
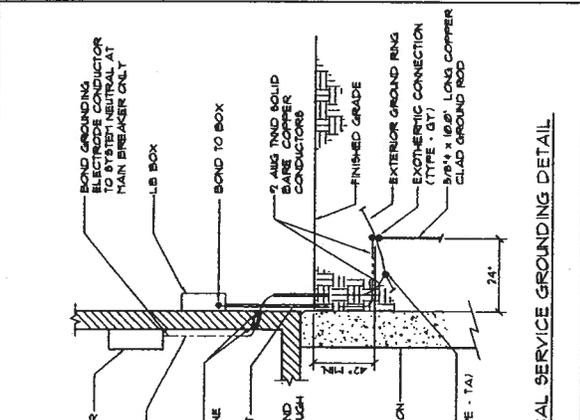
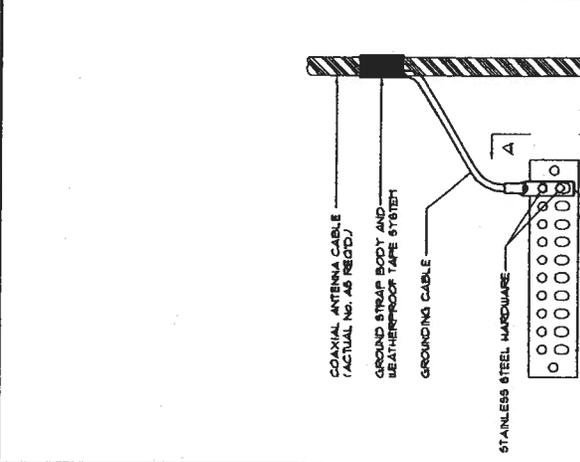
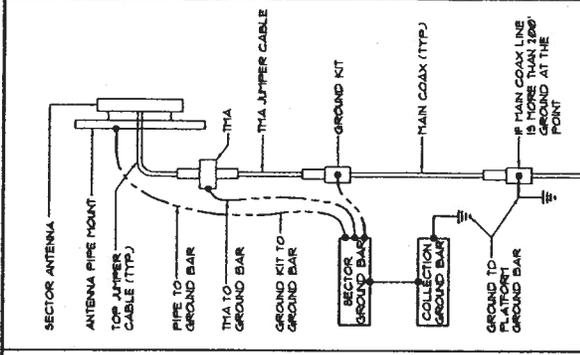
NO.	DATE	REVISION	BY	CHK	APP'D BY	SCALE
1	06/27/08	REVISED FINAL	NT	NT	NT	NTA
2	07/01/08	REVISED FINAL	NT	NT	NT	NTA
3	08/25/08	FINAL	NT	NT	NT	NTA
4	09/02/08	SPR REVIEW	NT	NT	NT	NTA
5	09/02/08	REVISION	NT	NT	NT	NTA

SCALE: NTA

Professional Engineer Seal
0062 051728
GLENBARD, ILLINOIS
AT&T
ENGINEER
11/06/07
SCALE: NTA

REV	DRAWING NUMBER	DATE
2	IL0694-20	

THIS DRAWING IS THE PROPERTY OF PULTRON ENGINEERING CONSULTANTS, INC. IT IS FOR THE EXCLUSIVE USE OF THE PROJECT, AND NO REUSE, REPRODUCTION, OR DISSEMINATION OF THIS DRAWING OR ANY PART THEREOF IS PERMITTED WITHOUT THE WRITTEN CONSENT OF PULTRON ENGINEERING CONSULTANTS, INC. IS FORBIDDEN.



REV	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	05/17/28
2	REVISED PER COMMENTS	05/17/28
3	REVISED PER COMMENTS	05/17/28
4	REVISED PER COMMENTS	05/17/28
5	REVISED PER COMMENTS	05/17/28
6	REVISED PER COMMENTS	05/17/28
7	REVISED PER COMMENTS	05/17/28
8	REVISED PER COMMENTS	05/17/28
9	REVISED PER COMMENTS	05/17/28
10	REVISED PER COMMENTS	05/17/28

REV	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	05/17/28
2	REVISED PER COMMENTS	05/17/28
3	REVISED PER COMMENTS	05/17/28
4	REVISED PER COMMENTS	05/17/28
5	REVISED PER COMMENTS	05/17/28
6	REVISED PER COMMENTS	05/17/28
7	REVISED PER COMMENTS	05/17/28
8	REVISED PER COMMENTS	05/17/28
9	REVISED PER COMMENTS	05/17/28
10	REVISED PER COMMENTS	05/17/28

REV	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	05/17/28
2	REVISED PER COMMENTS	05/17/28
3	REVISED PER COMMENTS	05/17/28
4	REVISED PER COMMENTS	05/17/28
5	REVISED PER COMMENTS	05/17/28
6	REVISED PER COMMENTS	05/17/28
7	REVISED PER COMMENTS	05/17/28
8	REVISED PER COMMENTS	05/17/28
9	REVISED PER COMMENTS	05/17/28
10	REVISED PER COMMENTS	05/17/28

nsoro
It's just good business.
3100 ILL-VIEW DRIVE
ROSELAND, ILLINOIS 60668
TEL: (646) 301-8386

GLENBARD WASTEWATER
SITE NO: IL0694
7143 S. BERRY ROAD
GLEN ELLEN, IL 60131

NTP WIRELESS
4615 N. RAVENWOOD AVE
SUITE 301
CHICAGO, ILLINOIS 60640
TEL: (773) 270-5118 EXT. 10

AT&T
3062 S. STATE AVE
ROSEMONT, ILLINOIS 60068
TEL: (630) 261-8000
www.att.com

AT&T
DRAWING NUMBER: IL0694-21
SCALE: AS SHOWN
APPROVED BY: [Signature]

MILLETTON ENGINEERING CONSULTANTS INC.
1100 N. RAVENWOOD AVE
SUITE 301
CHICAGO, ILLINOIS 60640
TEL: (773) 270-5118 EXT. 10



AT&T

930 NATIONAL PARKWAY
FLOOR 1000
SCHULMANN, L. 60173



Fullerton Registering Consultants

3600 W. BRYN MAWR, SUITE 200
ROSEMONT, ILLINOIS 60018
TEL: 617-292-0200
FAX: 617-292-0205

NO.	DATE	DESCRIPTION
1	1/22/03	PROJ. PLAN
2	1/22/03	SITE PLAN
3	12/14/01	LEASE PARCEL DIMENSION

LANDMARK

1000 W. W. WEST, 10000 STREET
PALOS HILLS, ILLINOIS 60465-1509
PHONE: (708) 373-1500
FAX: (708) 373-1509
PROJECT NO. 11-04-028

10694
GLENBARD WASTEWATER
AUTHORITY

41 W 861 BIRNIE ROAD
GLENBARD, ILLINOIS 60149
DUPAGE COUNTY

SHEET TITLE

SITE SURVEY

SHEET NUMBER

88 3 OF 3

PROPOSED LEASE PARCEL

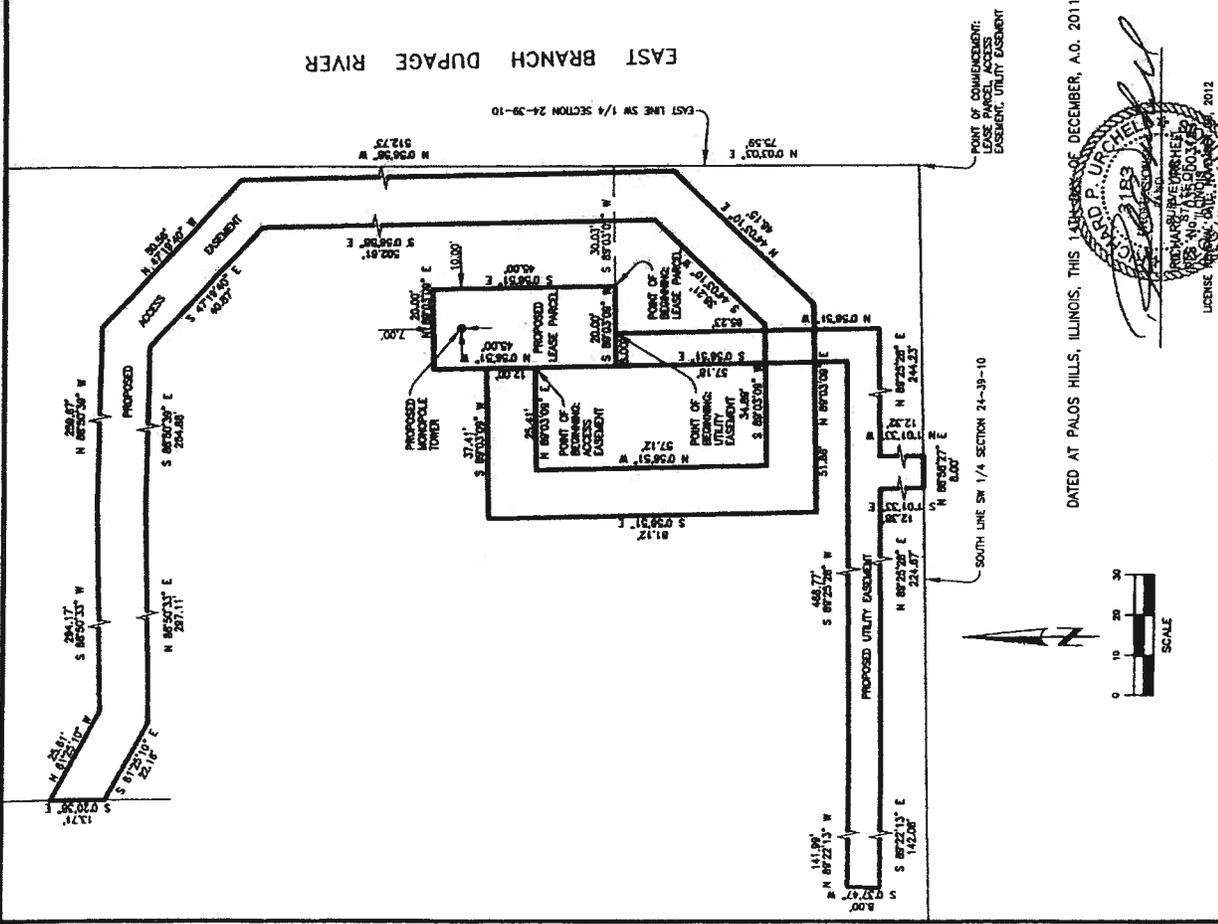
THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 0°03'03" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 75.59 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY EXTENSION OF THE CENTER LINE OF A 0.85 FEET WIDE CONCRETE WALL; THENCE SOUTH 89°03'09" WEST, ALONG SAID EXTENSION, 30.03 FEET TO A POINT OF BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF A NORTH-SOUTH 0.85 FEET WIDE CONCRETE WALL AND AFORESAID CENTER LINE; THENCE CONTINUING SOUTH 89°03'09" WEST, ALONG SAID CENTER LINE, 20.00 FEET; THENCE NORTH 0°56'51" WEST, PERPENDICULAR TO THE LAST DESCRIBED COURSE 45.00 FEET; THENCE NORTH 89°03'09" EAST 20.00 FEET; THENCE SOUTH 0°56'51" EAST 45.00 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS, AND CONTAINING 900 SQUARE FEET THEREIN.

PROPOSED ACCESS EASEMENT

THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 0°03'03" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 75.59 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY EXTENSION OF THE CENTER LINE OF A 0.85 FEET WIDE CONCRETE WALL; THENCE SOUTH 89°03'09" WEST, ALONG SAID EXTENSION, 30.03 FEET TO THE INTERSECTION OF THE CENTER LINE OF A NORTH-SOUTH 0.85 FEET WIDE CONCRETE WALL AND AFORESAID CENTER LINE; THENCE CONTINUING SOUTH 89°03'09" WEST, ALONG SAID CENTER LINE, 20.00 FEET; THENCE NORTH 0°56'51" WEST, PERPENDICULAR TO THE LAST DESCRIBED COURSE 20.00 FEET TO A POINT OF BEGINNING; THENCE CONTINUING NORTH 0°56'51" WEST 12.00 FEET; THENCE SOUTH 89°03'09" WEST 37.41 FEET; THENCE SOUTH 0°56'51" EAST 48.15 FEET; THENCE NORTH 0°56'51" EAST 51.88 FEET; THENCE NORTH 44°03'10" EAST 48.15 FEET; THENCE NORTH 89°03'09" WEST 37.41 FEET; THENCE NORTH 47°19'40" WEST 50.56 FEET; THENCE NORTH 0°56'51" EAST 51.27 FEET; THENCE SOUTH 89°03'09" WEST 284.17 FEET; THENCE NORTH 81°25'10" WEST 25.61 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF SUNNYBROOK ROAD; THENCE SOUTH 0°20'38" EAST, ALONG SAID EAST LINE, 13.71 FEET; THENCE SOUTH 61°25'10" EAST 22.16 FEET; THENCE NORTH 88°50'33" EAST 297.11 FEET; THENCE SOUTH 88°50'39" EAST 254.88 FEET; THENCE SOUTH 47°19'40" EAST 40.87 FEET; THENCE SOUTH 0°56'51" EAST 502.61 FEET; THENCE SOUTH 44°03'10" WEST 38.21 FEET; THENCE SOUTH 89°03'09" WEST 34.89 FEET; THENCE NORTH 0°56'51" WEST 37.12 FEET; THENCE NORTH 89°03'09" EAST 25.41 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS, AND CONTAINING 15,807 SQUARE FEET, MORE OR LESS, THEREIN.

PROPOSED UTILITY EASEMENT

THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 0°03'03" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 75.59 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY EXTENSION OF THE CENTER LINE OF A 0.85 FEET WIDE CONCRETE WALL; THENCE SOUTH 89°03'09" WEST, ALONG SAID EXTENSION, 30.03 FEET TO THE INTERSECTION OF THE CENTER LINE OF A NORTH-SOUTH 0.85 FEET WIDE CONCRETE WALL AND AFORESAID CENTER LINE; THENCE CONTINUING SOUTH 89°03'09" WEST, ALONG SAID CENTER LINE, 12.00 FEET TO A POINT OF BEGINNING THENCE CONTINUING SOUTH 89°03'09" WEST 8.00 FEET; THENCE SOUTH 0°56'51" EAST, PERPENDICULAR TO THE LAST DESCRIBED COURSE 57.18 FEET; THENCE SOUTH 89°25'28" WEST 488.77 FEET; THENCE NORTH 89°22'13" WEST 141.99 FEET; THENCE SOUTH 0°37'47" WEST 8.00 FEET; THENCE SOUTH 89°22'13" EAST 142.08 FEET; THENCE NORTH 89°28'28" EAST 224.67 FEET; THENCE SOUTH 1°01'33" EAST 12.32 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF SAO SOUTHWEST QUARTER; THENCE NORTH 88°58'27" EAST, ALONG SAID SOUTH LINE, 8.00 FEET; THENCE NORTH 1°01'33" WEST 12.32 FEET; THENCE NORTH 89°25'28" EAST 244.23 FEET; THENCE NORTH 0°56'51" WEST 65.23 FEET TO THE POINT OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS, AND CONTAINING 5,507 SQUARE FEET, MORE OR LESS, THEREIN.



DATED AT PALOS HILLS, ILLINOIS, THIS 14TH DAY OF DECEMBER, A.D. 2011.



LICENSE NO. 1711, STATE OF ILLINOIS, 2012



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

January 23, 2012

Dear Petitioner:

Trustees

Greg Alan Gron, Dist. 1
Keith T. Giagnorio, Dist. 2
Zachary C. Wilson, Dist. 3
Peter Breen, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

The Lombard Plan Commission has completed its public hearing with respect to Plan Commission Case PC 12- 02. The Plan Commission has voted to forward this item to the Village Board with a recommendation of APPROVE.

Village Manager
David A. Hulseberg

This item will be scheduled for consideration at the Village Board Meeting on **February 2, 2012 at 7:30 p.m. in the Village Hall Board Room**. You are asked to attend that meeting and be available to answer any questions that may be asked by the Board. We also request that you bring any exhibits associated with your petition.

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

If you have any questions regarding your petition, please contact the Lombard Department of Community Development at (630) 620-5746.

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

H:\worduser\pccases\2011\petitioners memo.doc

Village Of Glen Ellyn

Ordinance No. _____

**An Ordinance Authorizing a License Agreement With
New Cingular Wireless PCS, LLC for the Installation and Operation
of a Communication Base Station and Appurtenant Antennae at the
Glenbard Wastewater Authority Plant Located at 21W551 Bemis Road
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 _____, 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 Authorizing a License Agreement With
New Cingular Wireless PCS, LLC for the Installation and Operation
of a Communication Base Station and Appurtenant Antennae at the
Glenbard Wastewater Authority Plant Located at 21W551 Bemis Road
Glen Ellyn, IL 60137**

Whereas, the Glenbard Wastewater Authority operates a wastewater treatment facility for the Village of Glen Ellyn and Village of Lombard, both of which jointly manage the Agency, on property commonly known as 21 W 551 Bemis Road, Glen Ellyn, Illinois (hereinafter “Property”), which is located at the southeast corner of Bemis Road and Sunnybrook Road and is legally described as follows:

That part of the SW ¼ of Sec. 24-39-10, E. of 3rd P.M., described by beginning at the southwest corner of said Sec. 24; thence North along the west line of said Sec. 24, 30.0 feet; thence South 89 degrees 50 minutes East parallel with the South line of said Section, 1983.0 feet; thence north 0 degrees 10 minutes East at right angles to the South line of Section 24, 570.0 feet; thence South 89 degrees 50 minutes East parallel with the south line of said Section 24 to the East line of the SW ¼ of said Section; thence South to the Southeast corner of said SW ¼, thence North 89 degrees 50 minutes West to place of beginning.

P.I.N. 05-24-302-017; and

Whereas, the Property is owned by the Village of Glen Ellyn and located within the corporate limits of the Village of Lombard; and

Whereas, the Village of Glen Ellyn, as property owner, desires to enter into a license agreement with New Cingular Wireless PCS, LLC (hereinafter “Licensee”) for the installation and operation of a personal communication base station and appurtenant antenna(s), equipment and accessories on the Property; and

Whereas, the Village is authorized and empowered, under the Illinois Municipal Code, to enter into license agreements for the use of its land; and

Whereas, the proposed improvements are currently in the process of receiving the required zoning approvals from the Village of Lombard; and

Whereas, the Glenbard Wastewater Authority Executive Oversight Committee reviewed the proposed improvements at its meeting on January 19, 2012, and voted to approve the license agreement and recommend that the improvements be pursued; and

Whereas, the Village of Lombard Plan Commission reviewed zoning variation requests for the improvements on January 23, 2012, and voted 6-0 to recommend approval of the variations to the Village of Lombard Board; and

Whereas, the Village President and Board of Trustees deem it in the best interests of the Village, to enter into a license agreement with Licensee substantially in the form of the agreement attached hereto as Exhibit “A” (the “License Agreement”);

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 recitals set forth above are incorporated as a part of this Ordinance by this reference.

Section Two: The Village President and Board of Trustees hereby approve a license agreement with Licensee substantially in the form of the agreement attached hereto as Exhibit A.

Section Three: The Village President is hereby authorized to execute, and the Village Clerk to attest thereto, an agreement substantially in the form of the agreement attached hereto as Exhibit “A”, following the signing of said agreement by Licensee.

Section Four: This Ordinance shall be in full force and effect from and after the 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 _____.)

X:\Plandev\PLANNING\LICENSE\Bemis 21W551, Glenbard Wastewater Authority\GW - ATT Ordinance - 011612.doc