

PRESIDENT  
Dr. James L. Discipio

VILLAGE MANAGER  
Julia A. Cedillo

VILLAGE CLERK  
Amarda G. Seidel



TRUSTEES

Scott F. Mesick  
Patricia B. Rocco  
Michael L. Sheehan  
James P. Kucera  
Mario J. Fotino  
Robert T. Lautner

## VILLAGE BOARD WORK SESSION MEETING

Tuesday, AUGUST 13, 2013 – 7:30 P.M.

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### AGENDA

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Illinois Risk Management Agency (IRMA) Presentation – Susan Garvey & Dan LeTourneau**
5. **Public Participation (agenda and non-agenda related)**
6. **Building & Zoning Committee Items**
  - A. Discussion – Zoning Application No. 2013-01: Zoning Text Amendment – Building Coverage *Motion: to approve an ordinance amending the "La Grange Park Zoning Code" as amended*
  - B. Discussion – Zoning Application No. 2013-02: 23 E. 31<sup>st</sup> Street – Special Use Permit Doggy Day Care/Boarding *Motion: to approve a special use permit for a kennel/dog "day care" service with accessory grooming for the property located at 23 E. 31<sup>st</sup> Street*
7. **Public Safety Committee Items**
  - A. For Informational Purposes – Emergency Management Overview of Plans, Training, and Village Official Response
8. **Public Works Committee Items**
  - A. Discussion – Award of Bid - Relocation of Two Areas of Water Main System on Oak Avenue *Motion: 1) to accept the bid from Unique Plumbing Co. in the amount of \$63,135.00; and 2) to authorize the Village President to execute the necessary contract documents*
  - B. Discussion & Action – Request to Add 1100 Block of Newberry to 2013 Paving Program *Motion: Authorizing the Change Order to the contract with Schroeder Asphalt for the amount of \$154,344.79, and authorize the Village Manager to execute the Change Order dated August 5, 2013*
9. **Other Reports:**
  - A. Village Manager
  - B. Village President

**VILLAGE BOARD MEETING**  
**Tuesday, AUGUST 13, 2013 – 7:30 p.m.**

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**AGENDA (continued – Page 2)**

**9. Other Reports (cont'd):**

- C. Discussion & Action – Police Pension Board Re-Appointment  
*Motion: Move to Advise and consent to the appointment of Christopher O’Hea to the Police Pension Board for a term to expire in May 2015*
- D. Village Clerk
- E. Committee

**10. New Business**

- 11. Executive Session** - *for the purpose of discussing 1) the selection of a person to fill a Village Commission/Committee according to 5 ILCS 120/2 (c)(3), and 2) the minutes of meetings lawfully closed under the Act, whether for the purpose of approval by the body of minutes or semi-annual review of the minutes as mandated by Section 2.06 of the Act according to 5 ILCS120/2 (c)(21)*

**12. Adjourn**

*Next Village Board Meeting: August 27, 2013*  
*Next Village Work Session Meeting: September 10, 2013*



## **RULES FOR PUBLIC COMMENT**

### **Village Board Work Session Meetings Village Board Meetings**

1. Please step up to the microphone before speaking, and announce your name and address before beginning your comments.
2. After announcing your name and address for the record, you will be allowed to speak for three (3) minutes.
3. You may not use profane or obscene language and you may not threaten any person with bodily harm, or engage in conduct which amounts to a threat of physical harm.
4. (a) Agenda-related comments: The Village President reserves the right to disallow comments that are repetitive of comments previously made during the meeting, or comments that do not relate to agenda items.  
  
(b) Non-agenda-related comments: The Village President reserves the right to disallow comments that are repetitive of comments previously made during the meeting, or comments that do not relate to Village business, Village services or Village governance.
5. The Village of La Grange Park complies with the Americans with Disabilities Act of 1990. If you require accommodations in order to observe or participate in the meeting, please contact Ms. Andy Bagley at (708) 354-0225 between 9:00 and 5:00 before the meeting so that the Village can make reasonable accommodations for you.

# **Building & Zoning Committee**

**Michael Sheehan, Chairman**

**Scott Mesick**

**James Kucera**

# Village Board Agenda Memo

Date: August 13, 2013

To: President & Board of Trustees

From: Emily Rodman, Assistant Village Manager *ER*

Julia Cedillo, Village Manager

RE: Zoning Application No. 2013-01: Zoning Text Amendment – Building Coverage

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## GENERAL BACKGROUND:

On June 18, 2013, the Zoning Board of Appeals (ZBA) conducted a public hearing to consider Zoning Application No. 2013-01, filed by McNaughton Development, Inc. requesting an amendment to Section 7.3, Table 7-2 of the Zoning Ordinance, to add the following footnote:

“The first five hundred (500) square feet of any structure(s) or architectural feature(s), not including the Principle Building, but including Structure(s) or Architectural Feature(s) that are affixed to the Principle Building, shall be excluded in determining the amount of Building Coverage on a given lot.”

The proposed zoning amendment is not property specific and therefore would apply equally to all homes within the Village.

The ZBA accepted testimony and evidence into the record. During the public hearing the Applicant requested to amend their Application for a text amendment to request that the first 200 square feet of an unenclosed front porch be exempted from the building coverage calculation in the R-1 and R-1A zoning districts. In addition to the Applicant, Village staff provided testimony in support of the request, noting the community-building, public safety and aesthetic benefits that accrue to the community as a result of the inclusion of open front porches on homes. No other parties provided testimony.

Upon conclusion of the testimony and discussion, the ZBA determined that there is a need to incentivize the inclusion of unenclosed front porches on single-family homes in the R-1 and R-1A recommended that the Village Board approve the zoning application for a zoning text amendment to Section 7.3, Table 7-2.

## MOTION/ACTION REQUESTED:

**This matter is being placed on the agenda for the August 13, 2013 Village Board Work Session for discussion. If there is consensus to support the approval of the Ordinance, this matter will be placed on the August 27, 2013 Village Board Meeting Agenda for approval.**

*Motion to approve an ordinance amending the “La Grange Park Zoning Code” as amended.*

## RECOMMENDATION:

The ZBA, on a vote of 3 “AYES” and 1 “NAYS” has recommended that the zoning application be approved. While they recommended approval of the request, they noted two concerns: 1) They would have like to have had the input from the all ZBA members (3 were absent), and 2) they noted that since no public was present at the meeting, they feel the Village should seek additional public input on the request.

**DOCUMENTATION:**

- Transcript of the public hearing for Zoning Application No. 2013-01 (previously distributed)
- Findings of Fact
- Ordinance Amending Village's Zoning Code
- Zoning application

**FINDINGS OF FACT**  
**VILLAGE OF LA GRANGE PARK ZONING BOARD OF APPEALS**  
**TEXT AMENDMENT – BUILDING COVERAGE**  
**CASE NO. 2013-01**

**WHEREAS**, McNaughton Development, Inc., referred to as the “Applicant,” on or about May 21, 2013, filed an Application for a text amendment to exclude the first 500 square feet of any structures or architectural features not including the principle building that are affixed to the principle building, from the amount of Building Coverage on a given lot; and

**WHEREAS**, a public hearing was held before the Zoning Board of Appeals of the Village of La Grange Park, Illinois, June 18, 2013, pursuant to notice and publication as required by law; and

**WHEREAS**, the public hearing was opened at 7:00 p.m. on June 18, 2013, and pursuant to unanimous vote of the Zoning Board of Appeals on June 18, 2013 the public hearing was concluded; and

**WHEREAS**, during the public hearing the Applicant is requested to amend their Application for a text amendment to request that the first 200 square feet of an unenclosed front porch be exempted from the building coverage calculation in the R-1 and R-1A zoning districts; and

**WHEREAS**, based upon documentary evidence and testimony presented by Applicant and members of the public, the Zoning Board of Appeals makes the following Summary of Facts, and pursuant to Section 4.2.E of the La Grange Park Zoning Code, makes the following Findings of Fact:

The Village’s Zoning Code establishes a maximum permissible building coverage of 30% for interior lots and 35% for corner lots in the R-1A and R-1 single family zoning districts. Per the definition for building coverage, decks that are 30” or more above grade, pergolas and covered porches are counted toward total allowable building coverage. Additionally, variations in the façade of a structure such as a cantilever, are also counted toward building coverage because cantilevers are typically located more than 30” above grade and they add to the bulk of the structure.

The Applicant has requested an amendment to Section 7.3, Table 7-2 of the Zoning Ordinance, to add the following footnote:

“In the R-1A and R-1 single-family zoning districts, the first two hundred (200) square feet of an unenclosed front porch shall be exempted from the building coverage calculation.”

The applicant asserts that the Village's Zoning Code, specifically the definition for "building coverage," deters property owners/builders from incorporating architectural features such as "covered and wrap-around porches, cantilevers, dormers, chimneys, bay windows, window seats, etc. that add character and flavor to homes" because these "exterior design features are sacrificed in favor of additional interior space." The Applicant believes the proposed text amendment is warranted in order to incentivize property owners/builders to incorporate such features.

## **FINDINGS OF FACT**

### **1. The extent to which the proposed amendment promotes the public health, safety comfort, convenience and general welfare of the Village.**

The proposed amendment incentivizes the inclusion of unenclosed front porches within the community. Unenclosed front porches are considered desirable for their community-building attributes, their contribution to improving public safety and the aesthetic impact they have on the street front.

More specifically, front porches encourage residents to spend time outside in the front of their home, rather than in rear yards. As a result, there is an increased likelihood they will engage and get to know their neighbors and passerby's, which has been shown to increase a resident's sense of community. The increased presence of residents in the front of their home results in more "eyes on the street" which has been shown to result in safer neighborhoods by deterring illicit activity. Finally, the incorporation of a porch on the front of a home may reduce the visual mass of the home by breaking up the façade and drawing the eye down to street level. Additionally, the inclusion of a front porch is often perceived by residents as desirable because it adds character to the home and is consistent with a number of existing homes within the Village.

### **2. The relative gain to the public, as compared to the hardship imposed upon the applicant.**

The proposed amendment would apply to all single-family properties within the R-1 and R-1A zoning districts, including those properties owned by the applicant. All properties within these zoning districts could potentially directly benefit from the additional building coverage allowance. The community at large will also benefit from the amendment due to the community-building, public safety and aesthetic impacts of unenclosed front porches being included on homes.

### **3. The consistence of the proposed amendment to the Comprehensive Plan.**

The Comprehensive Plan is an advisory document used to guide the long-term growth and development of the community. The Plan includes "Residential Design Guidelines" which are intended to "foster well-designed, livable, visually appealing neighborhoods" and "to

preserve the established and well-regarded character of the community.” The proposed amendment meets an objective of these guidelines by encouraging diversity of style in homes, contributing to the to the appeal of the community by making it architecturally rich and visually interesting.

Additionally, the proposed amendment is in concert with the stated vision of the community, which includes maintaining and promoting community character, maintaining and protecting existing single-family homes, and ensuring quality residential development.

**4. The consistency of the proposed amendment with the intent and general regulations of this the Zoning Code.**

Section 1.3 of the Zoning Code outlines the purpose of the Code. The purpose of the Code, as stated, is to “regulate and limit the height, bulk and setback of structures erected within the Village” (Section 1.3.A) and to “prohibit uses or structures incompatible with the character of such districts” (Section 1.3.G).

The proposed amendment incentivizes the inclusion of unenclosed front porches while limiting that incentive to a maximum of 200 square feet. This limitation, along with other existing regulations for impervious surface coverage, minimum setbacks, etc. will maintain adequate controls on the bulk of the structure. The inclusion of unenclosed front porches on homes is consistent with a number of existing neighborhoods within the community. The proposed amendment incentivizes the inclusion of this feature both on existing homes and on tear-down and new construction in an effort to maintain the existing character of the community.

**5. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.**

The proposed amendment reflects a change in policy. Primarily, that the Village believes it is worthwhile to provide a building coverage incentive to encourage the inclusion of unenclosed front porches on single-family homes.

**6. That the proposed amendment will benefit the residents of the Village as a whole, and not just the applicant, property owner(s), neighbors of any property under consideration, or other special interest groups, and the extent to which the proposed use would be in the public interest and would not serve solely the interest of the applicant.**

The proposed amendment incentivizes the inclusion of unenclosed front porches within the community. Unenclosed front porches are considered desirable for their community building attributes, their contribution to improving public safety and the aesthetic impact they have on the street front.

**7. Whether the proposed amendment provides a more workable way to achieve the intent and purposes of this Code and the Comprehensive Plan.**

Over the past 5 years, over 70% of the homes built within the community (excluding those homes being built by the Applicant) have not included unenclosed front porches. This illustrates the Applicant's assertion that homeowners are opting to maximize interior space at the expense of including unenclosed front porches on homes. If the Village would like homes to incorporate/maintain this feature for its community-building, public safety and aesthetic benefits, the Village should consider incentivizing the inclusion of this feature as outline in the proposed amendment.

**8. The extent to which the proposed amendment creates nonconformities.**

The proposed amendment does not create any nonconformities as it allows for an increase to building coverage beyond what is currently permitted on residential lots in the R-1 and R-1A zoning districts for the purpose of incentivizing the inclusions of front porches.

Regarding the request for the text amendment outlined above, the Zoning Board of Appeals voted as follows:

AYES: Boyd, Dolmagalski, Lee

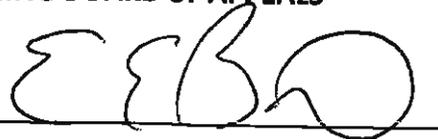
NAYS: Lampert

ABSENT: Fosberg, Zaura, Studwell

**RESPECTFULLY SUBMITTED** this 16<sup>th</sup> day of July, 2013.

**VILLAGE OF LA GRANGE PARK  
ZONING BOARD OF APPEALS**

By: \_\_\_\_\_



**ORDINANCE NO.**

**ORDINANCE AMENDING THE "LA GRANGE PARK  
ZONING CODE" AS AMENDED**

Whereas, the Board of Trustees has determined that it is in the best interests of the Village of La Grange Park to amend Section 7.3, Table 7-2 of the La Grange Park Zoning Code.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange Park, Cook County, Illinois, as follows:

**SECTION 1:** That Section 7.3, Table 7-2: Footnotes of the La Grange Park Zoning Code is hereby amended to add the following language:

"<sup>5</sup> In the R-1A and R-1 single-family zoning districts, the first two hundred (200) square feet of an unenclosed front porch shall be exempted from the building coverage calculation."

**SECTION 3:** That all ordinances and resolutions, or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

**SECTION 4:** That this Ordinance shall be in full force and effect after its passage, approval and publication as required by law;

ADOPTED BY THE PRESIDENT AND THE BOARD OF TRUSTEES of the Village of La Grange Park, Cook County, Illinois this \_\_\_ day of \_\_\_\_\_, 2013.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Dr. James L. Discipio, Village President

ATTEST:

\_\_\_\_\_  
Amanda Seidel, Village Clerk

Vote taken by the Board of Trustees on passage of the above ordinance:

AYES:

_____	_____
_____	_____
_____	_____
_____	_____

**NOS:**


**CERTIFIED TO BE CORRECT:**

\_\_\_\_\_  
**Village Clerk**

**APPROVED AS TO FORM  
VILLAGE ATTORNEY:**

**APPLICATION FOR ZONING TEXT AMENDMENT OR  
ZONING MAP AMENDMENT**

**I. REQUIRED INFORMATION FOR ALL ZONING APPLICATIONS**

1. Owner. Name, address and telephone number of the owner/titleholder of property:  
**MACnificent 5, LLC – Series III, 11S220 Jackson Street, Burr Ridge, IL 60527, (p): 630-325-3400.**
2. Trustee Disclosure. If a land trust or other trust is the Owner, the name, address, and telephone number of all trustees and beneficiaries of the trust:  
**N/A.**
3. Applicant. Name, address, and telephone number of applicant, and applicant's interest in the subject property:  
**McNaughton Development, Inc., 11S220 Jackson Street, Burr Ridge, IL 60527, (p): 630-325-3400. Applicant is the General Contractor of the Property.**
4. Subject Property. Address of the subject property (attach legal description and PIN):  
**Property Address: 145 Timber Lane, LaGrange Park, IL 60526**  
**PIN(s): 15-28-203-085; 15-28-203-086; 15-28-203-087**  
**Legal Description: see attached Exhibit A.**
5. Consultants. Name and address of each professional consultant advising applicant with respect to this application:
  - a. Attorney: **Paul McNaughton II, McNaughton Development, Inc., 11S220 Jackson Street, Burr Ridge, IL 60527**
  - b. Engineer: **Scott Schreiner, DesignTek Engineering, LLC, 9500 Bormet Drive, Suite 304, Mokena, IL 60448**
  - c. Architect: **Pete Kramer, Kramer and Associates, Ltd., 701 N. York Road, Hinsdale, IL 60521 and Mike Buss, Michael Buss Architects, 9324 Roberts Road, Hickory Hills, IL 60457**
6. Village Personnel. Name and address of any officer or employee of the Village with an interest in the Owner, Applicant, Consultant or the Subject Property, and the nature and extent of that interest: **N/A.**
7. Neighboring Owners. The Applicant must notify the occupants/tax assessesees (as shown on the records of the Proviso Township Assessor) of all properties located within 250 feet of the boundary lines of the Subject Property, excluding public rights-of-way (see §3.3 of Zoning Code) of the date, time, place and purpose of the hearing on the Variation. The Village will prepare a legal Notice of Hearing. Applicant must mail the Notice not less than 15 nor more than 30 days prior to the scheduled hearing date to all occupants/tax assessesees. The applicant/agent must then fill out, sign, and notarize the Affidavit of Mailing form, returning that form and the list of all persons, addresses and PIN numbers to which Notice was sent, to the Village. **N/A.**

8. Survey. Submit with this application a recent survey, certified by a registered land surveyor, showing existing lot lines, dimensions and all buildings, structures and other improvements, as well as all easements, all public and private rights-of-ways, and all streets adjacent to the Subject Property, and all existing parking and loading spaces. See attached Exhibit B.
9. Existing Zoning Districts of Subject Property and Adjacent Property.

Subject Property: R-1A

Adjacent Property: West Forest Preserve District of Cook County  
 East R-1A  
 South R-1A  
 North Forest Preserve District of Cook County

10. Zoning Standards/Statement of Compliance.

Requirement	Code Section	Minimum Code Regulation	Proposed
Lot Area	Section 7.3 (Table 7-2)	6,700 sq. ft.	6,700 sq. ft.
Lot Width	Section 7.3 (Table 7-2)	55 ft.	55 ft.
Lot Depth	Section 7.3 (Table 7-2)	90 ft.	90 ft.
Building Coverage	Section 7.3 (Table 7-2)	30%	30%
Impervious Surface Coverage	Section 7.3 (Table 7-2)	50%	50%
Building Height	Section 7.3 (Table 7-2)	30 ft.	30 ft.
Building Height Setback Plane	Section 7.3 (Table 7-2)	See Section 153.118	Compliance
Front Setback	Section 7.3 (Table 7-2)	35' or average of block (the lesser)	Compliance
Interior Side Setback	Section 7.3 (Table 7-2)	10% of lot width	10% of lot width
Corner Side Setback	Section 7.3 (Table 7-2)	N/A	N/A
Rear Setback	Section 7.3 (Table 7-2)	15% of lot depth	15% of lot depth
Loading*/	N/A	N/A	N/A
Parking */	N/A	N/A	N/A

\*/ If there are parking or loading requirements for the Subject Property, please provide a detailed calculation of both the required and proposed numbers of spaces

## II. INFORMATION REQUIRED FOR ZONING MAP OR ZONING TEXT AMENDMENT APPLICATION

1. Summary of Proposed Zoning Map Amendment or Zoning Text Amendment:  
The LaGrange Park Zoning Code establishes a maximum allowable building coverage for each residential zoning district. For example, in the R-1A zoning district, the maximum building coverage is 30% of the lot area. Thus, if a lot is 6,700 s.f., then the maximum building coverage for that lot is 2,010 s.f. In most municipalities, that simply means that the area of the building's foundation (including the area of any accessory structures) shall not exceed 2,010 s.f. But the Village of LaGrange Park's definition of building coverage is unique in that it also includes "Structures" and "Architectural Features" that exceed 30" in height in its calculation. "Structures" and "Architectural Features" encapsulate within their respective definitions design features such as covered and wrap-around porches, cantilevers, dormers, chimneys, bay windows, window seats, etc. that add character and flavor to homes and the streets where they are built. The unfortunate result is that these exterior design features are sacrificed in favor of additional interior space. The proposed text amendment solves this problem by eliminating the punitive aspect of the Code with respect to exterior design features, while, at the same time, preserving the intent of the Code with respect to regulating interior space and bulk.

The proposed text amendment is as follows:

Footnote 5 to Maximum Building Coverage in Table 7-2 of the LaGrange Park Zoning Code shall read as follows:

The first five hundred (500) square feet of any Structure(s) or Architectural Feature(s), not including the Principal Building, but including Structure(s) or Architectural Feature(s) that are affixed to the Principal Building, shall be excluded in determining the amount of Building Coverage on a given lot.

2. Title. Evidence of title or other interest you have in the Subject Property, date of acquisition of such interest, and the specific nature of such interest. See attached Exhibit C.
3. Standards for Zoning Text Amendment. The Zoning Board of Appeals' recommendation and the Village Board of Trustees' decision on any zoning text amendment is a matter of legislative discretion that is not controlled by any specific standard. However, in making their recommendation and decision, the Zoning Board of Appeals and the Village Board of Trustees shall consider the following standards:
  - a. *The extent to which the proposed amendment promotes the public health, safety, comfort, convenience and general welfare of the Village.*

The proposed text amendment is consistent with the statutory authority given to municipalities to implement zoning regulations for the benefit of the public. Unlike the current building coverage ordinance, the proposed text amendment encourages exterior architectural features, while ensuring that bulk and interior living space is limited to what is allowed under the existing zoning code.

- b. *The relative gain to the public, as compared with the hardship imposed upon the Applicant.*

The proposed text amendment ensures that every builder/architect/homeowner will have the ability to design functional architecture without compromising on character features of the home. These “character features” of the home include, but are not limited to, covered and wrap-around porches, cantilevers, dormers, chimneys, bay windows, window seats, etc. These are the features that distinguish homes, and add character to the neighborhoods where they are constructed.

Under the existing zoning code, Applicant must choose between interior space and “character features.” Applicant has struggled greatly in this regard. It is a choice that no builder/architect/homeowner should be forced to make, particularly when they are willing to incur the additional cost to incorporate these widely accepted architectural features. Rectifying this shortcoming in the Code by eliminating the need to choose between equally important architectural concerns is a great boon to the residents of LaGrange Park, and it ensures that the Village is providing builders/architects/homeowners with the means to construct interesting architecture long after Applicant has built and sold its 8 homes.

- c. *The consistency of the proposed amendment with the Comprehensive Plan.*  
The proposed text amendment is not inconsistent with the Comprehensive Plan. “Character features” are consistent with the larger lots mandated by the Plan in this area of town.
- d. *The consistency of the proposed amendment with the intent and general regulations of the Zoning Code.*  
The proposed text amendment does not affect the intent or general regulations of the Zoning Code. The underlying policy of a building coverage regulation is typically a limitation on bulk, interior area, and/or impervious area. None of these concerns are implicated by the proposed text amendment. The allowable building coverage under the proposed text amendment is virtually identical to that allowed under the existing Zoning Code.
- e. *Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.*  
When the practical effect of a zoning code is that function and aesthetics are mutually exclusive, then there is an error or omission in that code. Applicant

has worked diligently to design homes for its lots that satisfy Applicant's high standards for functionality and architectural design. It has been a laborious process (for all parties involved). Applicant desires to implement "character features" because of its reputation for architectural design and because of increased marketability/saleability of the homes that incorporate them. Staff desires Applicant to implement the features proposed because they are objectively architecturally appealing, and they benefit the public. With Staff and Applicant stymied by the Code, despite their aligning interests, Applicant has reluctantly been forced to compromise "character features" for functionality and saleability (larger interior spaces). That is an unfortunate trend that the Village of LaGrange Park will continue to see, so long as the existing Building Coverage ordinance remains uncorrected.

- f. *Whether the proposed amendment will benefit the residents of the Village as a whole, and not just the Applicant, property owner(s), neighbors of any property under consideration, or other special interest groups, and the extent to which the proposed use would be in the public interest and would not serve solely the interest of the Applicant.*

This factor has been addressed above. The existing Building Coverage ordinance needs to be changed for the entirety of the Village, and not just this single development, because it penalizes the builder/architect/homeowner for incorporating exterior architectural features into the home. These features often have nothing to do with bulk, interior space, or impervious area, but they are regulated by an ordinance that is only relevant to these concerns. This irregularity should be addressed by amendment now, rather than applying a band-aid fix by way of variation, or worse, kicking the can down the road.

- g. *Whether the proposed amendment provides a more workable way to achieve the intent and purposes of the Zoning Code and Comprehensive Plan.*

Unless the intent of the Code is to preclude a variety of interesting exterior architectural features, then the Code *must* be changed. The proposed text amendment is a simple, effective way of accomplishing the task of encouraging "character features," while at the same time ensuring that the bulk and interior space of the principal structure remains virtually unchanged.

- h. *The extent to which the proposed amendment creates nonconformities.*

Because the proposed text amendment offers, in essence, a building coverage credit for "character features," no nonconformities would result from adoption of the amendment.

**III. OWNER REPRESENTATION/ APPLICANT CERTIFICATION**

The Owner states that he/she consents to the filing of this application and that all information contained herein is true and correct to the best of his/her knowledge.

Name of Owner  
PAUL R McNAUGHTON  
\_\_\_\_\_  
Signature of Owner

The applicant certifies that all of the information contained in this application is correct to the best of applicant's knowledge. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application.

Name of Applicant  
PAUL R McNAUGHTON  
\_\_\_\_\_  
Signature of Applicant

## **SIGN REQUIREMENTS FOR ALL PUBLIC HEARINGS**

Under Section 3.3C of the Zoning Code, a sign provided by the Village of La Grange Park must be posted in front of the property at least 15 days, but not more than 30 days prior to the scheduled hearing. The Applicant must maintain the sign during the required time period.

## **APPLICATION FEE**

An application fee of \$700.00, payable to the Village of LaGrange Park, must accompany this Application.

Revised January 2011

## EXHIBIT A

PARCEL 1: THE NORTH 500 FEET (EXCEPT THE EAST 174.625 FEET THEREOF AND EXCEPT THE WEST 16.5 FEET OF THE NORTH 230 FEET THEREOF AND EXCEPT THE WEST 89 FEET OF THE SOUTH 270 FEET THEREOF AND EXCEPT THE FOLLOWING: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTH 30 ACRES WITH THE WEST LINE OF SAID EAST 174.625 FEET; THENCE SOUTH ALONG SAID WEST LINE OF THE EAST 174.625 FEET A DISTANCE OF 86.13 FEET TO A POINT OF BEGINNING; THENCE WEST, PARALLEL WITH SAID NORTH LINE OF THE SOUTH 30 ACRES, A DISTANCE OF 20 FEET; THENCE SOUTH, PARALLEL WITH SAID WEST LINE OF THE EAST 174.625 FEET, A DISTANCE OF 73.87 FEET; THENCE SOUTHWESTERLY TO A POINT IN A LINE 230 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF THE SOUTH 30 ACRES, SAID POINT BEING 50 FEET WEST OF SAID WEST LINE OF THE EAST 174.625 FEET (AS MEASURED ON SAID PARALLEL LINE); THENCE WEST PARALLEL WITH SAID NORTH LINE OF THE SOUTH 30 ACRES TO THE INTERSECTION WITH THE EAST LINE OF THE WEST 89 FEET OF ABOVE DESCRIBED TRACT; THENCE SOUTH ON SAID EAST LINE 270 FEET TO THE SOUTH LINE OF SAID NORTH 500 FEET; THENCE EAST ON SAID SOUTH LINE OF THE NORTH 500 FEET, BEING ALSO THE NORTHLINE OF SHERWOOD VILLAGE UNIT NO. 2 SUBDIVISION, A DISTANCE OF 88.51 FEET TO SAID WEST LINE OF THE EAST 174.625 FEET; THENCE NORTH ON SAID WEST LINE, A DISTANCE OF 413.87 FEET TO THE POINT OF BEGINNING) OF THE WEST HALF OF THAT CERTAIN TRACT OF LAND DESCRIBED AS THE WEST 20 ACRES (EXCEPT THE EAST 4-1/8 ACRES THEREOF) OF THE SOUTH 30 ACRES OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2: THE WEST 89 FEET (EXCEPT THE EAST 72.5 FEET OF THE NORTH 230 FEET THEREOF) OF THE NORTH 500 FEET (EXCEPT THE EAST 174.625 FEET THEREOF) OF THE WEST HALF OF THAT CERTAIN TRACT OF LAND DESCRIBED AS THE WEST 20 ACRES (EXCEPT THE EAST 4-1/8 ACRES THEREOF) OF THE SOUTH 30 ACRES OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 3: THAT PART OF THE NORTH 500 FEET (EXCEPT THE EAST 174.625 FEET THEREOF) OF THE WEST HALF OF THAT CERTAIN TRACT OF LAND DESCRIBED AS THE WEST 20 ACRES (EXCEPT THE EAST 4-1/8 ACRES THEREOF) OF THE SOUTH 30 ACRES OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTH 30 ACRES WITH THE WEST LINE OF SAID EAST 174.625 FEET; THENCE SOUTH ALONG SAID WEST LINE OF THE EAST 174.625 FEET, A DISTANCE OF 86.13 FEET TO A POINT OF BEGINNING; THENCE WEST, PARALLEL WITH SAID NORTH LINE OF THE SOUTH 30 ACRES, A DISTANCE OF 20 FEET; THENCE SOUTH, PARALLEL WITH SAID WEST LINE OF THE EAST 174.625 FEET, A DISTANCE OF

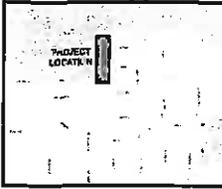
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# **EXHIBIT B**

# FINAL SUBDIVISION PLAT OF HEATHERDALE

BEING A SUBDIVISION OF PART OF THE WEST 20 ACRES OF THE SOUTH 30 ACRES OF THE WEST HALF OF THE NORTHEAST QUARTER SECTION 28, TOWNSHIP 30 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN THE VILLAGE OF LA GRANGE PARK, COOK COUNTY, ILLINOIS.

PARCEL IDENTIFICATION NUMBER	
18-28-203-082-0000	1
18-28-203-083-0000	2
18-28-203-087-0000	3



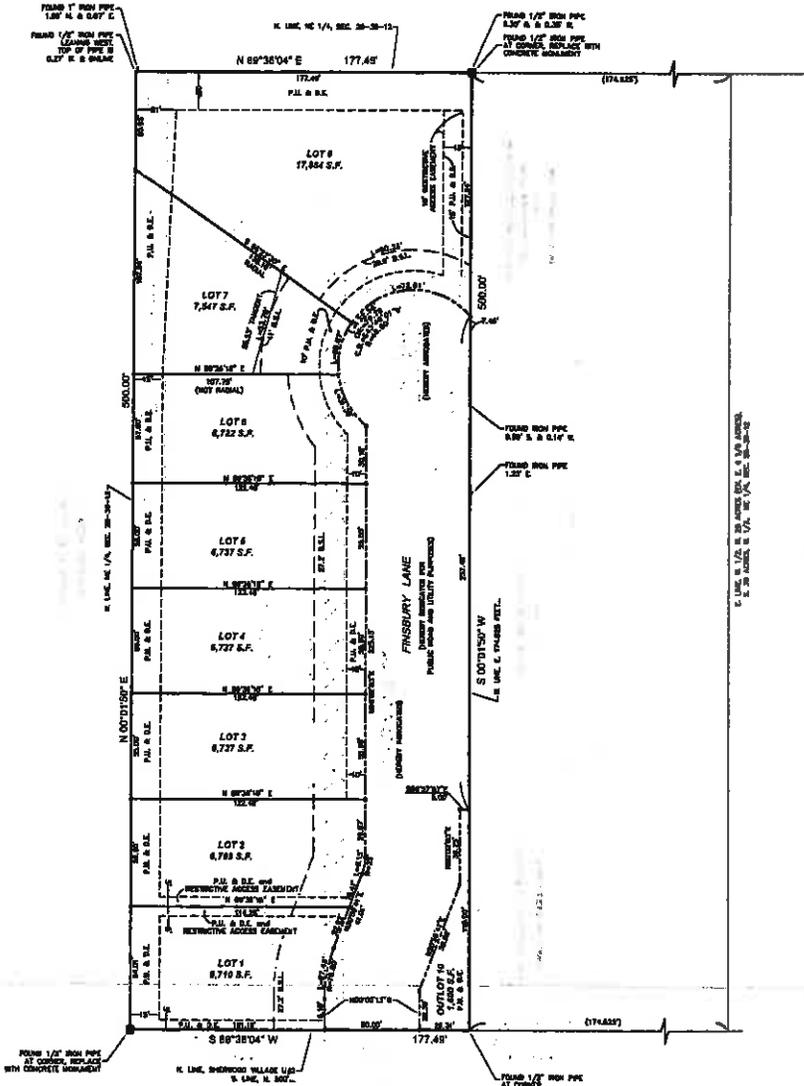
VICINITY MAP  
NOT TO SCALE

### SITE DATA

Gross Area: 88,704 Square Feet or 2.04 Acres  
Right of Way Deductions: 21,218 Square Feet or 0.49 Acres



**BASIS OF BEARING**  
ASSUME THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 28-20-12 TO BE N 00°00'00" E.



### ABBREVIATIONS

- FD, FOUND
- (100.00') MEASURED DIMENSION
- FR FOUND IRON ROD OR PIN
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- S.F. SQUARE FEET
- L. AND DIMENSION
- R. RADIAL DIMENSION
- CH. CHORD DIMENSION
- B. CHORD BEARING

### LEGEND

- FR FOUND IRON PIPE
- FR FOUND IRON ROD
- SP SET 5/8" x 24" IRON PIPE
- SM SET M.S. NAIL
- CONCRETE MONUMENT
- BOUNDARY LINE
- LOT LINE
- RIGHT-OF-WAY LINE
- CENTERLINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE

NORTHERN ILLINOIS GAS COMPANY (NICOR) GAS EASEMENT HEREBY APPROVED

- GENERAL NOTES**
- ALL AREAS ARE PLUS OR MINUS.
  - ALL EASEMENTS ARE HEREBY GRANTED, UNLESS OTHERWISE NOTED.
  - ALL DISTANCES ARE IN FEET AND DECIMAL PARTS THEREOF.
  - THE FRONT SETBACK OF 27.2' FOR LOTS 1 THRU 8 WAS ESTABLISHED BY OBTAINING THE AVERAGE SETBACK DISTANCE FOR THE EXISTING HOUSES ON THE WEST SIDE OF FINNSBURY VILLAGE UNIT #2.
  - THE FRONT SETBACK OF 30.0' FOR LOT 8 WAS ESTABLISHED BY OBTAINING THE AVERAGE SETBACK DISTANCE FOR THE EXISTING HOUSES ON THE NORTH SIDE OF PINE TREE LANE IN BRENNA WOODS ADD. TO LA GRANGE PARK.
  - THIS SUBDIVISION IS ZONED AS R1-A. CONSULT THE VILLAGE OF LA GRANGE PARK ZONING ORDINANCE PRIOR TO ERECTING ANY PERMANENT BUILDING OR STRUCTURE.
  - OUTLET 10 IS A NON-BUILDABLE, NON-CORPORATING LOT AND IS ALSO A PUBLIC UTILITY & DRAINAGE EASEMENT. SAID OUTLET SHALL BE MAINTAINED BY THE CURRENT AND SUBSEQUENT OWNERS.
  - THE CURRENT AND SUBSEQUENT OWNER OF LOT 8 SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF A SIDEWALK WITHIN THE SIDEWALK EASEMENT, IF CONSTRUCTED.

### AVERAGE SETBACK CALCULATIONS

1810 FINNSBURY LANE	26.32'
1814	26.18'
1816	26.21'
1822	26.21'
1824	26.21'
1826	26.21'
1828	26.21'
1830	26.21'
AVERAGE SETBACK	27.27'

### AVERAGE SETBACK CALCULATIONS

201 PINE TREE LANE	26.84'
206	15.86'
208	21.33'
210	15.87'
212	22.41'
214	22.26'
AVERAGE SETBACK	20.92'

NORTHERN ILLINOIS GAS COMPANY (NICOR)  
STATE OF ILLINOIS } SE  
COUNTY OF

This is to certify that I, \_\_\_\_\_, an authorized representative of NICOR Gas, formerly Northern Illinois Gas Company, have reviewed this plat of subdivision, have drawn and hereby approve the same and describe in the document document recorded Document Number 18466208 in the Recorder's Office of Cook County.

Dated at \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

NICOR Representative \_\_\_\_\_

PREPARED FOR:  
McNAUGHTON DEVELOPMENT  
11820 JACKSON STREET, SUITE 101  
BURR RIDGE, ILLINOIS 60527  
800-325-5406

5500 Cottage Drive, Suite 304  
Morton, Illinois 60438  
708-326-4881 voice  
708-326-4882 fax

DESIGNATED SURVEYING, L.L.C.  
1100 N. WILSON AVENUE  
CHICAGO, ILLINOIS 60642  
(773) 344-1100



FINAL PLAT OF SUBDIVISION  
HEATHERDALE

DRAWING CONTRACTOR: DESIGNER: FIELD WORK CONTRACTOR: PROJECT MANAGER: S.A. DATE: PROJECT NO. 12-10004 SHEET NO. 1 of 2

# **EXHIBIT C**

**TRUSTEE'S DEED**

This indenture made this **27th** day of **February, 2013**, between **CHICAGO TITLE LAND TRUST COMPANY**, a corporation of Illinois, as successor trustee to First National Bank of LaGrange, under the provisions of a deed or deeds in trust, duly recorded and delivered to said company in pursuance of a trust agreement dated the **21st** day of **May, 2002** and known as Trust Number **4188** party of the first part, and **MACnificent 5, LLC - Series III**, whose address is: **11S220 Jackson Street, Burr Ridge, Illinois 60527**, party of the second part.



**Doc#: 1307244002 Fee: \$42.00**  
Karen A. Yarbrough RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 03/13/2013 09:50 AM Pg: 1 of 3

**WITNESSETH**, That said party of the first part, in consideration of the sum of **TEN and no/100 DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE** considerations in hand paid, does hereby **CONVEY AND QUITCLAIM** unto said party of the second part, the following described real estate, situated in Cook County, Illinois, to wit:

RESERVED FOR RECORDER'S OFFICE

**SEE ATTACHED RIDER FOR LEGAL DESCRIPTION**

1239381 1/1

**Permanent Tax Numbers: 15-28-203-085, 15-28-203-086, 15-28-203-087**

Old Republic National Title Insurance Company  
20 South Clark Street  
Suite 2000  
Chicago, IL 60603

together with the tenements and appurtenances thereunto belonging.

TO HAVE AND TO HOLD the same unto said party of the second part, and to the proper use, benefit and behoof forever of said party of the second part.

**This deed is executed pursuant to and in the exercise of the power and authority granted to and vested in said trustee by the terms of said deed or deeds in trust delivered to said trustee in pursuance of the trust agreement above mentioned. This deed is made subject to the lien of every trust deed or mortgage (if any there be) of record in said county to secure the payment of money, and remaining unreleased at the date of the delivery hereof.**

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its Assistant Vice President, the day and year first above written.

Old Republic National Title Insurance Company  
20 South Clark Street  
Suite 2000  
Chicago, IL 60603

**CHICAGO TITLE LAND TRUST COMPANY,**  
as Trustee as Aforesaid

By Margaret O. Donnell  
Assistant Vice President



State of Illinois  
County of Cook

SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the above named Assistant Vice President of **CHICAGO TITLE LAND TRUST COMPANY**, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Assistant Vice President appeared before me this day in person and acknowledged that she signed and delivered the said instrument as her own free and voluntary act and as the free and voluntary act of the Company; and the said Assistant Vice President then and there caused the corporate seal of said Company to be affixed to said instrument as her own free and voluntary act and as the free and voluntary act of the Company.

Given under my hand and Notarial Seal this 27th day of February, 2013.



*Mark Parkinson*  
NOTARY PUBLIC

PROPERTY ADDRESS:  
145 Timber Lane  
LaGrange Park, Illinois 60526

This instrument was prepared by:  
**CHICAGO TITLE LAND TRUST COMPANY**  
1100 Lake Street, Suite 165  
Oak Park, IL 60301

AFTER RECORDING, PLEASE MAIL TO:

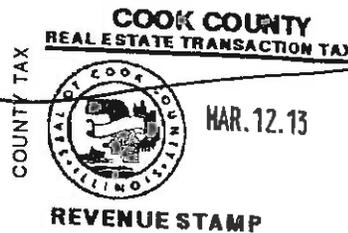
NAME MAGNIFICENT S LLC SERIES III  
ADDRESS 115220 JACKSON STREET  
CITY, STATE BURRIDGE IL 60527

SEND TAX BILLS TO:

NAME MAGNIFICENT S LLC SERIES III  
ADDRESS 115220 JACKSON STREET  
CITY, STATE BURRIDGE IL 60527



STATE TAX
# 000013714
REAL ESTATE TRANSFER TAX
00475.00
FP 103037



COUNTY TAX
# 000013572
COOK COUNTY REAL ESTATE TRANSACTION TAX
MAR. 12. 13
REAL ESTATE TRANSFER TAX
00237.50
FP 103042

LEGAL DESCRIPTION

**PARCEL 1: THE NORTH 500 FEET (EXCEPT THE EAST 174.625 FEET THEREOF AND EXCEPT THE WEST 16.5 FEET OF THE NORTH 230 FEET THEREOF AND EXCEPT THE WEST 89 FEET OF THE SOUTH 270 FEET THEREOF AND EXCEPT THE FOLLOWING: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTH 30 ACRES WITH THE WEST LINE OF SAID EAST 174.625 FEET; THENCE SOUTH ALONG SAID WEST LINE OF THE EAST 174.625 FEET A DISTANCE OF 86.13 FEET TO A POINT OF BEGINNING; THENCE WEST, PARALLEL WITH SAID NORTH LINE OF THE SOUTH 30 ACRES, A DISTANCE OF 20 FEET; THENCE SOUTH, PARALLEL WITH SAID WEST LINE OF THE EAST 174.625 FEET, A DISTANCE OF 73.87 FEET; THENCE SOUTHWESTERLY TO A POINT IN A LINE 230 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF THE SOUTH 30 ACRES, SAID POINT BEING 50 FEET WEST OF SAID WEST LINE OF THE EAST 174.625 FEET (AS MEASURED ON SAID PARALLEL LINE); THENCE WEST PARALLEL WITH SAID NORTH LINE OF THE SOUTH 30 ACRES TO THE INTERSECTION WITH THE EAST LINE OF THE WEST 89 FEET OF ABOVE DESCRIBED TRACT; THENCE SOUTH ON SAID EAST LINE 270 FEET TO THE SOUTH LINE OF SAID NORTH 500 FEET; THENCE EAST ON SAID SOUTH LINE OF THE NORTH 500 FEET, BEING ALSO THE NORTH LINE OF SHERWOOD VILLAGE UNIT NO. 2 SUBDIVISION, A DISTANCE OF 88.51 FEET TO SAID WEST LINE OF THE EAST 174.625 FEET; THENCE NORTH ON SAID WEST LINE, A DISTANCE OF 413.87 FEET TO THE POINT OF BEGINNING) OF THE WEST HALF OF THAT CERTAIN TRACT OF LAND DESCRIBED AS THE WEST 20 ACRES (EXCEPT THE EAST 4-1/8 ACRES THEREOF) OF THE SOUTH 30 ACRES OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.**

**PARCEL 2: THE WEST 89 FEET (EXCEPT THE EAST 72.5 FEET OF THE NORTH 230 FEET THEREOF) OF THE NORTH 500 FEET (EXCEPT THE EAST 174.625 FEET THEREOF) OF THE WEST HALF OF THAT CERTAIN TRACT OF LAND DESCRIBED AS THE WEST 20 ACRES (EXCEPT THE EAST 4-1/8 ACRES THEREOF) OF THE SOUTH 30 ACRES OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.**

**PARCEL 3: THAT PART OF THE NORTH 500 FEET (EXCEPT THE EAST 174.625 FEET THEREOF) OF THE WEST HALF OF THAT CERTAIN TRACT OF LAND DESCRIBED AS THE WEST 20 ACRES (EXCEPT THE EAST 4-1/8 ACRES THEREOF) OF THE SOUTH 30 ACRES OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTH 30 ACRES WITH THE WEST LINE OF SAID EAST 174.625 FEET; THENCE SOUTH ALONG SAID WEST LINE OF THE EAST 174.625 FEET, A DISTANCE OF 86.13 FEET TO A POINT OF BEGINNING; THENCE WEST, PARALLEL WITH SAID NORTH LINE OF THE SOUTH 30 ACRES, A DISTANCE OF 20 FEET; THENCE SOUTH, PARALLEL WITH SAID WEST LINE OF THE EAST 174.625 FEET, A DISTANCE OF 73.87 FEET; THENCE SOUTHWESTERLY TO A POINT IN A LINE 230 FEET SOUTH OF AND**

**PARALLEL WITH SAID NORTH LINE OF THE SOUTH 30 ACRES, SAID POINT BEING 50 FEET WEST OF SAID WEST LINE OF THE EAST 174.625 FEET (AS MEASURED ON SAID PARALLEL LINE); THENCE WEST PARALLEL WITH SAID NORTH LINE OF THE SOUTH 30 ACRES TO THE INTERSECTION WITH THE EAST LINE OF THE WEST 89 FEET OF ABOVE DESCRIBED TRACT; THENCE SOUTH ON SAID EAST LINE 270 FEET TO THE SOUTH LINE OF SAID NORTH 500 FEET; THENCE EAST ON SAID SOUTH LINE OF THE NORTH 500 FEET, BEING ALSO THE NORTH LINE OF SHERWOOD VILLAGE UNIT NO. 2 SUBDIVISION, A DISTANCE OF 88.51 FEET TO SAID WEST LINE OF THE EAST 174.625 FEET; THENCE NORTH ON SAID WEST LINE, A DISTANCE OF 413.87 FEET TO THE POINT OF BEGINNING.**

## **Addendum #1 to Text Amendment Application**

This Addendum addresses how surrounding communities address the issue of carve-outs for blanket coverage ordinances to preserve architectural features that otherwise would be eliminated in favor of other interests.

### **Village of Westmont**

1. Building Coverage: N/A
2. Lot Coverage: 35%

The Village of Westmont, unlike the Village of LaGrange Park, controls exterior bulk by its lot coverage ordinance; it does not have a building coverage ordinance. Although definitions within every municipality vary, the commonly understood difference between building coverage and lot coverage is that building coverage restricts the home and any accessory structures (like detached garages), and lot coverage restricts total impervious, including any patios, walks, driveways, etc. Regardless, Westmont's lot coverage ordinance is relevant here because it is used to control bulk, just like LaGrange Park's building coverage ordinance.

On June 3<sup>rd</sup>, 2013 the Village of Westmont passed an ordinance that states that approved permeable pavers are counted 50% impervious, 50% pervious for purposes of determining total lot coverage. LaGrange Park has a similar ordinance. The difference is that, from a practical standpoint, LaGrange Park's ordinance does not result in any relief to the size of the principal or accessory structure, because its relief goes to lot coverage, which is already set at 50% in the Village. On the other hand, the Village of Westmont's ordinance alleviates hardship with respect to building area, on the condition that the builder/homeowner uses permeable pavers for patios, walks, driveways, etc.

### **Village of Clarendon Hills**

1. Building Coverage: 30%
2. Lot Coverage: 55% (for the first 9,000 s.f. of lot area)

The Village of Clarendon Hills has a similar setup to the Village of LaGrange Park. The major difference between the two is that the former does not have "The 30" Rule" in its building coverage ordinance, and the latter does. Clarendon Hills has F.A.R. to address issues such as cantilevers that add to interior living space; this is set at 40% (for the first 9,000 s.f. of lot area).

### **Village of Hinsdale**

1. Building Coverage: 25%
2. Lot Coverage: 50%

Like the Village of LaGrange Park, the Village of Hinsdale has a restrictive building coverage ordinance that controls bulk. However, unlike the Village of LaGrange Park, the Village of

Hinsdale has several carve-outs for building coverage of architectural features that are visually appealing, and important to homeowners. They are as follows:\*

- a. Decks are excluded from the building coverage calculation.
- b. 125 s.f. from a detached garage is excluded (promotes detached garages).
- c. The first two hundred (200) square feet of an unenclosed, covered porch, fronting the front yard.

\*Ordinance attached hereto as Exhibit A.

Thus, decks, and, for all intents and purposes, covered porches, are excluded from the total building coverage calculation. Additionally, the Village of Hinsdale does not include "architectural features and structures" that are 30" or more in height in building coverage. As a result, the Village of Hinsdale's ordinance allows the builder/homeowner to construct, most notably, decks, covered porches, and cantilevers without detracting from the size of the home that is allowed under the building coverage ordinance. Conversely, in LaGrange Park, if a builder/homeowner wants to construct a deck (above 30" in height), a covered porch, or a cantilever, dormer, chimney, bay, window seat, or other "architectural feature", then they have to take the square footage out of the principal residence to do so. Not many builders/homeowners are going to (or can afford to) make that sacrifice. The end result is bland, uninteresting architecture that, cumulatively, hurts the Village. This is why the Village of LaGrange Park should have carve-outs from building coverage for architectural features such as these.

#### **Village of Western Springs**

1. Building coverage: 30% (plus 440 s.f. allocable to garage)\*\*
2. Lot coverage: N/A

\*\*Ordinance attached hereto as Exhibit B.

The Village of Western Springs has a 30% building coverage ordinance; however, it does not count up to 440 s.f. of garage area in its calculation. From a practical standpoint, this is very similar to the request made by us in the proposed text amendment, and we would be willing to amend the proposed text amendment to adopt Western Springs' specific language.

#### **Village of LaGrange**

1. Building coverage: 30%
2. Lot coverage: 45%

\*\*\*Ordinance attached hereto as Exhibit C.

The Village of LaGrange's building coverage ordinance, in practice, seems like it would operate very similarly to the Village of LaGrange Park's building coverage ordinance. They should change their ordinance too ☺. The Village of LaGrange's building coverage ordinance, at the very least, excepts decks from the calculation. While, in some instances, decks are excluded

from the building coverage calculation in the Village of LaGrange Park as well, the majority of decks that we would propose would have pergola roofs, which would necessitate the inclusion of the entire deck in building coverage.

# **EXHIBIT A**

(2,800) square feet of gross building floor area.

13. *Floor Area Bonus For Detached Garages:* In determining the floor area ratio for lots having a detached garage and no other garage, exclude one-half ( $1/2$ ) of the area of the detached garage, but not more than two hundred fifty (250) square feet.
14. *Building Coverage Exceptions:* Coverage by the following structures and portions of structures shall not be included in determining the amount of building coverage:
- (a) Decks; and
  - (b) One-fourth ( $1/4$ ) of the floor area of a detached garage located on a zoning lot having a detached garage and no other garage, but not more than one hundred twenty five (125) square feet; and
  - (c) The first two hundred (200) square feet of a porch if all of the following criteria are met: 1) the porch is covered, and 2) the porch is, and shall permanently remain, unenclosed, and 3) the porch is attached to that part of a single-family detached dwelling that fronts a required front yard or corner side yard, and either 4) in the case of a front yard, the portion of the porch to which the exemption applies lies between the widest apart side building lines of the dwelling or lies in front of the front building line of the dwelling extended or 5) in the case of a corner side yard, the portion of the porch to which the exemption applies lies between the frontmost and the rearmost building lines of the dwelling or lies in front of the corner side building line of the dwelling extended; provided, however, that this exemption shall not

exceed a total of two hundred (200) square feet for any zoning lot.

15. *Residential Lot Coverage:* For residential lots under ten thousand (10,000) square feet, maximum lot coverage shall be sixty percent (60%).
16. *Exception For Specified Structures:* This limitation shall not apply to attached accessory structures, nor to air conditioning units, antennas, or antenna support structures, nor to any accessory structure protected by a fire separation wall approved by the village manager. (Ord. 92-43, §§ 2A, B, 3, 10-6-1992; Ord. 95-10, §§ 4A, 5, 6, 3-21-1995; Ord. 95-15, § 2B, 4-24-1995; Ord. 95-33, §§ 3A, B, 10-3-1995; Ord. 99-6, §§ 2, 7A, 3-2-1999; Ord. 99-34, §§ 2A, B, 8-3-1999; Ord. 99-51, § 2, 11-2-1999; Ord. O2001-10, § 2, 3-6-2001; Ord. O2002-76, § 2, 12-17-2002; Ord. O2003-01, § 2, 2-4-2003; Ord. O2007-09, § 2, 1-23-2007; Ord. O2007-10, § 2, 1-23-2007; Ord. O2008-42, 8-12-2008; Ord. O2010-10, § 3, 2-1-2010)

# **EXHIBIT B**

### **10-6-3: R2 - SINGLE-FAMILY RESIDENCE DISTRICT:**

#### **A. Permitted Uses:**

Accessory uses and buildings, incidental to and on the same zoning lot as the principal use.

Churches, synagogues and other places of religious worship, including any related parsonage, convent or retreat house.

Single-family detached dwellings. (Ord. 01-2167, 5-21-2001)

#### **B. Conditional Uses:**

Churches, synagogues and other places of worship including any related parsonage, convent or retreat house in cases where said building or structure does not meet the minimum requirements of chapter 4, "Development Standards Of General Applicability", of this ordinance, this chapter, and chapter 11, "Floodplain And Storm Water Management", of this ordinance or where a use does not qualify as an accessory use of said church, synagogue or other place of worship.

Daycare centers located in institutional buildings (e.g., churches, schools, etc.).

Libraries, publicly owned not for profit.

Municipal utility and service uses including fire stations, police stations, waterworks, reservoir, pumpingstations and filtration plants.

Planned developments.

Private utilities including substations, transmission facilities and related facilities and telecommunication towers, antennas, and personal wireless services facilities, but prohibiting transmitting or receiving telecommunication towers greater than forty five feet (45') in height.

Public parks and playgrounds.

Public swimming pools and aquatic centers.

Schools, public and private including elementary, junior high, and high schools, but excluding colleges, universities, and trade schools. (Ord. 01-2167, 5-21-2001; amd. Ord. 07-2432, 1-22-2007)

C. **Minimum Lot Area:** Six thousand two hundred (6,200) square feet.

D. **Minimum Lot Width:** Fifty feet (50'), except that lots platted after the effective date hereof shall be not less than sixty feet (60') in width. (Ord. 92-1855, 12-14-1992)

E. **Minimum Yard Requirements:**

1. **Front yard:** Thirty feet (30'), provided that when a block is occupied by buildings which existed at the effective date hereof, the front yard setback for any new building shall be in conformity with the average front yard setback of existing buildings along the same block face, but need not exceed fifty feet (50'). (Ord. 97-2009, 5-27-1997)

2. **Corner side yard:** Fifteen feet (15'). (Ord. 92-1855, 12-14-1992)

3. **Interior side yard:** For all lots, including corner lots, and reversed corner lots platted prior to October 1, 1999, the interior side yard shall be ten feet (10') or ten percent (10%) of the lot width, whichever is less. For interior lots only, the other yard shall be not less than ten feet (10') in width.

For reversed corner lots, platted after October 1, 1999, the corner side yard shall be a minimum of fifteen feet (15') and not less than the average setback of existing dwellings along the same block face yet not be required to be greater than the required front yard setback of the district. (Ord. 99-2097, 9-27-1999)

4. **Rear yard:** Thirty feet (30'). (Ord. 92-1855, 12-14-1992)

F. **Maximum Building Height:** Thirty five feet (35') or two and one-half (2<sup>1</sup>/<sub>2</sub>) stories, whichever is less. In no case shall building height exceed thirty eight feet (38') as measured from the sidewalk level, or its equivalent established grade, opposite the middle front of the building to the top of the highest gable. (Ord. 99-2082, 4-26-1999, eff. 8-1-1999)

G. **Maximum Building Coverage:** The surface coverage of all principal and enclosed buildings and structures shall not exceed thirty percent (30%) of the lot area. Notwithstanding the above, the maximum allowable building coverage shall be reduced by four hundred forty (440) square feet and said reduction shall be allocated for garage space, attached or detached, present or future. (Ord. 99-2081, 4-26-1999)

H. **Floor Area, Gross (For Determining Allowable Area In One- And Two-Family Residential Districts):** Except as hereinafter provided, the sum of the gross horizontal areas of all floors of all stories and partial stories of a building, or such area devoted to a specific use, measured from the exterior face of exterior walls or from the centerline of walls

separating two (2) buildings or uses. The application of the gross floor area regulations shall be in conformance with appendix B that is an integral part of this ordinance. (Ord. 99-2082, 4-26-1999, eff. 8-1-1999)

# **EXHIBIT C**

sides, then the minimum front yard applicable to the subject lot may be reduced to the average of (i) the setback of the building on any abutting developed lot and (ii) 35 feet, but only if such average is less than 35 feet and provided, however, that no such front yard shall be less than 25 feet.

9. Side and Rear Yard Regulations for Accessory Uses and Structures. Except as otherwise provided herein, parking areas wherever located and other detached accessory uses and structures when entirely located within the rear 30 feet of a lot shall not be required to maintain an interior side or rear yard in excess of three feet. This regulation shall not apply to residential recreational facilities or antennas and antenna support structures. No accessory use or structure, or combination of such uses or structures, located within an otherwise required side or rear yard pursuant to this Paragraph shall occupy more than 40 percent of any such required yard. **Refer to subparagraph 9-101C4(c)**
10. Exception for Decks. Coverage by decks shall not be included in determining the amount of building coverage. (Building Coverage: The percentage of a lot's area covered, whether at grade or above grade, by any portion of a building or structure, including without limitation porches; provided, however, that the only portion of any eaves on a single family detached dwelling that shall be included in the calculation of building coverage are those portions of eaves that extend within three feet of any lot line.  
  
See also Subsection 16-102L, "Lot Coverage," of this Section.)
11. Exception for Specified Accessory Structures. This limitation shall not apply to air conditioning units, antennas, or antenna support structures, nor to any

# Village Board Agenda Memo

Date: August 13, 2013

To: President & Board of Trustees

From: Emily Rodman, Assistant Village Manager 

Julia Cedillo, Village Manager

RE: Zoning Application No. 2013-02: 23 E. 31<sup>st</sup> Street – Special Use Permit Doggy Day Care/Boarding

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## GENERAL BACKGROUND:

On July 16, 2013, the Zoning Board of Appeals (ZBA) conducted a public hearing to consider Zoning Application No. 2013-02, filed by Kathy Wakai and Jeff Ironside to request a special use permit to allow for the operation of a combined doggy day care/boarding facility at 23 E. 31<sup>st</sup> Street.

The primary use of the facility will be to board dogs, both during the day and overnight. Accessory grooming will also be provided and will be located at the front of the facility to provide a visual street presence. The operation will also include a small accessory retail sales component and may include weekly small group training classes.

The proposed use would operate 24 hours a day year-round with limited public hours. All dogs would be boarded inside of the building, with cage-free indoor and outdoor recreation areas provided. The facility will be staffed 24 hours a day.

The ZBA accepted testimony and evidence into the record. Upon conclusion of the testimony and discussion, the ZBA determined that the application met the standards for a special use permit and recommended that the Village Board approve the zoning application and grant the special use permit.

## MOTION/ACTION REQUESTED:

**This matter is being placed on the agenda for the August 13, 2013 Village Board Work Session for discussion. If there is consensus to support the approval of the Ordinance, this matter will be placed on the August 27, 2013 Village Board Meeting Agenda for approval.**

*Motion to approve a special use permit for a kennel/dog "day care" service with accessory grooming for the property located at 23 E. 31<sup>st</sup> Street.*

## RECOMMENDATION:

The ZBA, on a vote of 4 "AYES" and 0 "NAYS" has recommended that the zoning application be approved.

## DOCUMENTATION:

- Transcript of the public hearing for Zoning Application No. 2013-02
- Findings of Fact
- Ordinance granting variations special use permit for 23 E. 31<sup>st</sup> Street
- Zoning application (previously distributed)
- Memo dated July 10, 2013, from Chief McCollum (distributed to ZBA on July 16, 2013)

BEFORE THE VILLAGE OF LAGRANGE PARK  
ZONING BOARD OF APPEALS

JUL 23 2013

IN RE THE MATTER OF: )  
)  
Public Hearing to )  
consider an application )  
for a Special Use Permit )  
for combined dog day ) Hearing No. 2013-02  
care/boarding facility )  
and grooming business on )  
property zoned as C-1 )  
Commercial District )  
located at 23 East 31st )  
Street. )

ZONING BOARD OF APPEALS

PUBLIC HEARING

July 16, 2013

7:00 P.M.

PROCEEDINGS HAD and testimony taken before the  
LAGRANGE PARK ZONING BOARD OF APPEALS, taken at the  
LaGrange Park Village Hall, 447 North Catherine Avenue,  
LaGrange Park, Illinois, before MARY FAILLO, C.S.R.,  
qualified in the State of Illinois.

BOARD MEMBERS PRESENT:



**County Court Reporters, Inc.**

County View Centre, Suite 200  
600 South County Farm Road • Wheaton, Illinois 60187  
(630) 653-1622 • FAX (630) 653-4119  
CCR600@Ameritech.net

BOARD MEMBERS PRESENT:

MR. WILLIAM LAMPERT, Chairman Pro Tem

MS. JAMIE ZAURA, Member

MS. CAROLINE DOMAGALSKI, Member

MR. JIM LEE, Member

MS. CATHLEEN KEATING, Village Attorney

MS. EMILY RODMAN, Assistant Village Manager

MS. AMANDA G. SEIDEL, Village Clerk

MR. DEAN MAGGOS, Director of Building & Fire

1           CHAIRMAN PRO TEM LAMPERT:  If I may, I'd like  
2 to convene the public hearing for tonight's Zoning  
3 Board of Appeals meeting.  Tonight, July 16th, 2013,  
4 we have -- the first item is to read into the record  
5 the legal notice for the purpose of our public  
6 hearing.

7           Notice is hereby given that on July 16th, 2013,  
8 a public hearing will be held before the Zoning  
9 Board of Appeals of LaGrange Park, Illinois, in the  
10 Village Hall at 447 North Catherine Avenue at 7:00  
11 p.m., or soon thereafter, for the purpose of  
12 considering petition to grant a Special Use Permit  
13 on property zoned as C-1 Commercial District located  
14 at 23 East 31st Street, LaGrange Park, Illinois.

15           Any interested persons are invited and welcome  
16 to attend the meeting.  All persons interested in  
17 providing testimony at the hearing are welcome to do  
18 so.

19           MS. KEATING:  Before we start taking testimony  
20 at our public hearing tonight I wanted to just  
21 summarize the process by which we will hear  
22 testimony.

1 First thing that's going to happen is all  
2 people, whether you're representing the petitioner  
3 or someone in the -- a member of the public wishing  
4 to comment on the application, anybody who wishes to  
5 give testimony tonight should stand up, and then you  
6 will be sworn in by the court reporter as a group.  
7 Following that, the petitioners will present their  
8 case and put on whatever testimony they wish to put  
9 on. Following that, any member of the audience who  
10 has testimony to give will be allowed three minutes  
11 to give their testimony. After that is finished and  
12 everybody in the audience has had an opportunity to  
13 be heard, the Zoning Board of Appeals will ask any  
14 questions they have of the petitioner, the Village  
15 Staff who has reviewed the petition for the Village,  
16 or myself as the Village Attorney. After that time,  
17 the petitioner will be asked if he or she has any  
18 further testimony to give, and then the Chairman  
19 will entertain a motion to close the public hearing.  
20 Only when the public hearing has been closed will  
21 the Zoning Board of Appeals members begin to discuss  
22 the merits of the application. Before that time,

1 while the public hearing is open, it's a  
2 fact-finding mission only.

3 CHAIRMAN PRO TEM LAMPERT: Before we begin, I  
4 would like also to -- in the packets that the Zoning  
5 Board members received there were over a dozen  
6 e-mails that were submitted to the Village Manager.  
7 The vast majority of them in support of this  
8 petition. But I just wanted to make note that we  
9 won't be reading those specifically verbatim into  
10 the public record but that they were received by  
11 Staff here, and as mentioned, the vast majority of  
12 them were in support of this petition.

13 MS. KEATING: And they will all be incorporated  
14 as part of the official record of this zoning case.

15 CHAIRMAN PRO TEM LAMPERT: Okay. If there is  
16 anybody that would like to give testimony tonight  
17 both for the petition or to speak out on the  
18 petition, we'd like you to please stand and be sworn  
19 in.

20 (Whereupon, the witnesses were sworn  
21 in under oath.)

22 CHAIRMAN PRO TEM LAMPERT: Is it Jeff Ironside?

1 Are you the petitioner?

2 MR. IRONSIDE: Yes.

3 CHAIRMAN PRO TEM LAMPERT: All right. Please,  
4 sir, if you could come to the microphone and state  
5 your case.

6 MR. IRONSIDE: Good evening. My wife Kathy and  
7 myself want to thank you for the opportunity to  
8 present our case here. We have been in business in  
9 Westchester for about six years. We run a very  
10 strong operation. We press safety, health, and fun  
11 for the animals involved. And through your due  
12 diligence I believe you've seen many letters on the  
13 fact into -- that feel strong about our neighbors  
14 and everything else I think is also reflected in the  
15 due diligence performed by -- I believe it was the  
16 Police Commissioner or the Fire Commissioner or  
17 whatever.

18 We think we bring a very strong product to  
19 LaGrange Park. Forty percent of our customer base  
20 is from LaGrange Park. Fifty percent is from  
21 Westchester itself. It is a process that we have  
22 been trying to do for the last couple of years,

1 looking for a new facility type of thing. This one  
2 has come up from the help of Emily, and we think  
3 this will work extremely well for both parties.

4 We are under a little bit of a time constraint  
5 also, so I guess at this point I'm supposed to also  
6 ask if you can find ways to speed up the process in  
7 regards to this. I would appreciate it. We have a  
8 lease that's ending in November in Westchester,  
9 so -- but, again, I want to thank you for the  
10 opportunity. It's been very much a pleasure dealing  
11 with the Village here. Thank you.

12 CHAIRMAN PRO TEM LAMPERT: Thank you,  
13 Mr. Ironside. Actually, at this point, we'd like  
14 to -- if Staff could help clarify the petition this  
15 evening and any additional information. Thank you.

16 MS. RODMAN: Sure. Could I just be sworn in?  
17 (Whereupon, the witness was sworn in  
18 under oath.)

19 MS. RODMAN: I would just like to highlight or  
20 summarize the petition this evening for the benefit  
21 of the Commission and the audience prior to you  
22 sharing your comments and your testimony. The

1 applicants, as they mentioned, are requesting a  
2 Special Use Permit to allow for the operation of a  
3 combined doggy day care and boarding facility at the  
4 building located at 23 East 31st Street.

5 As they mentioned, they currently operate an  
6 existing facility in Westchester, which they will be  
7 moving to this location. The primary use of the  
8 facility is to board dogs both during the day and  
9 overnight. They will also be providing accessory  
10 grooming, which will be located at the front of the  
11 facility to provide a visual street presence for the  
12 use. The operation will include a small component  
13 of accessory retail sales and may include some  
14 weekly small group training classes as well.

15 According to the applicants, the proposed use  
16 will operate 24 hours a day, year round, but it will  
17 only be open to the public during specific hours.  
18 So the hours that it's open to the public are from  
19 7:00 a.m. to 6:00 p.m., Monday through Friday, and  
20 9:00 a.m. to 4:00 p.m. on Sunday, and then I believe  
21 they will also take appointments as well. All of  
22 the dogs will be boarded inside the building in a

1 cage-free format, but there will be a small  
2 fenced-in area behind the building. That would be  
3 the north side of the building. They are proposing  
4 to construct a six-foot privacy fence to allow an  
5 outdoor-activity area so the dogs are able to go  
6 outside during specific times of the day.

7       The property is currently zoned C-1, but a  
8 Special Use is required for them to move forward in  
9 terms of the use being compatible with adjacent  
10 properties and other properties in the area. The  
11 use across the street is commercial. The use to the  
12 north of the property, behind the facility, is  
13 single-family residential. However, the  
14 single-family uses actually start quite a distance  
15 from the facility itself. There is quite a bit of  
16 right-of-way between the facility and the  
17 single-family homes, and there's also a church  
18 that's located there as well. So there's pretty  
19 significant distance between the homes to the north  
20 and the use. And then to the east there is, I  
21 believe, one single-family home, and then some  
22 multi-family properties as well.

1           The use is consistent with the spirit and  
2 intent of the Comprehensive Plan which designates  
3 the property for General Commercial Use and also  
4 designates that this particular commercial corridor  
5 should provide service and retail goods that aren't  
6 available elsewhere in the community.

7           The only other thing that I will mention is  
8 that there are some standards for -- specific  
9 standards for this type of use that the applicant  
10 must meet that relates to the exterior enclosures,  
11 the animal quarters, the fencing that surrounds the  
12 exercise areas, and issues of noise and nuisance  
13 mitigations, and it is Staff's opinion that the  
14 applicant does meet all four of those standards. So  
15 that's all I have at this point in time -- actually,  
16 there's one other thing I'd like to mention. Thank  
17 you.

18           Staff did anticipate that there may be some  
19 concerns from neighboring uses regarding noise and  
20 in particular dogs barking, and in anticipation of  
21 that our Police Department did go out to the  
22 existing facility, which, again, is in Westchester,

1 and spoke with some of the neighbors, the  
2 surrounding neighbors around that facility, and  
3 asked them about their experience with the facility,  
4 if they experienced a lot of noise, if they had  
5 complaints. The Police Department also spoke with  
6 the Westchester Police Department to inquire about  
7 any complaints they had received. They provided  
8 Staff with a memo which has been provided to the  
9 Commission, but I will quickly summarize the results  
10 for the audience. According to the Westchester  
11 Police Department, they in the six or so years  
12 Amusement Bark has been located in Westchester,  
13 they've only received two complaints of barking  
14 dogs. Both of those were in 2011, so that was over  
15 two years ago. And then in regard to the seven  
16 different households that the police department  
17 spoke to, the vast majority of them indicated that  
18 they had no problems with the use. A couple of them  
19 indicated that they occasionally heard barking but  
20 that they didn't find it any more disruptive than  
21 other barking that they would hear in the  
22 neighborhood from neighbors who have dogs. So

1 that's the general summary of what our police  
2 department found in relation to the existing use  
3 kind of anecdotal evidence. And that's all I have  
4 at this point, but I would certainly be happy to  
5 answer any additional questions.

6 CHAIRMAN PRO TEM LAMPERT: Okay. Thank you,  
7 Emily. At this point, are there any members of the  
8 audience that would like to give testimony and/or  
9 ask questions?

10 Okay. You have not been sworn in. We'll need  
11 to swear you in, but -- well, we'll let you go first  
12 then.

13 MS. SOLOMON: My name is Judith Solomon,  
14 S-O-L-O-M-O-N, and I reside at 201 East 31st Street.  
15 I am the single-family residence east of this  
16 particular property that we're discussing, and only  
17 recently within, I suppose, the last week or so I  
18 did receive a certified letter informing me what the  
19 intent was for this property. I am a little  
20 concerned about noise and the fact that  
21 elimination -- bodily elimination for animals needs  
22 to be performed somewhere. I presume it will be

1 indoors for these animals, because there is a  
2 postage stamp lawn in front, and that is the extent  
3 of the facility for that purpose, so I was just a  
4 bit concerned having lived at that property for  
5 40 years that it would be nice if it continued to be  
6 quiet and peaceful, which it has been now for that  
7 time. So I was here more to find out what was going  
8 on, but I am a bit concerned about that 24/7, and  
9 hopefully this facility will be staffed if it's  
10 going to be boarded, because animals do make noise.  
11 And as I previously started to say, my living room,  
12 dining room and kitchen all face this building. I'm  
13 directly across the street in the ranch home, so  
14 that was my purpose to be here is to find out more  
15 information. Thank you.

16 CHAIRMAN PRO TEM LAMPERT: Thank you,  
17 Ms. Solomon. Any more audience members? If you  
18 could please stand and be sworn in.

19 (Whereupon, the witness was sworn in  
20 under oath.)

21 CHAIRMAN PRO TEM LAMPERT: Now you can join us  
22 at the microphone.

1 MS. KAROSAS: All right.

2 CHAIRMAN PRO TEM LAMPERT: And if you could  
3 please state your name and place of residence.

4 MS. KAROSAS: Yes. My name is Janice Karosas.  
5 I live at 1100 West 31st Street in LaGrange Park,  
6 and I've taken my dog to Jeff's facility for three  
7 years. I've been there various hours, various times  
8 of the day to pick up my dog or drop off my dog.  
9 There's never been excessive noise. There's never  
10 been any odor. I've never seen any dog do anywhere  
11 on the facility. It's always clean.

12 They do run a 24-hour facility. There's been  
13 instances where I've had to leave my dog overnight.  
14 I feel so safe because there's someone there all the  
15 time, and I know that, you know, no one would break  
16 in if someone's there, or if there was a fire or  
17 something I know that my dog is cared for and taken  
18 care of by Jeff because someone's always there, so I  
19 really want them to be right down the street, so  
20 that's all. I just wanted to say that.

21 CHAIRMAN PRO TEM LAMPERT: Thank you,  
22 Ms. Karosas. Are there any other audience members

1 that have questions or comments regarding this  
2 petition? And -- I'm sorry. If we could have you  
3 come back to the microphone and just -- if you could  
4 address the question regarding waste disposal that  
5 Ms. Solomon raised, and I think also there was the  
6 question about where in addition to how.

7 MR. IRONSIDE: Okay. Most of the relief  
8 efforts made by the dogs will be done outside on the  
9 north side of the building that would be fenced in.  
10 Okay. We call it a two-bag system for the feces.  
11 We actually use plastic bags to pick up the feces.  
12 It's then put into another plastic bag that is then  
13 like in a garbage can, per se. We have weekly  
14 pickups from Roy Strom that's taken -- you know,  
15 that plastic bag is then put into one of those big  
16 containers type of thing, and so the smell is really  
17 not an issue.

18 In regards to urine itself we can either hose  
19 down or we actually have buckets of water that will  
20 dissipate the urine in regards to the smell. On the  
21 inside that does happen. I mean, we do a lot of  
22 puppies. You know, they come in here type of thing,

1 and I'll have to admit, Frank's facility has a nice,  
2 little drain in the middle for sewage or whatever it  
3 is, and that will serve very much for us because we  
4 can hose it down every night. We can hose down as  
5 it happens.

6 The main thing is -- what you have to remember  
7 is I basically live there. I have staff there 12 to  
8 14 hours a day. We are the first ones that are  
9 going to make sure it's not noisy. We're the first  
10 ones going to make sure it doesn't smell. We're  
11 there all the time. I'm there 24/7 throughout the  
12 year, so we take it very seriously. Again, all I  
13 can do it reference the due diligence, Ms. Karosas.  
14 We take it very serious. We know what it's like.  
15 They're animals. We have to keep them quiet. We  
16 make sure they're playing healthy. We make sure  
17 they're safe.

18 And, again, I don't think anybody else in Cook  
19 County, Du Page, Will, or whatever does a better job  
20 than us, and I can justify that with every single  
21 day care that's in and around the six-county area  
22 have people -- other employees come to us for

1 employment. We run the tidiest ship out there, and  
2 I'm very pleased with my crew, so --

3 CHAIRMAN PRO TEM LAMPERT: Thank you,  
4 Mr. Ironside. If you could stay up there for a few  
5 minutes.

6 MS. RODMAN: If I may, Mr. Chairman, I just had  
7 a couple things I'd like to add. In relation to  
8 noise, I would like to just let the Commission and  
9 the audience know that the Village does have  
10 nuisance regulations in place. I believe the term  
11 in the ordinance is excessive barking. So if it is  
12 deemed that there is excessive barking that's being  
13 carried on at the facility, the Village does have  
14 the ability to ticket the property owner. Obviously  
15 we attempt to work with the property owner to  
16 resolve the issue initially, but we do have  
17 authority to issue tickets or fines if it gets to  
18 that point.

19 In addition to that, related to cleanliness, I  
20 just wanted to add one thing. The Police Chief,  
21 when he was doing some due diligence and was  
22 speaking with the adjacent residents in Westchester,

1 there were a couple of them that specifically  
2 referenced how clean the facility is and how well  
3 the exterior of the facility is maintained. So it  
4 appears they do have a track record of maintaining  
5 the facility very well, so I just wanted to bring  
6 that to everyone's attention.

7 CHAIRMAN PRO TEM LAMPERT: Thank you, Emily.  
8 At this point, are there any questions for our  
9 applicant or Staff from the Board? Ms. Zaura?

10 MS. ZAURA: I had a couple of questions. One  
11 of them is if there is excessive barking, how long  
12 do you let that go on before you bring the dogs in?

13 MR. IRONSIDE: Well, usually when they start  
14 the barking, depending on the number of dogs,  
15 they're brought in immediately.

16 MS. ZAURA: Okay.

17 MR. IRONSIDE: But most of the noise -- and,  
18 again, the two that were referenced in the report I  
19 am unaware of. I have never been approached by the  
20 police in regards to any noise, or any smell, or  
21 anything, so I don't know when that happened. I  
22 would presume that noise is probably -- could be the

1 heaviest first thing in the morning.

2       It's like kids out on the playground. You  
3 know, they come in, they look for their friends,  
4 they're going crazy all over the place. That type  
5 of thing. What helps us a lot is that this outside  
6 area is actually facing north, which then has about  
7 400 yards before you have a church. But, again,  
8 since we're going to be using a solid fence, a lot  
9 of the action that would get the dogs excited,  
10 especially in our Westchester place is when we have  
11 cars driving through, or people on bikes, or  
12 something like that. The dogs aren't going to be  
13 able to see it, so my main concern would be mostly  
14 in the morning when dogs are coming in for the first  
15 time. But, again, we don't let them outside that  
16 long. If we start hearing the barking, we'll just  
17 bring them in right away. That and the howling.  
18 You'll get it once in a while with the fire engines  
19 and stuff like that. You'll get the dogs to start  
20 singing.

21       MS. ZAURA: The fence you had in Westchester.  
22 What's the height of that?

1 MR. IRONSIDE: It is a six-foot fence. It is a  
2 cyclone, not a solid PVC or plastic, so that's a big  
3 change we're making at this facility is making it  
4 solid.

5 MS. ZAURA: And there's never been an issue  
6 with dogs jumping it or --

7 MR. IRONSIDE: No. No. The cyclone fence has  
8 a decorative slat in there, and they can't get their  
9 paws through that to scale it.

10 MS. ZAURA: That's all I wanted to ask. Thank  
11 you.

12 MR. IRONSIDE: All right.

13 CHAIRMAN PRO TEM LAMPERT: Ms. Domagalski?

14 MS. DOMAGALSKI: Yeah. Thank you. How many  
15 dogs would you propose to allow in the facility?  
16 And do you have any weight limitations or size  
17 limitations on the dogs that you accept for  
18 overnight day care or any day care?

19 MR. IRONSIDE: In regards to number of dogs, I  
20 think for the size of the facility we're looking at  
21 there's roughly 35 to 40 is the max that can go in  
22 there.

1 MS. DOMAGALSKI: And is that overnight as well?

2 MR. IRONSIDE: It could be overnight. I think  
3 really the premise, if you're talking about an  
4 open-play, open-sleep environment, if they can play  
5 during the day. They should be able to sleep at  
6 night inside the facility. The most we have ever  
7 had in our facility is about 18, okay. And we're by  
8 far the most expensive overnight facility, because  
9 we have somebody there 24/7.

10 MS. DOMAGALSKI: And that would be my next  
11 question is what is the staffing level relative to  
12 the number of dogs? Do you have a ratio you like to  
13 have in place or --

14 MR. IRONSIDE: It's usually about 1 to 15, 1 to  
15 20, okay. Overnight -- basically what we have is  
16 two personnel during the day care hours, the 7:00 to  
17 6:00, and then after hours is usually just 1.

18 MS. DOMAGALSKI: Okay. So do you have a  
19 process for selecting clients? Do you do an  
20 interview process?

21 MR. IRONSIDE: Yeah. What I do is I do all  
22 evaluations on the weekends when there are less

1 dogs. They have to fill out -- there's a three-page  
2 registration. We start with that. We need to have  
3 the vaccines, rabies, bordetella, distemper, prior  
4 to them coming in and being introduced to the other  
5 dogs. At that point, during the weekend I bring  
6 them in and slowly introduce them to one, two, three  
7 dogs inside, outside. This way we see if they are  
8 skittish, if they shed teeth or whatever. At that  
9 point, we try to do this quickly in regards to about  
10 15, 20 minutes. That way when they go home right  
11 away. There isn't an issue of being left alone for  
12 a long period of time. We found this works  
13 extremely well. This way the next time the dog  
14 comes in for day care or boarding they already have  
15 the mindset of this isn't permanent, or I know  
16 what's going to happen next kind of thing. I'm not  
17 trying to outsmart the dog, I'm just trying to make  
18 it easier on the personnel.

19 MS. DOMAGALSKI: What about Village tagging?  
20 Do you require them to have updated tags? Our  
21 deadline is coming up in the next couple weeks.

22 MR. IRONSIDE: I'll be honest. We have never

1 approached that. I have no idea if Westchester even  
2 requires it. And, again, we deal with -- to be  
3 honest with you, we have about 7 to 800 dogs in our  
4 database from different cities and stuff like that.

5 Again, being run by the Department of  
6 Agriculture in the State, I am required to have  
7 distemper, bordetella, and rabies. Bordetella is  
8 our own ply, but outside of tags I never really  
9 approached it, because usually when the dogs come  
10 in -- I shouldn't say usually. Every time the dogs  
11 comes in we take collars and leashes off. When  
12 they're playing in the facility, there's nothing on.  
13 I don't want dogs grabbing onto stuff like that.  
14 There's where you have issues with broken teeth and  
15 stuff like that. I mean, if it's something that we  
16 need to do, I'm sure we can. I mean, we, you know,  
17 every day update vaccines. We contact vets to make  
18 sure everything is up to date, because we don't know  
19 when the State is going to come in and do an audit.

20 MS. DOMAGALSKI: In our Staff memo it says the  
21 last group exercise time for dogs is 10:00. How  
22 long does that last? Is it just like -- just quick,

1 take them out, let them do their duty, and bring  
2 them back in?

3 MR. IRONSIDE: Yes.

4 MS. DOMAGALSKI: So if you got 18, 20 dogs, is  
5 it like three at a time, four at a time, or do they  
6 all go out?

7 MR. IRONSIDE: No. I just let them all run out  
8 and do their duty and come in.

9 MS. DOMAGALSKI: All right. And then do any  
10 during the day -- or I guess primarily during the  
11 day, I would imagine, are there any outside walks  
12 from the facility? Do your staff take them out?

13 MR. IRONSIDE: No. That's an insurance  
14 nightmare, to be honest with you. I mean, we have  
15 approached a couple of dog walkers, you know. If  
16 somebody has a long-term boarding, they may have --  
17 I mean, not every dog comes five days a week, so if  
18 they're here one, two times a week, they use dog  
19 walkers on the other days, and if they wanted to  
20 bring the dog walker in and say, okay, we're going  
21 to take whoever for a dog walk, you know, it's fine  
22 as long as I have the approval of it, but normally

1 they don't need to be walked. They're --

2 MS. DOMAGALSKI: They're fine.

3 MR. IRONSIDE: It's a tumbleweed at times.

4 MS. DOMAGALSKI: Okay. I had a question about  
5 licensing, but it sounds like you're pretty well  
6 managed by the State and the Feds.

7 MR. IRONSIDE: Yeah. They're the ones that we  
8 have to provide a certificate, yes.

9 MS. DOMAGALSKI: Okay. And then my last  
10 question is, you know, I looked through the drawings  
11 and things. I would imagine you're going to do some  
12 new signage in the front of the building. Are there  
13 going to be any other changes to the exterior?

14 MR. IRONSIDE: As a matter of fact, that was  
15 one of my notes for Emily later too. If all goes  
16 well, what do I need? What's your requirements, or  
17 what can I do in regards to signage? Because  
18 that's -- whatever the Village wants, I'll give you,  
19 you know, so --

20 MS. DOMAGALSKI: That's nice.

21 MR. IRONSIDE: Again, it's a pleasure dealing  
22 with somebody that wants to promote business, so I

1 can't take that lightly.

2 MS. DOMAGALSKI: Okay. I think -- oh, my last  
3 question is -- okay. You already -- okay. That's  
4 it. That's everything for me.

5 CHAIRMAN PRO TEM LAMPERT: Thank you,  
6 Ms. Domagalski. Mr. Lee, any questions or comments?

7 MR. LEE: Just a short few. First of all, you  
8 mentioned the end of the day is 10:00 p.m., and the  
9 business opens at 7:00 a.m.

10 MR. IRONSIDE: Yes.

11 MR. LEE: Are the dogs all let out at 7:00  
12 a.m.?

13 MR. IRONSIDE: Yes.

14 MR. LEE: Okay. So morning starts at 7:00  
15 a.m., evening ends around 10:10, and then, you know,  
16 everything outside of that is the dogs are kept  
17 within the facility.

18 MR. IRONSIDE: Yes.

19 MR. LEE: Was there -- I'm not sure if this is  
20 a question for you, Mr. Ironside. There was someone  
21 who had written in. Rebecca Lafara was the name.  
22 And I think you had offered to take her over to the

1 Westchester facility if she had concerns. Was there  
2 any follow up, or did you hear anything else on  
3 that?

4 MR. IRONSIDE: No. I did not hear.

5 MS. RODMAN: If I could just add, I did follow  
6 up with her as well, and I saw that Mr. Ironside had  
7 responded, but I provided a response as well from  
8 the Village perspective on our regulations and  
9 enforcement options, and she just responded back,  
10 thank you for addressing my concerns. It didn't  
11 appear she had any issue.

12 MR. LEE: Okay. And one other item on Staff  
13 question on page two, paragraph three. When we're  
14 talking about the Comprehensive Plan, the purpose is  
15 to provide for Commercial Uses that are more  
16 automobile-oriented in nature. The proposed use  
17 meets this objective. Perhaps you can just  
18 elaborate on what that means, automobile-oriented,  
19 and how this fits in.

20 MS. RODMAN: Sure. So that language is taken  
21 directly from the Comprehensive Plan, and typically  
22 when you're talking about automobile-oriented in

1 nature, because that is a heavily-traveled corridor  
2 where traffic moves fairly quickly, it's not a  
3 corridor where you would anticipate to see a lot of  
4 pedestrian-friendly uses, the uses that attract  
5 people to walk and mingle. You usually see the more  
6 automobile-oriented uses which are more destination  
7 uses where people will drive to that particular  
8 business location, do whatever business they need to  
9 conduct, get back in their car and leave. That's  
10 the type of use you typically see on these types of  
11 corridors, and so this particular use, because  
12 people will be most likely driving with their dogs.  
13 Obviously people could walk with their dogs if they  
14 live in the area, but most of them, I presume, would  
15 be driving, would be bringing their dogs in and out  
16 of the facility from their car.

17 MR. LEE: Thank you. That's helpful. I don't  
18 have any other questions.

19 CHAIRMAN PRO TEM LAMPERT: All right. Just one  
20 clarification question, if I may. The island that's  
21 to the north. That is Village property?

22 MS. RODMAN: Yes. It's in that little -- I

1 guess I'll call it an intersection. That little  
2 triangle of Village right-of-way. But it is Village  
3 property as far as I know.

4 CHAIRMAN PRO TEM LAMPERT: And then the church  
5 owns to the north of that.

6 MS. RODMAN: Yes.

7 CHAIRMAN PRO TEM LAMPERT: Okay. Thank you.  
8 Anything else then for Staff or our applicant?  
9 Okay. Mr. Ironside, thank you very much.

10 MR. IRONSIDE: Thank you.

11 CHAIRMAN PRO TEM LAMPERT: Okay. At this  
12 point, if I can have a motion to close the public  
13 hearing.

14 MR. LEE: So moved.

15 MS. DOMAGALSKI: Second.

16 CHAIRMAN PRO TEM LAMPERT: All those in favor.

17 (Whereupon, there was a collective  
18 aye response from the Board.)

19 CHAIRMAN PRO TEM LAMPERT: Thank you. We're  
20 going to at this point closed the public hearing.  
21 You're welcome to stay and listen to deliberations  
22 with the Zoning Board of Appeals and Staff. We

1 appreciate you coming out tonight.

2 (Whereupon, the public hearing was  
3 closed.)

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1 STATE OF ILLINOIS )

) SS.

2 COUNTY OF DU PAGE )

3

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I, MARY FAILLO, C.S.R. No.

6 084-004565, duly qualified by the State of Illinois,

7 County of Du Page, do hereby certify that at the

8 request of LAGRANGE PARK ZONING BOARD OF APPEALS,

9 subject to the usual terms and conditions of County

10 Court Reporters, Inc., reported in shorthand the

11 proceedings had and testimony taken at the public

12 hearing of the above-entitled cause, and that the

13 foregoing transcript is a true, correct and complete

14 report of the entire testimony so taken at the time

15 and place hereinabove set forth.

16

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MARY FAILLO, C.S.R.

21

22

**FINDINGS OF FACT**  
**VILLAGE OF LA GRANGE PARK ZONING BOARD OF APPEALS**  
**SPECIAL USE PERMIT – 716 E. 31<sup>ST</sup> STREET**  
**CASE #2013-02**

**WHEREAS**, Jeff Ironside and Kathy Wakai (Applicants) on or about June 10, 2013, filed an application for Site Plan Review and an application for a Special Use Permit to operate an doggy day care/boarding facility with accessory grooming at 23 East 31<sup>st</sup> Street, referred to as “Subject Property”; and

**WHEREAS**, a public hearing was held before the Zoning Board of Appeals of the Village of La Grange Park, Illinois, on July 16, 2013, pursuant to notice and publication as required by law; and

**WHEREAS**, the public hearing was opened at approximately 7:00 p.m. on July 16, 2013, and pursuant to a unanimous vote of the members of the Zoning Board of Appeals; on July 18, 2013 the public hearing was concluded; and

**WHEREAS**, with respect to the application for Site Plan Review, at the conclusion of Applicants’ presentation, the Zoning Board of Appeals voted unanimously to approve the Site Plan showing construction of a six (6) foot high solid fence surrounding approximately 650 square feet located at the rear of the Subject Property; and

**WHEREAS**, with respect to the Application for Special Use Permit, based upon documentary evidence and testimony presented by the Applicant and members of the public, the Zoning Board of Appeals makes the following Summary of Facts, and pursuant to Section 4.4E of the La Grange Park Zoning Code, makes the following Findings of Fact:

The Subject Property Realty is currently zoned C-1 Commercial Corridor District and the proposed doggy day care/boarding use requires a Special Use Permit. The Applicants currently operate a facility, Amusement Bark, in Westchester and would like to relocate their facility to La Grange Park. The primary use of the facility will be to board dogs, both during the day and overnight. Accessory grooming, accessory retail sales and small group training classes will also be provided. The proposed use would operate 24 hours a day year-round, and would be open to the public during restricted hours Monday through Saturday. All dogs will be boarded inside of the building, with cage-free indoor and outdoor recreation areas provided. The facility will be staffed 24 hours a day. The Applicants are proposing to construct a 6’ high solid vinyl fence to enclose approximately 650 square feet of existing paved area located behind the building to provide an outdoor recreation area for the dogs.

- 1. The establishment, maintenance and operation of the special use in the specific location proposed will not endanger the public health, safety or general welfare of any portion of the community.**

All dogs entering and exiting the facility will be under the control of their owners, either on leash or within a carrier. Once inside the facility, the dogs will be boarded in a secured area. Access to

the open boarding area will be restricted to trained staff. Access to the outdoor fenced recreation area will be from the interior only. The facility will be under 24 hour supervision at all times. The existing site has adequate parking both adjacent to the facility (on the east) and behind the facility (to the north) so that patrons may safely enter/exit the facility by way of public sidewalk.

**2. The proposed special use is compatible with adjacent properties and/or other properties within the immediate vicinity of the special use.**

The proposed service use is consistent with other service and retail uses along the 31st Street corridor and provides a service that is not currently available in the community. Other similar uses along the corridor include Arbor Animal Hospital, Catnap from the Heart and La Grange Park Animal Hospital.

**3. The special use in the specific location proposed is consistent with the spirit and intent of this Code and the Comprehensive Plan.**

The Comprehensive Plan designates this property for "general commercial" use which "is intended to provide for office and retail establishments that offer a wide range of goods and services in locations that abut or front on heavily travelled arterials. The purpose is to provide commercial uses that are more automobile-oriented in nature." The proposed use meets this objective and provides a service that is otherwise not available in the community. Additionally, the proposed use will adhere to all other regulations of the Zoning Code.

**Regarding the request for a Special Use Permit outlined above, the Zoning Board of Appeals voted as follows:**

**AYES:** Lampert, Lee, Dolmagalski, Zaura

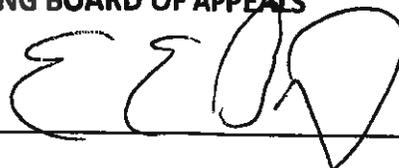
**NAYS:** None

**ABSENT:** Boyd, Fosberg, Studwell

**RESPECTFULLY SUBMITTED** this 6<sup>th</sup> day of August, 2013.

**VILLAGE OF LAGRANGE PARK  
ZONING BOARD OF APPEALS**

By: \_\_\_\_\_



**ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE GRANTING SPECIAL USE  
PERMIT FOR A DOGGY DAY CARE/BOARDING FACILITY LOCATED AT 23 E. 31<sup>ST</sup> STREET  
(PUBLIC HEARING NO. 2013-02)**

WHEREAS, Kathy Wakai and Jeff Ironside (Applicants), on or about June 10, 2013, filed an application for Site Plan Review and an application for a Special Use Permit to operate an doggy day care/boarding facility with accessory grooming at 23 East 31<sup>st</sup> Street; and

WHEREAS, a public hearing was held before the Zoning Board of Appeals of the Village of La Grange Park, Illinois, on July 16, 2013, pursuant to notice and publication as required by law; and

WHEREAS, upon conclusion of the public hearing the Zoning Board of Appeals recommended to the Village Board of Trustees that it grant the special use permit, based upon certain Findings of Fact, a true and correct copy of which is attached to this Ordinance; and

WHEREAS, the Board of Trustees of the Village of La Grange Park, have reviewed the Application, public notice and Findings of Fact, and have publicly discussed this issue at a Village Board Work Session on August 13, 2013.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange Park, Cook County, Illinois as follows:

**SECTION 1:** That a Special Use Permit is hereby granted for a doggy day care/boarding facility with accessory grooming on property located at 23 East 31<sup>st</sup> Street.

**SECTION 2:** That all necessary permits may be issued by the Village of La Grange Park, subject to further compliance with this Ordinance and all other applicable Village Ordinances and Codes.

**SECTION 3:** That this Ordinance shall become effective and shall be in full force and effect from and after its passage.

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES of the Village of La Grange Park, Cook County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Dr. James L. Discipio, Village President

ATTEST: \_\_\_\_\_  
Amanda Seidel, Village Clerk

Vote taken by the Board of Trustees on passage of the above ordinance:

AYES:

_____	_____
_____	_____
_____	_____
_____	_____

NOS:

_____	_____
_____	_____
_____	_____
_____	_____

CERTIFIED TO BE CORRECT:

\_\_\_\_\_  
Village Clerk

APPROVED AS TO FORM  
VILLAGE ATTORNEY: 7/31/13

MEMORANDUM

**TO:** Emily Rodman, Assistant Village Manager  
**FROM:** Chief McCollum   
**SUBJECT:** Bow Wow Beach/Amusement Bark Dog Day Care Facility  
**DATE:** July 10, 2013

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Following our discussion yesterday, and in anticipation of the ZBA review of a possible new business locating within LaGrange Park, I did some further research on the current dog day care facility doing business as Bow Wow Beach/Amusement Bark at 1923 Mannheim Road in Westchester, Illinois. Here is what I found:

According to information provided by the Westchester Police Department, in 2010, there were 2 complaints of barking dogs at the location. In 2011, there were 2 additional complaints of barking dogs. The last complaint received until today's date was on May 8, 2011.

Commander Rompa and I conducted neighborhood interviews at residences in close proximity to the current business. The following are the responses we received:

1922 Balmoral	Sometimes it's loud in the mornings for a short period of time.
1930 Balmoral	No problems. If dogs bark, they take them in.
1934 Balmoral	Dogs bark occasionally. Not a problem.
1942 Balmoral	Dogs sound like they're fighting sometimes. Doesn't last long.
1946 Balmoral	No problems.
10319 Bond	No problems. Has seen the interior of the business and interacted with the staff. Feels the business is an asset to the community. Good neighbors.
10339 Bond	No problems at all.

I hope this information proves useful. Please contact me if you have any questions or need any additional information.

# **Public Safety Committee**

**Mario Fotino, Chairman**

**Patricia Rocco**

**Robert Lautner**

# **Village Board Agenda Memo**

**Date:** August 1, 2013

**To:** Village President and Board of Trustees

**From:** Dean J. Maggos - Director of Fire, Building and Emergency Management  
Julia Cedillo - Village Manager

**Re:** Emergency Management – Overview of Plans, Training, and Village Official Response

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This memo is to inform you that in the upcoming months, an Executive Session is being planned to follow a Work Session or Board Meeting, to provide the Village President and Board of Trustees with an overview of the various aspects of Emergency Management as they relate to our Village.

This information is being handled in an Executive Session in accordance with Subsection (c) (8) of the Open Meetings Act, which provides for an exemption for the discussion of "Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property".

The goal of the session will be to discuss the context and status of the various local plans that exist related to Village response to larger scale emergencies, local disasters, and public health crises. More specifically, the various roles that staff and elected officials have in regards to training, preparation and response will be reviewed. This session will hopefully provide the Village President and Board with updated information, and for newer Village Board members, a solid base of information about emergency management within the Village.

Should any Village Board member have any questions prior to this session, or if they would like for a specific topic related to Emergency Management be included for discussion at this session, please feel free to contact me.

# **Public Works Committee**

**Scott Mesick, Chairman**

**Michael Sheehan**

**Mario Fotino**

# **Village Board Agenda Memo**

Date: 8/6/2013

To: President and Board of Trustees

From: Brendan McLaughlin, Public Works Director  
Julia Cedillo, Village Manager

RE: Award of Bid – Relocation of Two Areas of Water Main System on Oak Avenue

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## **PURPOSE:**

Acceptance of lowest bid for relocation of water main systems located at (1) Northeast corner of Oak & Newberry Avenues and (2) Northeast corner of Oak and Kemman Avenues.

## **BACKGROUND:**

During the 2012 Sewer Cleaning & Televising program, televised inspections revealed that two different areas had water main systems running directly through the sewer main.

This project shall consist of the work necessary to relocate those two portions of water main systems identified. The work shall consist of the removal and replacement of water main, pavement removal and replacement, sodding of disturbed parkway areas, and all other necessary work to properly complete this project in accordance with the specifications and bidding documents prepared by the Village's Engineers.

Bid specifications were prepared, and a Notice to Bidders requesting bids was published in the July 17, 2013, Suburban Life newspaper. A bid opening was held on August 1, 2013, and the lowest bidder was Unique Plumbing Co. with a bid of \$63,135.00. Attached is a letter from Hancock Engineering dated August 2, 2013, with a summary of the bid opening and a recommendation that Unique Plumbing Co. be awarded the bid.

In this fiscal year, the Village has budgeted in the Water Fund – Capital Outlay (04-44-4-420) \$53,200 for this project, and additional funds are available in the Water Fund.

## **STAFF RECOMMENDATION:**

Staff is requesting that the lowest bid from Unique Plumbing Co. be accepted.

## **MOTION / ACTION REQUESTED:**

This matter is being placed on the Agenda for the August 13, 2013 Village Board Work Session for discussion. If there is consensus to support the action it will be placed on the August 27, 2013 Village Board meeting agenda for approval.

A motion: (1) to accept the bid from Unique Plumbing Co. in the amount of \$63,135.00; and (2) to authorize the Village President to execute the necessary contract documents.

## **DOCUMENTATION:**

- Letter of Recommendation from Hancock Engineering dated August 2, 2013

August 2, 2013

President and Board of Trustees  
Village of LaGrange Park  
447 North Catherine Avenue  
LaGrange Park, Illinois 60526

Re: Relocation of Water Mains on Oak Avenue  
Bid Opening Results

Dear President and Board of Trustees:

Bids were received for the above referenced project on August 1, 2013. We offer the following comments and recommendations on the bid results.

The plans and specifications for the project were obtained by nine (9) contractors, and the Village received bids from six (6) qualified companies. A summary of the bids received is as follows:

Unique Plumbing Co.	\$63,135.00
Suburban General Construction Inc.	\$64,483.00
Trine Construction Corp.	\$72,657.25 *
Archon Construction Co. Inc.	\$87,100.00
Vian Construction Inc.	\$96,880.00
J. Congdon Sewer Service Inc.	\$124,300.00
Engineer's Estimate	\$53,487.50

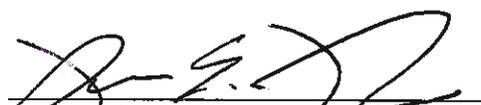
The bids were checked and found to be in order, with the exception of one (\*) minor arithmetic error. The lowest bidder Unique Plumbing Co. is a well-qualified, local Chicago area contractor who has satisfactorily completed municipal projects in the suburban area surrounding Chicago. Therefore, we recommend that the Village accept the bid proposal submitted by Unique Plumbing in the amount of \$63,135.00.

We have enclosed a copy of the bid tabulation for the project and the original bid proposals.

Please feel free to contact our office should you have any questions or require additional information.

Very truly yours,

EDWIN HANCOCK ENGINEERING CO.

  
Paul E. Flood, Principal

Enclosures

cc: Ms. Julia Cedillo, Village Manager (W/Bid Tab)  
Mr. Brendan McLaughlin, Director of Public Works (W/Bid Tab)



## **VILLAGE BOARD AGENDA MEMO**

Date: 8/6/2013

To: President & Board of Trustees

From: Brendan McLaughlin, Director of Public Works  
Julia Cedillo, Village Manager

Re: Request to Add 1100 Block of Newberry to 2013 Paving Program

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### **GENERAL BACKGROUND**

This agenda item is a request that the Village Board authorize a change order to the Contract with Schroeder Asphalt to add the 1100 block of Newberry to the 2013 Paving Program. The Village Board had initially approved a contract to pave the 1100 and 1200 blocks of Beach Avenue. As the Finance Director closed the books on the last Fiscal Year, he reported that there are additional monies available in the Fund Balance, should the Village Board choose to accelerate the road paving program.

The Village Manager asked if Schroeder Asphalt would be able to add this additional section of roadway at the same unit prices previously approved by the Village Board for the 1100 and 1200 blocks of Beach. Schroeder Asphalt and its subcontractors have agreed to extend pricing and all contract terms.

State law permits the Village the ability to increase a contract up to 50%. That equates to \$157,448.32 for this contract. Actual costs will be paid per unit prices in the original contract. This amount is estimated to be \$154,344.79 for the 1100 Block of Newberry.

Attached is a Change Order dated August 5, 2013, from Hancock Engineering outlining the expenditures.

### **MOTION / ACTION REQUESTED:**

Motion authorizing the Change Order to the contract with Schroeder Asphalt for the amount of \$154,344.79, and authorize the Village Manager to execute the Change Order dated August 5, 2013.

### **STAFF RECOMMENDATION:**

Staff is requesting that the Board waive the public bidding requirement as to this paving work. Under 65 ILCS 5/8-9-1, a 2/3 vote of all elected trustees (i.e., the affirmative vote of 4 trustees) is required in order for the Board to waive the taking of public bids for any public improvement in excess of \$20,000. This is accomplished by approving the motion outlined above.

### **DOCUMENTATION:**

- Change Order dated August 5, 2013

## CHANGE ORDER

Change Order No. 1  
Date: August 5, 2013

PROJECT: **2013 Street Resurfacing** (Beach Avenue from 31<sup>st</sup> to 29<sup>th</sup> Streets)

OWNER: Village of LaGrange Park

CONTRACTOR: Schroeder Asphalt Services Inc.

The items outlined below will be added to the contract to extend the limits of the project to the 1100 Block of Newberry, and are hereby made a part of the CONTRACT DOCUMENTS:

### ADDITIONAL QUANTITIES FOR CONTRACT ITEMS:

No.	Item	Quantity	Unit	Unit Price	Total Amount
1.	Comb Curb and Gutter Removal	1,400	Foot	5.40	7,560.00
2.	Sidewalk Removal	500	SqFt	1.90	950.00
3.	Driveway Pavement Removal	250	SqYd	12.00	3,000.00
4.	Pavement Removal	600	SqYd	12.25	7,350.00
5.	HMA Surface Removal (Variable Depth)	2,050	SqYd	4.40	9,020.00
6.	Storm Sewers, DI, Type 1, 10"	12	Foot	83.20	998.40
7.	Storm Sewer, PVC, 10"	12	Foot	62.40	748.80
8.	Storm Sewer, PVC, 12"	93	Foot	43.60	4,033.00
9.	Inlet, Type 1 Frame, Open Lid	1	Each	1,040.00	1,040.00
10.	Res Depth CB, 4' Dia., TY 1 Frame, Open Lid	1	Each	3,120.00	3,120.00
11.	Res Depth MH, 4' Dia. TY Frame, Closed Lid	3	Each	2,600.00	7,800.00
12.	Connection to Existing Structure	1	Each	312.00	312.00
13.	10"x4" catch Basin Trap and Restrictor	1	Each	520.00	260.00
14.	Frames and Lids, Type 1	10	Each	312.00	3,120.00
15.	Frames and Lids to be Adjusted	8	Each	520.00	4,160.00
16.	Structure to be Reconstructed	2	Each	1,248.00	2,496.00
17.	Trench Backfill	42	CuYd	41.60	1,747.20
18.	Domestic Water Service Box to be Adjusted	5	Each	124.80	624.00
19.	Comb Concrete Curb & Gutter, Type B-4.12 (Mod)	1,400	Foot	14.55	20,370.00
20.	Portland Cement Concrete Sidewalk, 5"	500	SqFt	5.20	2,600.00
21.	Portland Cement Concrete Driveway, 7"	250	SqYd	41.60	10,400.00
22.	Portland Cement Concrete Pavement, 8"	110	SqYd	52.00	5,720.00
23.	Detectable Warnings	80	SqFt	20.80	1,664.00
24.	Portland Cement Concrete Base Course, 8"	500	SqYd	9.35	4,675.00
25.	Protective Coat	725	SqYd	1.00	725.00
26.	Deformed Tie Bars	250	Each	9.35	2,337.50
27.	Aggregate (Prime Coat)	4	Ton	1.00	4.00
28.	Bituminous Materials (Prime Coat)	307	Gal	0.01	3.07
29.	Mixture for Cracks, Joints, and Flangeways	2	Ton	300.00	600.00
30.	Leveling Binder (Machine Method) N50	120	Ton	92.50	11,100.00
31.	HMA Surface Course, Mix D, N50	175	Ton	92.50	16,187.50
32.	Incidental HMA Surfacing	3	Ton	200.00	600.00
33.	Topsoil Placement, 3"	1,000	SqYd	3.15	3,150.00
34.	Sodding	1,000	SqYd	7.30	7,300.00
35.	Supplemental Watering	12	Unit	0.01	0.12
36.	Tree Root Pruning	20	Each	73.00	1,460.00
37.	Temporary Fence	400	Foot	5.80	2,320.00
38.	Brick Pavers to be Reset	100	SqFt	10.40	1,040.00
39.	Traffic Control and Protection, Standard 701501	0.5	LS	6,380.00	3,190.00
40.	Traffic Control and Protection, Standard 701801	0.5	LS	104.00	52.00
41.	HMA Surface Removal, Butt Joint	32	SqYd	15.85	507.20

NET CHANGE

\$ 154,344.79

**Change to CONTRACT AMOUNT:**

Original CONTRACT AMOUNT	\$	314,896.65
Net change to CONTRACT AMOUNT by previously authorized Change Orders	\$	0.00
Change to the CONTRACT AMOUNT authorized by this Change Order	\$	<u>154,344.79</u>
CONTRACT AMOUNT including this Change Order	\$	469,241.44

**Change to CONTRACT TIME: Revised Completion Date of September 27, 2013.**

Approvals Required:

By Engineer: \_\_\_\_\_ Edwin Hancock Engineering Co.  
Paul E. Flood, Senior Vice President

By Contractor: \_\_\_\_\_ Schroeder Asphalt Services Inc.  
Micah Higgins, Secretary

By Owner: \_\_\_\_\_ Village of LaGrange Park, Illinois  
Julia Cedillo, Village Manager

# **President's Report**

## **Village Board Agenda Memo**

**Date:** July 16, 2013  
**To:** Village President and Board of Trustees  
**From:** President Discipio  
**Re:** **Police Pension Board Re-Appointment**

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### **GENERAL BACKGROUND:**

Christopher O'Hea's term on the Police Pension Board has expired. I have confirmed with Mr. O'Hea that he would be willing to serve for another term. I offer his name to the Board to be re-appointed to the Police Pension Board to term that expires in May 2015.

### **MOTION / ACTION REQUESTED:**

Motion: Move to advise and consent to the appointment of Christopher O'Hea to the Police Pension Board for a term to expire in May 2015.

### **Police Pension Board**

The Police Pension Fund Board of Trustees is composed of the following individuals who serve two (2) year terms:

- 2 members who are participants in the fund (i.e., 2 police officers)
- 1 member who is an annuitant of the fund (i.e., 1 retired police officer)
- 2 at-large members appointed by the Village President with the advice and consent of the Village Board of Trustees

## **Items of Interest**

**VILLAGE OF LA GRANGE PARK**  
**La Grange Park Village Hall, 447 N. Catherine Ave., La Grange Park, Illinois**

**Illinois Municipal League 100<sup>th</sup> Annual Conference**

**October 17 – 19, 2013**  
**Hilton Chicago Hotel**

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**2013 MEETINGS REMINDER**

August 27, 2013	Village Board Meeting	7:30 p.m.	Village Hall
September 10 2013	Work Session Meeting	7:30 p.m.	Village Hall
September 24, 2013	Village Board Meeting	7:30 p.m.	Village Hall
October 8, 2013	Work Session Meeting	7:30 p.m.	Village Hall
October 22, 2013	Village Board Meeting	7:30 p.m.	Village Hall
November 12, 2013	Work Session Meeting	7:30 p.m.	Village Hall
November 26, 2013	Village Board Meeting	7:30 p.m.	Village Hall
December 10, 2013	Work Session Meeting	7:30 p.m.	Village Hall