

Village of La Grange



VILLAGE BOARD MEETING

MONDAY, AUGUST 27, 2007

7:30 p.m.

Village Hall Auditorium

53 S. La Grange Road

La Grange, IL 60525

Elizabeth M. Asperger
Village President

Robert N. Milne
Village Clerk

VILLAGE OF LA GRANGE
BOARD OF TRUSTEES REGULAR MEETING

Village Hall Auditorium
53 South La Grange Road
La Grange, IL 60525

AGENDA

Monday, August 27, 2007 – 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL

*President Elizabeth Asperger
Trustee Mike Horvath
Trustee Mark Kuchler
Trustee Mark Langan
Trustee Tom Livingston
Trustee James Palermo
Trustee Barb Wolf*

2. PRESIDENT'S REPORT

This is an opportunity for the Village President to report on matters of interest or concern to the Village.

- A. Recognition – Former Village President Thomas F. Brown
- B. Proclamation – Community Diversity Group 16th Annual Race Unity
- C. Appointment – Zoning Board of Appeals
- D. Appointments – Economic Development Advisory Committee

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

This is the opportunity for members of the audience to speak about matters that are included on this Agenda.

4. OMNIBUS AGENDA AND VOTE

Matters on the Omnibus Agenda will be considered by a single motion and vote because they already have been considered fully by the Board at a previous meeting or have been determined to be of a routine nature. Any member of the Board of Trustees may request that an item be moved from the Omnibus Agenda to Current Business for separate consideration.

- A. Ordinance – Variation – Rear Yard / Eric and Christine Wiiken, 56 N. Waiola Avenue
- B. Ordinance – Special Use/Site Plan Approval to Allow Personal Training – Physical Fitness Facility in the C-1 Central Commercial District, 26 S. La Grange Road (Lower Level), Peak Performance, LLC

- C. Purchase – Public Works Department – Replacement of Brush Chipper
- D. Award of Contract – Water System Leak Detection Survey
- E. Purchase – Materials / Central Business District Paver Rehabilitation Project
- F. Purchase – Conversion / Upgrade of Existing Holmatro Rescue Extrication Equipment
- G. Award of Contract – Cossitt Avenue Streetlight Installation Project
- H. Ordinance – Disposal of Surplus Property
- I. Consolidated Voucher 070723
- J. Consolidated Voucher 070813
- K. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, July 9, 2007

5. CURRENT BUSINESS

This agenda item includes consideration of matters being presented to the Board of Trustees for action.

- A. Special Event – La Grange Business Association West End Art Festival / Elephants Under The Big Top: *Referred to Trustee Livingston*
- B. Ordinance – An Amendment To The Agreement For The Demolition Of The Professional Office Building – 5101 South Willow Springs Road, La Grange Memorial Hospital: *Referred to Trustee Horvath*
- C. Ordinance – Maximum Lot Coverage – Single Family Zoning Districts: *Referred to Trustee Langan*
- D. Ordinance – Variation Maximum Building Coverage / Steven and Barbara Wolf, 213 S. Ashland Avenue: *Referred to Trustee Horvath*

6. MANAGER'S REPORT

This is an opportunity for the Village Manager to report on behalf of the Village Staff about matters of interest to the Village.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA
This is an opportunity for members of the audience to speak about Village related matters that are not listed on this Agenda.
8. EXECUTIVE SESSION
The Board of Trustees may decide, by a roll call vote, to convene in executive session if there are matters to discuss confidentially, in accordance with the Open Meetings Act.
9. TRUSTEE COMMENTS
The Board of Trustees may wish to comment on any matters.
10. ADJOURNMENT

The Village of La Grange is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and/or participate in this meeting, or who have questions, regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at (708) 579-2315 promptly to allow the Village to make reasonable accommodations for those persons.

PRESIDENT'S REPORT

VILLAGE OF LA GRANGE
Administrative Offices

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager

DATE: August 27, 2007

RE: **PROCLAMATION - COMMUNITY DIVERSITY GROUP**
16TH ANNUAL RACE UNITY RALLY

We have received a request from the CommUNITY Diversity Group to hold its 16th Annual Race Unity Rally in the Village Hall Auditorium on Sunday, September 9, 2007 beginning at 3:00 p.m. The CommUNITY Diversity Group has also asked the Village to proclaim Sunday, September 9, 2007 "Race Unity Day" in La Grange. Although this event began in response to civil unrest in Los Angeles in the wake of the Rodney King beating, it is an annual reminder that all groups in our community need to work together, to recognize and appreciate our diversity, and to celebrate the Village's rich history and contributions made by its residents.

Members from the CommUNITY Diversity Group will be present at the Village Board meeting to extend a personal invitation to you to attend the rally.

It is our recommendation that the Village Board approve the attached proclamation.

H:\celder\ellie\BrdRpt\RaceUnity07.doc

2-13

PROCLAMATION

**Village of La Grange
"Race Unity Day"
Sunday, September 9, 2007**

WHEREAS, the 16th Annual Race Unity Rally is an event to reaffirm the commitment to achieving race unity in La Grange and surrounding communities; and

WHEREAS, this year, the CommUnity Diversity Group calls the Village together for a joyous weekend celebration of human diversity culminating with Race Unity Day; and

WHEREAS, the concept of unity and diversity is deeply rooted in the fabric of our American society; and

WHEREAS, much progress has been made in the legislative arena, we have much to do yet to bring us together on a personal level; and

WHEREAS, the Race Unity Rally will demonstrate the commitment of the people of the Village of La Grange and surrounding communities to the principle that all are created equal and come together in recognition of the oneness of humanity;

NOW, THEREFORE, I, Elizabeth M. Asperger, President of the Village of La Grange, and we the Board of Trustees of the Village of La Grange do hereby proclaim that Sunday, September 9, 2007, is

"RACE UNITY DAY"

We urge all residents of our community to resolve this day to promote in ourselves, our community, state and nation those qualities and attributes which will generate the recognition that all humanity belongs to one family, to fight prejudice wherever it is found, and to assure that all persons have equal opportunities regardless of their race.

Dated at the Village of La Grange, Illinois this 27th day of August, 2007.

Elizabeth M. Asperger, Village President

Robert N. Milne, Village Clerk

2-B.1

VILLAGE OF LA GRANGE
Administrative Offices

BOARD REPORT

TO: Village Clerk and Board of Trustees
FROM: Elizabeth M. Asperger, Village President
DATE: August 27, 2007
RE: **APPOINTMENT - ZONING BOARD OF APPEALS**

A vacancy was created on the Zoning Board of Appeals when William Holder, a member of the ZBA since 1999, was recently appointed to serve on the Plan Commission.

To fill Mr. Holder's unexpired term on the Zoning Board of Appeals, I hereby submit the appointment of Rose Naseef for your approval. Ms. Naseef, who resides at 911 S. Stone Avenue, has been a resident of the Village for 10 years. She has indicated her willingness to serve as a member of the Zoning Board of Appeals for a term to expire in the year 2009.

Ms. Naseef's resume will be submitted to you under separate cover.

I recommend that this appointment be approved.

F:\USERS\elder\ellie\BrdRpt\Apptzbanaseef.brd.doc

2-C

VILLAGE OF LA GRANGE
Administrative Offices

BOARD REPORT

TO: Board of Trustees, Village Clerk and Village Attorney
FROM: Elizabeth M. Asperger, Village President
DATE: August 27, 2007
RE: **APPOINTMENTS — ECONOMIC DEVELOPMENT ADVISORY
COMMITTEE (EDAC)**

The Economic Development Advisory Committee has been relatively inactive for the last several years while the Village Board was so actively involved in projects like the Triangle and Parking Structure. I believe that it is time to “reactivate” this very important commission, though, as our Board continues to consider issues presented by growth and development in our community.

The EDAC is currently established as a five-member advisory commission, with Patrick Benjamin serving as Staff liaison. I will shortly provide you with a proposal to expand the number of residents who serve on this commission (in an effort to encourage participation from the various neighborhoods in our community), and to expand the focus and direction of the commission.

In the meantime, I would like to propose that each of the individuals listed below be appointed or re-appointed to the Economic Development Advisory Commission. I have talked to each of these individuals, and each has expressed a desire to either begin or continue to serve the Village in this capacity. Taylor Jaeger has graciously offered to continue in her role as Chairperson of this commission. Therefore, I respectfully submit the following appointments for your consideration.

Board/Commission	Name	Address	Term
Economic Development — assists in the economic development of the Village; to revitalize and improve the business areas within the Village by working with neighborhood groups, community organizations and the Village's business leaders.	Taylor Jaeger, Chair (R)	420 Burlington, #403	2008
	Roger Laven (R)	14 S. Ashland, #210	2008
	Steve Palmer (R)	1010-41 st St.	2009
	Jeff Nowak	515 S. Waiola	2010
	Peter O'Connor	534 Sunset	2010

*R — denotes re-appointments
No annotation means new appointment*

2-P

The resumes of each of the two new appointees, Mr. Nowak and Mr. O'Conner, will be delivered under separate cover.

I recommend that these appointments be approved.

In addition, I would like to personally thank John Moellman and Joleen Tschaikovsky, each of whom has served the Village admirably on the EDAC since 1990. You should be aware that each of these individuals expressed both the desire and willingness to continue to serve the Village as a member of the EDAC, but recognized and appreciated the fact that other residents should have an opportunity to participate as well. As you might expect, I assured both Mr. Moellman and Ms. Tschaikovsky that we would not hesitate to call upon them again in the future!

F:\USERS\elder\ellie\BrdRpt\Apptsedac.brd.doc

2 - p. 1

OMNIBUS VOTE

VILLAGE OF LA GRANGE
Community Development Department

BOARD REPORT

TO: Village President, Village Clerk
Board of Trustees and Village Attorney

FROM: Robert Pilipiszyn, Village Manager
Patrick D. Benjamin, Community Development Director
Angela M. Mesaros, Assistant Community Development Director

DATE: August 27, 2007

RE: **ORDINANCE - VARIATION - REAR YARD /ERIC AND CHRISTINE
WIKEN, 56 N. WAIOLA AVENUE**

Eric and Christine Wiiken, owners of the property at 56 North Waiola Avenue, have applied for a variation from Rear Yard requirements. They wish to replace an existing one-car detached garage in need of significant repair with a new two-car attached garage into the required yard. The subject property is a corner lot located in the R-5 Single Family Residential Zoning District. The property in question is 50 ft. wide by 103.30 ft. deep, which is smaller than typical residential lots that measure 125 ft. deep.

The rear yard requirement for the subject property is 25 feet. Construction of the proposed attached garage would encroach into the required rear yard setback by 20 feet. The Zoning Code allows reduction of any required yard and setback by variation. The requested variation falls within the authorized limits of the Zoning Code.

According to the petitioners, several factors make construction of a two car garage on the subject property difficult: The lot size is shallow compared to typical lots. Therefore, the existing garage is only setback 13 ft. from the house and 0.64 ft. from the property line. The Code requires that a new detached garage be located a minimum 3 ft. from the lot line and 10 ft. from the house. Due to the smaller lot size, any increase of garage size would not provide sufficient space to meet both setback requirements.

On July 19, 2007, the Zoning Board of Appeals held a public hearing on this matter and voted unanimously to recommend that the variation be granted for an attached garage.

In the past, the Village has granted variations for two-car garages as the minimum variation of zoning requirements necessary. Commissioners recommended approval of the two-car garage, because this lot satisfies the standards for unique physical condition and the proposed garage meets the minimum size based on today's standards and previous variation cases.

Staff has prepared the attached ordinance authorizing the variation for your consideration.

4-A

ORDINANCE NO. O-07-

AN ORDINANCE ALLOWING ZONING VARIATION
OF THE VILLAGE OF LA GRANGE

WHEREAS, Eric and Christine Wiiken, owners of the property commonly known as 56 N. Wajola Avenue, La Grange, Illinois, and legally described as follows:

Lots 1 and 2 in Block 21 in Cossitt's first addition to La Grange, being a subdivision of that part of the northwest ¼ of Section 4, Township 38 North, Range 12, East of the Third Principal Meridian lying north of the Chicago, Burlington and Quincy Railroad and South of Naperville Road (Ogden Avenue) in Cook County, Illinois.

have applied for a variation from Paragraph 3-110C4 (Rear Yard) of Chapter 154 of the La Grange Code of Ordinances in order to construct an attached garage on the above referenced property; and

WHEREAS, the Zoning Board of Appeals, as required by law, has conducted a duly noticed public hearing on this matter on July 19, 2007.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LA GRANGE, COUNTY OF COOK AND STATE OF ILLINOIS:

SECTION 1: A variation of 20 feet from Paragraph 3-110C4 (Rear Yard) of Chapter 154 of the La Grange Code of Ordinances, to construct an attached garage on the property, be hereby granted to the owners of the above-referenced property in conformance with the plans submitted to the Zoning Board of Appeals.

SECTION 2: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form for review at the La Grange Village Offices and the La Grange Public Library.

ADOPTED this _____ day of _____, 2007, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

4-A.1

APPROVED by the President and Board of Trustees of the Village of La Grange this
_____ day of _____, 2007.

Elizabeth M. Asperger, VILLAGE PRESIDENT

ATTEST:

Robert N. Milne, VILLAGE CLERK

4-A.2

FINDINGS OF FACT

ZONING BOARD OF APPEALS
OF THE
VILLAGE OF LA GRANGE

President Asperger and
Board of Trustees

July 19, 2007

RE: **ZONING CASE #555: VARIATION – Eric & Christine Wiiken - 56 N. Waiola Avenue, to consider a zoning variation from Paragraph 3-110C4 (Rear Yard Setback) to authorize the construction of an attached garage within the R-5 Single Family Residential District.**

The Zoning Board of Appeals transmits for your consideration its recommendations for a request of zoning variation necessary to construct an addition and attached garage on the property at 56 N. Waiola Avenue.

I. THE SUBJECT PROPERTY:

The property in question is a single family residential lot with a 50 foot width and a depth of 103.30.

II. CHARACTERISTICS OF THE SURROUNDING AREA:

The subject property is located in the R-5 Single Family Residential District.

III. VARIATIONS SOUGHT:

The applicant desires a variation from Paragraph 3-110C4 (Rear Yard) of the La Grange Zoning Code. The applicant wishes to encroach into the required setback by twenty feet. At the public hearing, the applicant requested a variation to allow such construction of an attached garage and addition on the subject property. Paragraph 14-303E1 (a) Authorized Variations allows the reduction of any required yard. The requested variation falls within the authorized limits of the zoning code.

IV. THE PUBLIC HEARING:

After due notice, as is required by law, (including legal publication, posting at the subject property and courtesy notices to owners within 250 feet of the subject property) the Zoning Board of Appeals held a public hearing on the proposed variation in the La Grange Village Hall Auditorium on July 19, 2007. Present were Commissioners Nathaniel Pappalardo, Charles Benson, Jr., Nancy Pierson, Ian Brenson, Kathy Schwappach and Chairperson Ellen Brewin presiding. Also present was Staff Liaison,

4-A-3

Chairperson Brewin swore in Eric and Christine Wiiken, owners of the subject property, 56 N. Waiola, who presented the application and answered questions from the Commissioners:

- The existing family room addition was constructed forty-five years ago; it was poorly constructed and has become an eyesore. The applicants wish to correct and improve the property.
- The depth of the subject lot is 103 feet; the standard lot size is 125 feet deep.

Chairperson Brewin solicited questions from the Commissioners:

- Commissioner Pierson asked if they had signatures in support of the application from the immediate neighbors. Answer: Yes.
- Chairperson Brewin asked if the addition takes up more square footage on the lot than the previous addition. Answer: Yes. Mr. Wiiken stated that thirteen feet of additional depth is required for the new attached garage. They are not adding square footage to the footprint of the addition.
- Commissioner Brenson asked if the proposed garage would have a second story above it. Answer: No. It will only be a single story garage.

Under the provisions of the Zoning Ordinance, no variation shall be granted unless the applicant establishes that carrying out the strict letter of the provisions of this code would create a particular hardship or practical difficulty. Such a showing shall require proof that the variation sought satisfies certain conditions. The following facts were found to be evident:

1. Unique Physical Condition:

This zoning lot, which measures 50 ft by 103.30 ft, is unique, because it is smaller than typical residential lots in the R-5 Single Family Residential District, which measure 125 ft. deep.

2. Not Self-Created:

According to the petitioners, the condition was not self-created. They purchased the property in 1995 and have made no improvements to the property that would affect the required rear yard.

4-A-4

3. Denied Substantial Rights:

The petitioners have stated that the property size is too small to allow construction of a two-car garage, which is typical of garages in La Grange.

4. Not Merely Special Privilege:

For properties similar in size to the petitioners' lot, the maximum allowable gross floor area for a detached garage is 484 square ft, which is the size of the proposed attached garage.

5. Code and Plan Purposes:

With the requested variation, the petitioners' house would meet the Zoning Code requirements for maximum building coverage, side yards and front yards.

6. Essential Character of the Area:

By Code, the petitioners would construct a two-car detached garage, with a firewall, that is setback only 3 ft. from the rear lot line. The proposed attached garage will be setback 2 feet further than this requirement within a 5-foot rear yard.

7. No Other Remedy:

Other remedies for creation of two parking spaces, as required by the Zoning Code, on the subject property include: (1) replacement of the existing one-story addition with an attached garage with a second story and (2) replacement of the existing garage with a one-car garage and concrete parking area in between the garage and house. The Wiikens believe that both of these options would limit the use of their property by not allowing a family room and two car garage, which are both typical of properties in La Grange.

V. FINDINGS AND RECOMMENDATION:

- Chairperson Brewin stated that generally the Village agrees that a one car garage does not meet today's standards.

4-A.5

- Commissioner Pierson stated that if this were a typical 125 ft deep lot, the proposal would comply with the Zoning Code.
- Chairperson Brewin stated that in the past the Village has granted variations for smaller than ordinary lots.
- Chairperson Brewin stated that the zoning code requires two parking spaces; the proposed two-car garage meets the minimum size based on today's standards and previous cases.
- Commissioner Brenson stated that the standard for a *unique physical condition* has been satisfied in this case. He sees no problem with this variation.

There being no further questions or comments from the audience or the Commissioners, a motion was made by Commissioner Benson and seconded by Commissioner Brenson that the Zoning Board of Appeals recommend to the Village Board of Trustees approval of the application submitted with ZBA Case #555.

Motion carried by a roll call vote (6/0/0).

AYE: Pappalardo, Benson, Pierson, Brenson, Schwappach and Brewin.
NAY: None.
ABSENT: None.

BE IT THEREFORE RESOLVED that the Zoning Board of Appeals recommended approval to the Village Board of Trustees of variation from Paragraph 3-110C4 (Rear Yard) to allow the construction of an attached garage and addition at 56 N. Waiola.

Respectfully submitted:

Zoning Board of Appeals of the
Village of La Grange

BY: Ellen Brewin
Ellen Brewin, Chairperson

4-A-6

STAFF REPORT

CASE: ZBA #555 – Eric and Christine Wiiken - 56 North Waiola - Rear Yard

BACKGROUND

(Note: This Staff Report is solely based on information presented in the application and on a physical inspection of subject property and environs, and is not influenced by any other circumstance.)

The petitioners, Eric and Christine Wiiken, wish to replace an existing addition and to replace a 12.3 ft. by 20.33 ft. (250 square ft.) one-car *detached* garage with a 22 ft. by 22 ft. (484 square ft.) two-car *attached* garage on the subject property at 56 N. Waiola Avenue. According to the petitioners, the existing 80-year old garage and 40-year old addition both require significant repair. Construction of the garage would allow the Wiikens to have a two-car garage; however, the proposed project would not meet the zoning requirements for minimum rear yard. The petitioners seek a variation from the required minimum rear yard to construct the proposed addition/attached garage.

Several factors make it difficult to construct a two-car detached garage on the subject property: Due to the shallow lot size, the existing detached garage is setback only 13.30 feet from the house and 0.64 ft. from the rear property line. The Zoning Code requires a 10-foot setback between accessory and principal structures and a (3) three-foot. setback from the property line. Any expansion of the existing detached garage would create a non-conforming setback between the house and garage. Therefore, a building permit could not be issued for construction of a two-car detached garage or expansion of the existing garage.

The proposed attached garage will encroach into the required rear yard setback by 20 ft. In the R-5 Single Family Residential District in which the subject property is located, the rear yard setback requirement is 20% of the lot depth (25 ft. minimum). The rear yard requirement for the subject property is 25 ft. In order to construct the attached garage, the petitioners seek a variation from Paragraph 3-110C4 (Rear Yard) of the Zoning Code. Subparagraph 14-303E1 (a) (Authorized Variations) allows the reduction of any required yard setback. The requested variation falls within the authorized limits of the Zoning Code.

VARIATION STANDARDS

In considering a variation, be guided by the General Standard as outlined in our Zoning Code that "No variation shall be granted pursuant to this Section unless the applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this Subsection."

Unique Physical Condition - *"The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and*

4-A.7

inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot."

This zoning lot, which measures 50 ft by 103.30 ft, is unique, because it is smaller than typical residential lots in the R-5 Single Family Residential District, which measure 125 ft. deep.

Not Self-Created - *"The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid."*

According to the petitioners, the condition was not self-created. They purchased the property in 1995 and have made no improvements to the property that would affect the required rear yard.

Denied Substantial Rights - *"The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision."*

The petitioners have stated that the property size is too small to allow construction of a two-car garage, which is typical of garages in La Grange.

Not Merely Special Privilege - *"The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation."*

For properties similar in size to the petitioners' lot, the maximum allowable gross floor area for a detached garage is 484 square ft, which is the size of the proposed attached garage.

Code and Plan Purposes - *"The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan."*

With the requested variation, the petitioners' house would meet the Zoning Code requirements for maximum building coverage, side yards and front yards.

4-A.8

Essential Character of the Area - *"The variation would not result in a use or development on the subject property that:*

- a. Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or*
- b. Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or*
- c. Would substantially increase congestion in the public streets due to traffic or parking; or*
- d. Would unduly increase the danger of flood or fire; or*
- e. Would unduly tax public utilities and facilities in the area; or*
- f. Would endanger the public health or safety."*

By Code, the petitioners could construct a two-car detached garage, with a firewall, that is setback only 3 ft. from the rear lot line. The proposed attached garage will be setback 2 feet further than this requirement with a 5-foot rear yard.

No Other Remedy - *"There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property."*

Other remedies for creation of two parking spaces, as required by the Zoning Code, on the subject property include: (1) replacement of the existing one-story addition with an attached garage with a second story and (2) replacement of the existing garage with a one-car garage and concrete parking area in between the garage and house. The Wiikens believe that both of these options would limit the use of their property by not allowing a family room and two car garage, which are both typical of properties in La Grange.

4-A.9

STONE

17-033	8-021
16-029	9-022
15-031	10-023
14-030	11-025
13-013 136.3	12-026 100

16-002	7-018
15	8
14-019	9
13	10-013
12	11-014

BELL

100	13-020
57	23
024	025
56	54
29	28
0-032	0-033
2-034	3
5	6

50	49	3-017
LOT A "O"	4	5-018
45-004	6-019	7-020
44	8	9-021
43-005	10-022	11
42	12-036	13
41-006	14-033	15
40	16-024	17
39-039	18	19-025
38	20	21-026
37	21	22-027
36-009	22	23
35-010	23	24
34	25-031	26
33	26	27
32-011	27	28
31-012	28	29
30-013	29	30
29-014	30	31
28-015	31	32

25-001	1-012
24-002	2-013
23-003	3-014
22-004	4-015
21-005	5-016
20-006	6-028
19-007	7-029
18-008	8-019
17-009	9-020
16-010	10-027
15	11
14-026	12-026
13	13

AVE.

STONE

WAIGLA

SPRING

HILLGROVE

4-A.11

113

114



Dec. Doc. 26487758

Dec. 26487760

APPLICATION FOR ZONING VARIATION

Application #
Date Filed:
UARCO #

TO THE PRESIDENT AND BOARD OF TRUSTEES
VILLAGE OF LA GRANGE, ILLINOIS

(please type or print)

Application is hereby made by Eric & Christine Wiiken

Address: 56 N. Waiola Ave. La Grange, Il. 60525 Phone: 708-579-1184

Owner of property located at: 56 N. Waiola Ave. La Grange, Il. 60525

Permanent Real Estate Index No:

Present Zoning Classification: R-5 Present Use: Residence

Ordinance Provision for Variation from Article # 3-110 C4 of Zoning Ordinance, to wit:

Rear yard Setback is (25 feet)

A. Minimum Variation of Zoning requirement necessary to permit the proposed use, construction, or development:

Reduce required setback by 20 feet)

B. The purpose there for, attached two car garage

C. The specific feature(s) of the proposed use, construction, or development that require a variation: Replace existing addition that is 40 years old and replace a 80 year old garage with a two new car garage. Both Addition and garage are in poor condition and can not be repaired in their current state.

4-A.12

PLAT OF SURVEY must be submitted with application. The plat should show any existing buildings on the petitioned property as well as any existing buildings on property immediately adjacent. It should also show any proposed new construction in connection with the variation, including landscaping, fencing, etc.

1. General Standard. The Petitioner must list below **FACTS AND REASONS** substantially supporting **each** of the following conclusions or the petition for variation cannot be granted. (if necessary, use additional page)

a. State **practical difficulty** or **particular hardship** created for you in carrying out the strict letter of the zoning regulations, to wit: We are unable to construct the addition due to our size limitation of property.

b. A reasonable return or use of your property is not possible under the existing regulations, because: We are unable to construct a two car garage .

c. Your situation is unique (not applicable to other properties within that zoning district or area) in the following respect(s): Our property depth (103'-3-5/8"), is shallower than standard village lot (125 feet)

2. Unique Physical Condition. The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

The depth of our lot at 56 N. Waiola is shallower than the standard Village lot in La Grange. We have a small 10 ft. existing yard and need to use every inch of the existing yard to allow us to have and a two car garage.

4-19-13

3. Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid No- Not self created.

4. Denied Substantial Rights. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision. Yes, with our current property size 103'-3-5/8", we will be deprive the ability to have a two car garage and this is due to our property not being a standard lot in the Village of La Grange of (125 feet).

5. Not Merely Special Privilege. The alleged hardship or difficulty is not merely inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.

No- We just want to have a two car garage, and due to our limited size of our current property size (103'-3-5/8"), We need to use every inch of our existing property with being 5'-0" from the property line.

6. Code and Plan Purposes. The variation would not result in a use or development of the subject property that

4-A.14

would be not in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan. The variation will be in harmony with the existing neighborhood and homes on the block.

7. Essential Character of the Area. The variation would not result in a use or development on the subject property that:

- (a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or
- (b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or
- (c) Would substantially increase congestion in the public streets due to traffic or parking; or
- (d) Would unduly increase the danger of flood or fire; or
- (e) Would unduly tax public utilities and facilities in the area; or
- (f) Would endanger the public health or safety.

Our new addition will not cause any variation to the neighborhood. It will not cause any impact as listed from A, B, C, D, E, F.

8. No Other Remedy. There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

A detached garage will not allow enough room for a two car garage to fit with our current small property size (103'-3-5/8"), being far shallower than (125 feet) standard lot in the Village of La Grange. A new two car garage is 22 feet wide and with the required distance of 10 feet from the property line of a detached garage and the 5 feet off the property line leaves 12 feet that is to small of an area for a two car garage. We should not have our minimal space hardship prevent us from being able to have a two car garage as our neighbors.

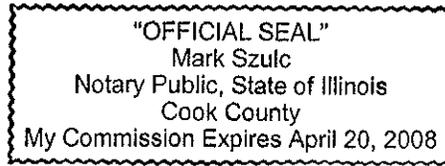
* * *

4-A.15

(Notary Public)

(Seal)

Mark Szulc



Enclosures:

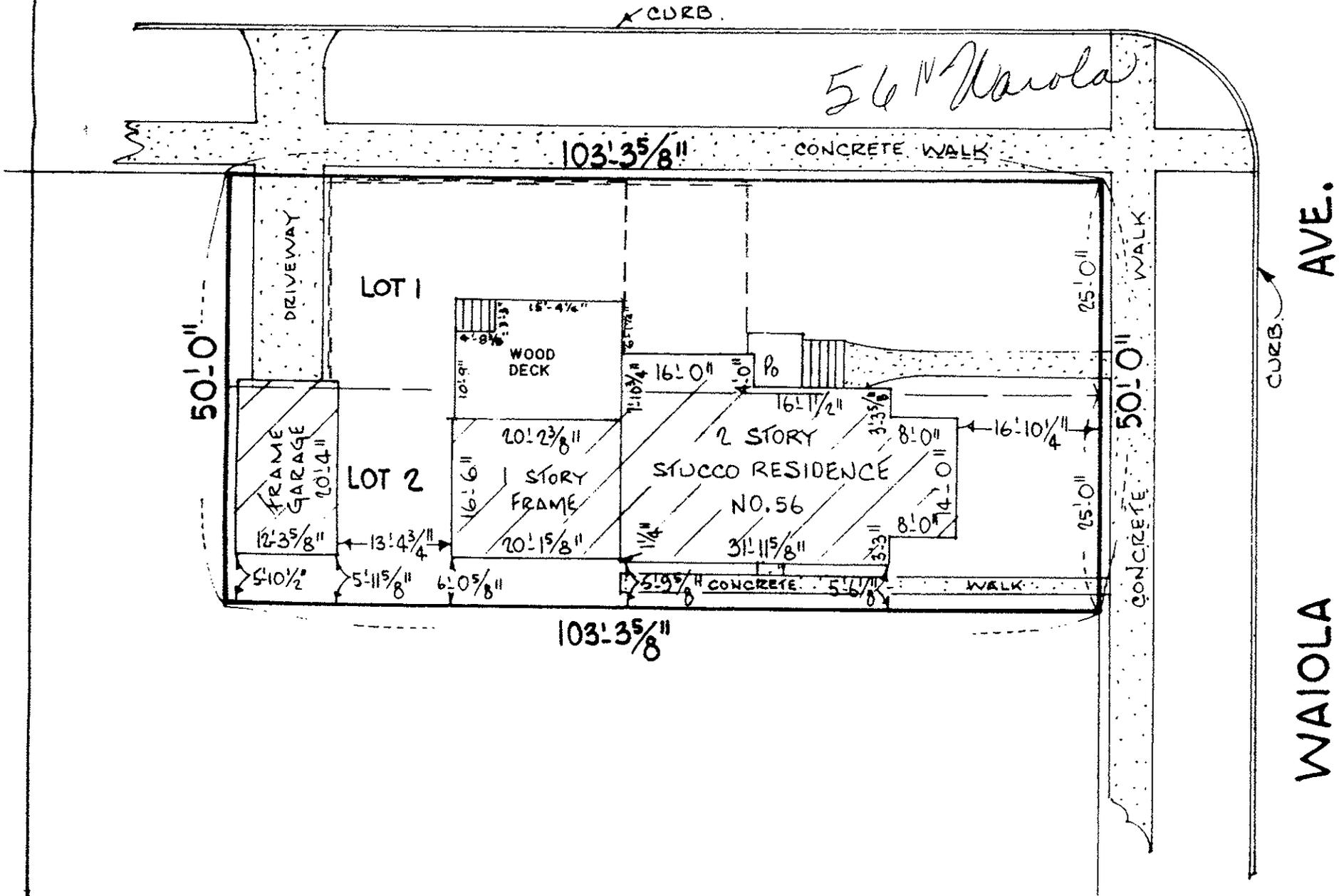
(FOR VILLAGE USE ONLY)

1. Filed with Office of the Community Development Director: 6-7, 20 07.
2. Transmitted to Zoning Board of Appeals at their meeting held: 7-19-07
3. Continuation (if any):
4. Notice of hearing published in: Sub Life on:
5. Findings and Recommendation of Zoning Board of Appeals referred to Village Board at Meeting of:
6. Final Action of Village Board for adoption of amending ordinances or denial of applicant's request at meeting held:
7. Payment of expenses satisfied:

Conditions Imposed:

4-A.17

56 N 148 N 95
14-A-18-N-95



ORDERED BY:
GARY-WHEATON BANK

SCALE 1"=16'

STATE OF ILLINOIS
COUNTY OF COOK

ORDER No. 86D-148-V

NOTES CHECK RECORDS FOR BUILDING LINES, EASEMENTS AND OTHER RE-

I, FRANK T. VANDERWALKER, A REGISTERED ILLINOIS LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY ON THE

5/31/07

President and Board of Trustees

Village of LaGrange, Illinois

To Whom it may concern:

I / we reviewed the proposed addition (as attached) to the Wiiken Residence at 56 North Waiola Avenue and are not opposed to its construction.

Sincerely,

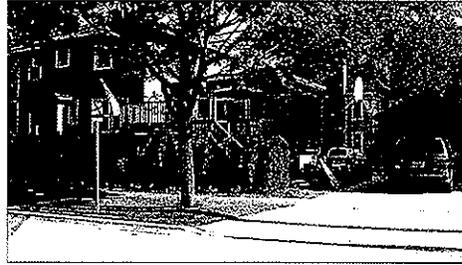
Chris Procca	59 N Stone
Dennis Dwyer	59 N. Stone
Annmarie Dwyer	49 N Stone
Stan Dwyer	47 N Stone
Maria I. Jani	47 N Stone
Ken C. Ryz	49 N WAIOLA
John Dwyer	58 N. WAIOLA
John Dwyer	50 N Waiola
Ken Dwyer	102 N. WAIOLA
Valerie Dwyer	102 N. WAIOLA
Tracy Dwyer	611 Bell
Todd Kay	101 N. Stone
Paul Dwyer	611 Bell
Marta Dwyer	521 Bell
Dan Kenna	50 N. Waiola

4-14-19

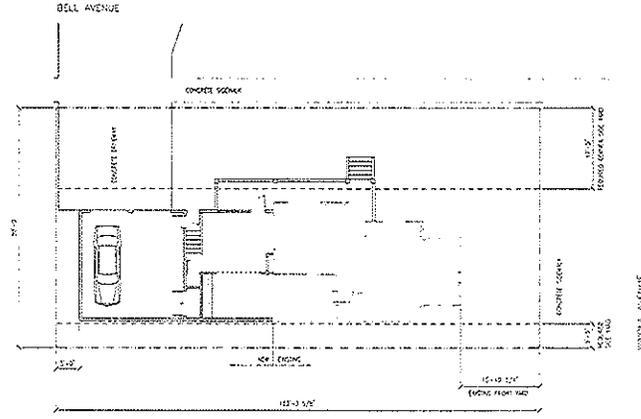
Y-A.20

ADDITION TO WIIKEN RESIDENCE 56 NORTH WAIOLA AVENUE LA GRANGE, ILLINOIS

PROJECT INFORMATION:
OWNER: S.S.
LOT AREA: 2,150 SF
ADDITIONAL LOT CHANGE: 0 SF
EXISTING BUILDING AREA: 381 SF
PROPOSED BUILDING AREA: 912 SF
TOTAL BUILDING AREA: 1293 SF (202)



EXISTING VIEW FROM THE NORTH-WEST



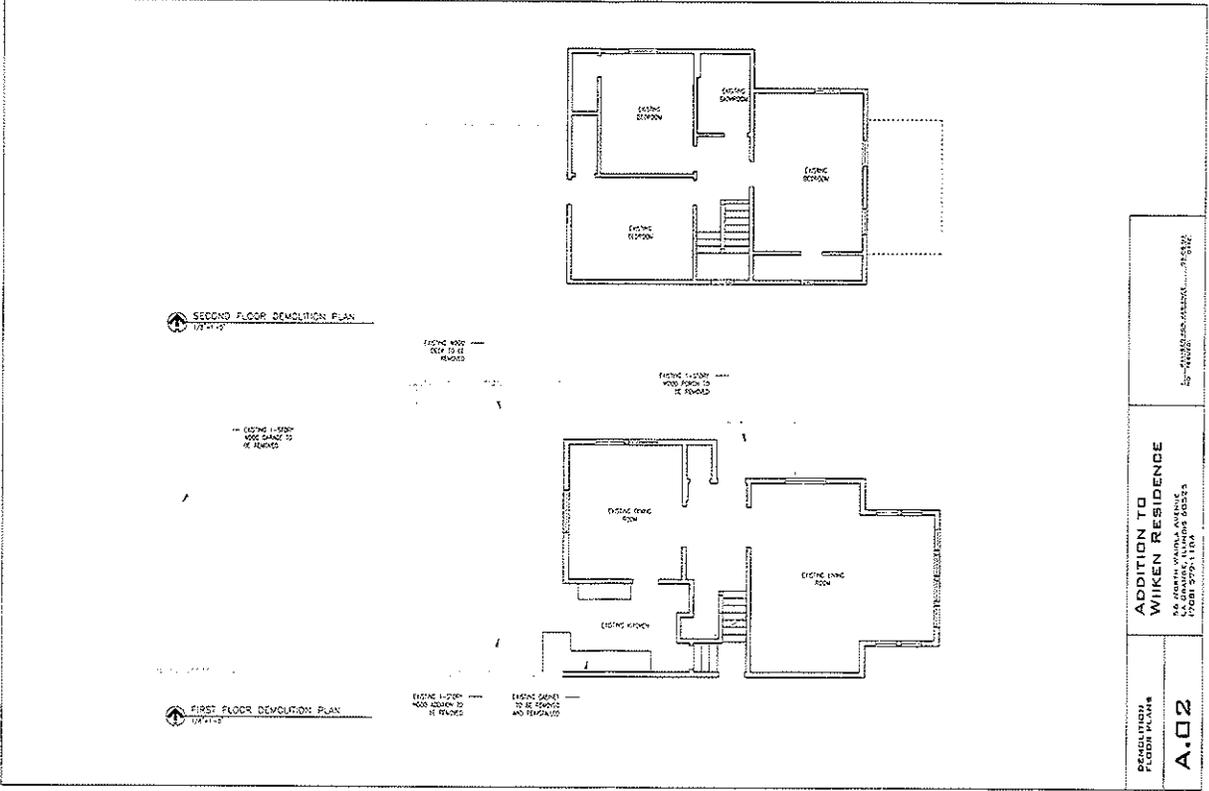
SITE PLAN
1/16/11

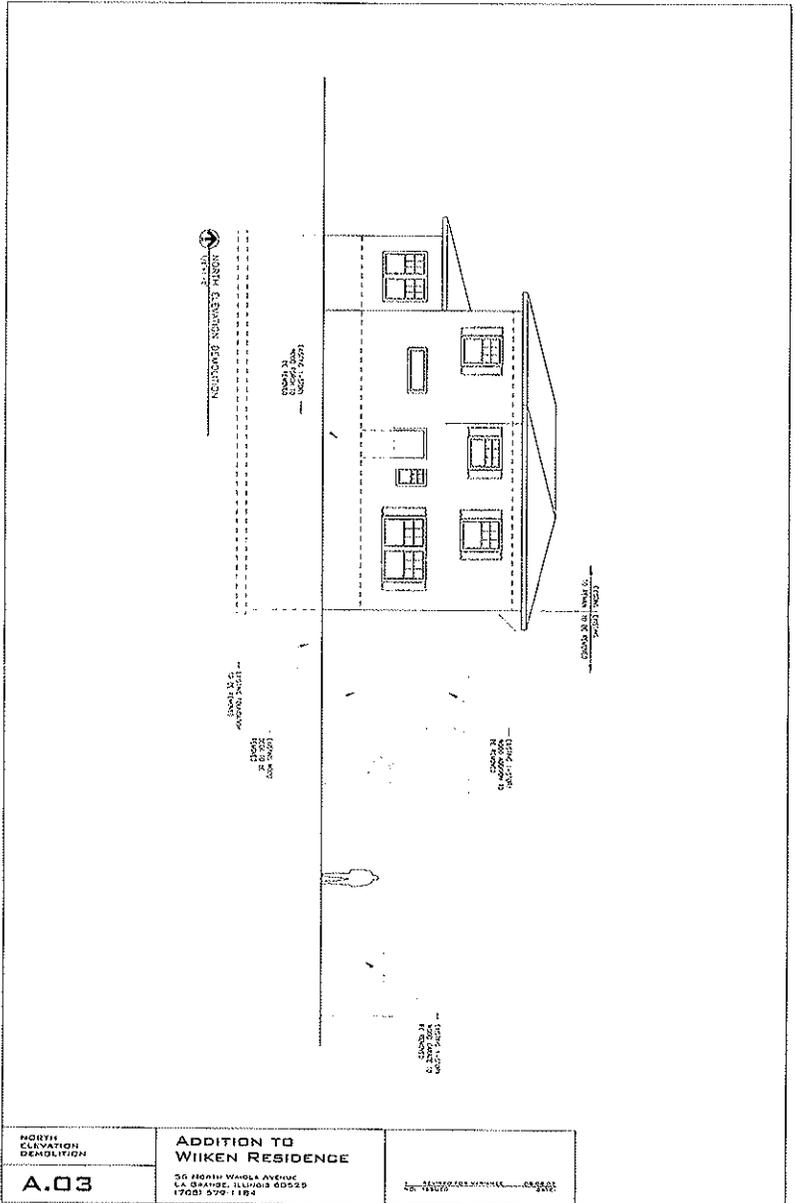
ADDITION TO
WIIKEN RESIDENCE
56 NORTH WAIOLA AVENUE
LA GRANGE, ILLINOIS 60525
1700N 5797-1184

SITE PLAN
A.01

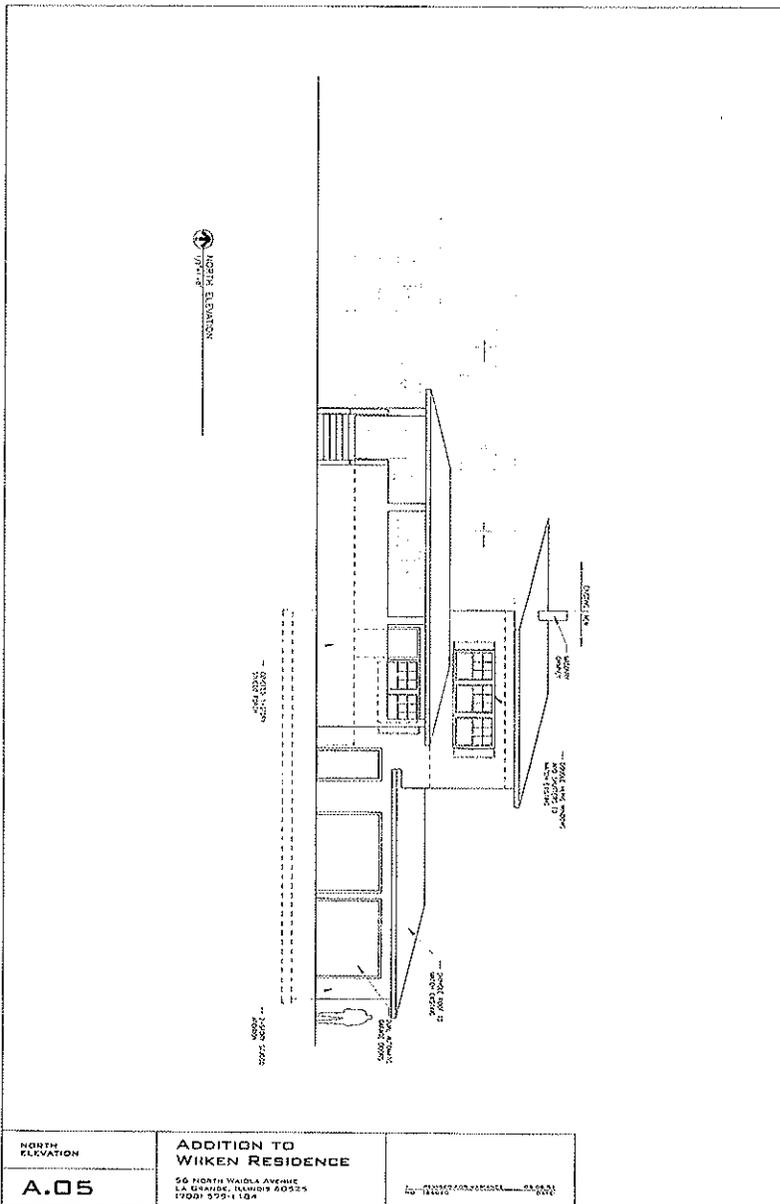
10-14-11
10-14-11

H-A-21



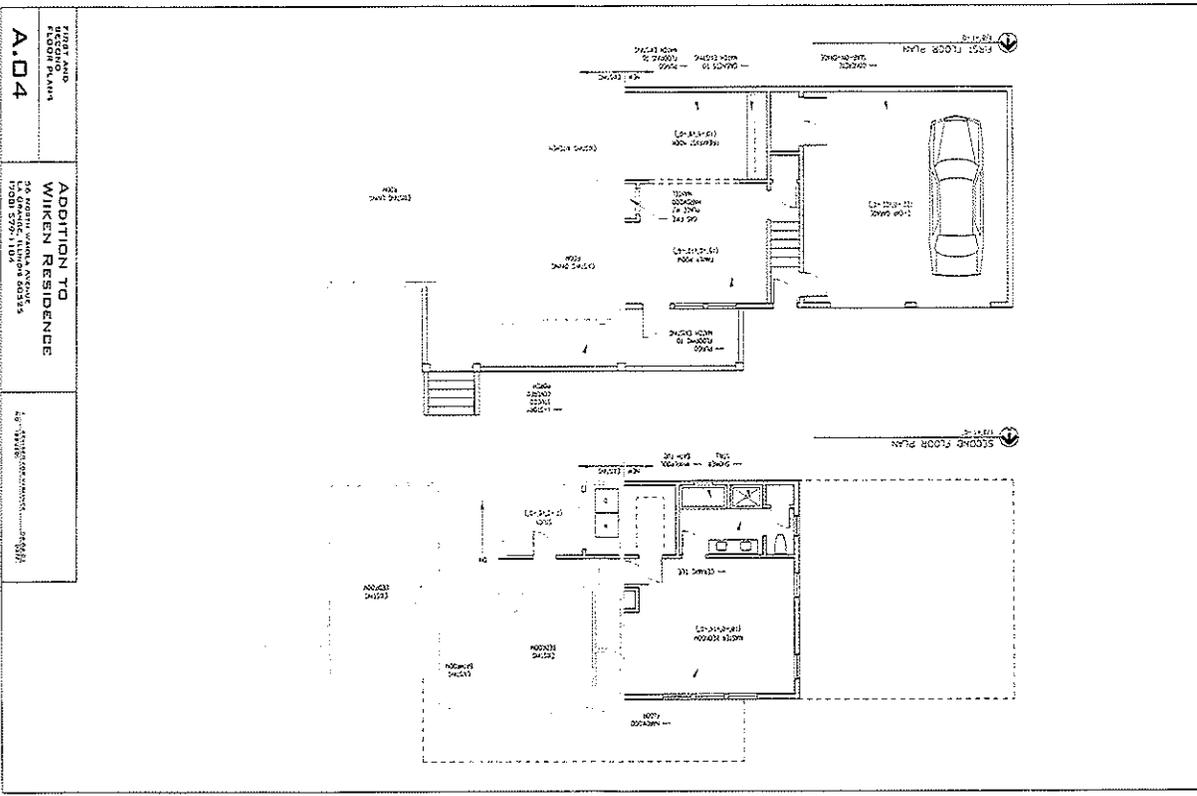


4-A.22



NORTH ELEVATION	ADDITION TO WIKKEN RESIDENCE	DATE: 01/11/10
A.05	50 NORTH WALDA AVENUE LA BREA, CALIF. 90034 TEL: 310-552-1104	DATE: 01/11/10

4-A.23



A.04

ADDITION TO WIKEN RESIDENCE

26 WILSON AVENUE
 LYNN, MA 01904

W-A.04

VILLAGE OF LA GRANGE
Community Development Department

BOARD REPORT

TO: Village President, Board of Trustees,
Village Clerk and Village Attorney

FROM: Robert Pilipiszyn, Village Manager
Patrick D. Benjamin, Community Development Director
Angela Mesaros, Assistant Community Development Director

DATE: August 27, 2007

RE: **ORDINANCE - SPECIAL USE/SITE PLAN APPROVAL TO ALLOW
PERSONAL TRAINING - PHYSICAL FITNESS FACILITY IN THE C-1
CENTRAL COMMERCIAL DISTRICT, 26 S. La Grange Road (Lower Level),
Peak Performance, LLC.**

The applicant, Peak Performance, LLC, received Village Board approval in 2004 in order to operate a personal training facility at 120 East Burlington Avenue. Since receiving approval, this facility has been in operation with little, if any, impact on the surrounding area. Due to the condition of the current property, the petitioner, Peak Performance, wishes to relocate his business to a lower level space at 26 South La Grange Road in the C-1 Central Commercial District.

The proposed use at the new location would remain the same as its current use, which falls within the broad SIC category of Physical Fitness Facilities (#7991). A Physical Fitness Facility is a Special Use Permit/Site Plan Approval in the C-1 District.

A public hearing was held by the Plan Commission on June 12, 2007, on this application. At the hearing, the Commissioners discussed the appropriateness of this use and determined, subject to the condition stated in the Plan Commission's findings, that this service would not create any adverse impacts on the surrounding area.

The Plan Commission unanimously recommended approval of the Special Use Permit and Site Plan subject to the following condition: The use or operation of the personal training facility shall not cause the emission of sound from the leased space, which exceeds 55 dB(A) during daytime hours or 45 dB(A) during nighttime hours.

Staff concurs with the recommendation of the Plan Commission and we have prepared the attached ordinance granting a Special Use Permit and Site Plan Approval to authorize a personal training - physical fitness facility on the lower level at 26 S. La Grange Road, for your consideration.

4-B

VILLAGE OF LA GRANGE

ORDINANCE NO. O-07-

AN ORDINANCE GRANTING A
SPECIAL USE PERMIT AND SITE PLAN APPROVAL
FOR PERSONAL TRAINING - PHYSICAL FITNESS FACILITY
AT 26 S. LA GRANGE ROAD (LOWER LEVEL)

WHEREAS, Peak Performance, LLC (the "Applicant"), lessee of the lower level at 26 South La Grange Road, La Grange, Illinois, (the "Subject Property") has filed an application for approval of a Special Use Permit and Site Plan to authorize Personal Training - Physical Fitness Facility (the "Application") at the property legally described as follows:

Lots 1, 2 and 3 in Block 23 of the original subdivision of La Grange, being the east half of the southwest quarter and that part of the northwest quarter lying south of the Chicago Burlington and Quincy Railroad, in Section 4, Township 38 North, Range 12 east of the third principal meridian, (except the west 5.4 feet thereof, and except that portion of said lots described as follows: beginning at the southeast corner of Lot 1; thence north along the east line of the Lot 1 for a distance of 25.4 feet of the intersection of an extension of the centerline of the northerly wall of the brick building located on the southerly part of said lots, with the east line of the Lot 1; thence southwesterly along the centerline of said northerly wall of said building for a distance of 82.23 feet; thence northerly and at right angles to the preceding course, 2.46 feet to the center line of the continuation of the said northerly wall; thence southwesterly along the center line of wall, for a distance of 45.68 feet to the beveled Northwest end of the one story garage building; thence southwesterly along the beveled end of said garage building 6.63 feet to a point in a line drawn northwesterly and at right angles from the southerly line of Lot 3, 23.8 feet from the southerly line of Lot 3; Thence southeasterly 23.8 feet along the southerly line of Lot 3; thence northeasterly 127.14 feet along the southerly line of said lots 3, 2 and 1, to the place of beginning, and except that part of said lot 3 described by commencing at the northwest corner of said lot 3 and running thence northeasterly 5.40 feet along the northerly line of said lot 3 for a point of beginning; thence southeasterly 70.35 feet along the easterly line of the westerly 5.40 feet of said lot 3 to the southerly face of a building wall; thence northeasterly 0.80 feet to a point on the easterly face of a building wall; thence northeasterly 0.80 feet to a point on the easterly face of a one story brick building; thence southeasterly along the easterly face of said building 4.04 feet to the southwest corner of said building; thence northeasterly along the face of a southerly line of said building 21.58 feet to a corner in said building; Thence northwesterly along the face of a wall in said building 8.14 feet to a corner in said building; thence northeasterly along the face of a southerly wall of said building 7.93 feet to a corner in said

4-B.1

building; thence northwesterly along the face of a wall in said building 2.10 feet to a corner in said building; thence northerly along the face of a southerly wall in said building 4.25 feet to a corner in said building; thence northeasterly along the face of a southerly wall in said building 7.44 feet; thence northwest 60.10 feet, parallel with the easterly line of said lot 3, to a point on the northerly line of said lot 3; thence southwesterly 42.00 feet along the northerly line of said lot 3, to the point of beginning, in Cook County, Illinois.

WHEREAS, physical fitness facilities are a special use within the C-1 District and therefore, under the Village's Zoning Code, Applicant may use and operate the Physical Fitness Facility thereto only if the Village approves a special use permit allowing such use and operation and a site plan depicting such use and operation; and

WHEREAS, the La Grange Plan Commission, after proper public notice, held a public hearing on June 17, 2007, on the Application and thereafter forwarded its recommendation to the Board of Trustees of the Village of La Grange;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LA GRANGE, COUNTY OF COOK AND STATE OF ILLINOIS, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are hereby incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Grant of Special Use Permit. The Board of Trustees hereby grants to the Applicant a Special Use Permit pursuant to Paragraph 5-105C12 of the Zoning Code to allow Personal Training - Physical Fitness Facility on the Subject Property, subject to the following condition:

1. The use or operation of the personal training facility shall not cause the emission of sound from the leased space, which exceeds 55 dB(A) during daytime hours or 45 dB(A) during nighttime hours.

Section 3. Approval of Site Plan. The Board of Trustees hereby approves the Site Plan pursuant to Paragraph 5-105C12 of the Zoning Code, subject to all of the conditions stated in Section 2 of this Ordinance.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

4 - B. 2

ADOPTED this ____ day of _____ 2007, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this ____ day of _____ 2007.

Elizabeth M. Asperger
Village President

ATTEST:

Robert N. Milne
Village Clerk

4-13, 3

FINDINGS OF FACT

PLAN COMMISSION OF THE VILLAGE OF LA GRANGE

President Asperger and
Board of Trustees

RE: PLAN COMMISSION CASE #185 - (1) SPECIAL USE PERMIT AND (2) SITE PLAN APPROVAL TO ALLOW PERSONAL TRAINING – PHYSICAL FITNESS FACILITY IN THE C-1 CENTRAL COMMERCIAL DISTRICT, 26 S. La Grange Road, lower level, Peak Performance, LLC.

We transmit for your consideration a recommendation adopted by the Plan Commission of the Village of La Grange on the proposed special use permit and site plan approval to allow personal training – physical fitness facility on the lower level at the property known as 26 S. La Grange Road.

I. THE APPLICATION:

The Applicant, Peak Performance, LLC, seeks a Special Use Permit and Site Plan Approval in order to operate a personal training facility on the lower level at 26 S. La Grange Road.

II. THE PUBLIC HEARING:

After due notice, in accordance with law, the Plan Commission held a public hearing on June 12, 2007, in the La Grange Village Hall Auditorium. Present were Commissioners Kardatzke, Reich, Holder, Weyrauch and Williams, with Chairman Pro tem Tyrrell presiding. Also present were Community Development Director, Patrick D. Benjamin; and Assistant Community Development Director, Angela Mesaros.

Chairman Pro tem Tyrrell swore in Richard Skrodzki, attorney, and Dawn Leniger, trainer at Peak Performance LLC, who presented the application and answered questions from the Commissioners:

- Mr. Skrodzki stated that Shawn Sherman, owner of Peak Performance could not attend the meeting because he is in Pennsylvania and the meeting was originally scheduled for May.
- Mr. Skrodzki stated that the staff report is inclusive in terms of application and business description. Peak Performance located in La Grange three years ago at 120 E. Burlington Avenue. It is a physical fitness business and is a special use in the C-1 District. Shawn Sherman, of Peak Performance, is currently moving the business due to issues with the existing building.

4-B.4

- Mr. Sherman wanted to stay in La Grange because it is a desirable location. Jerry Burjan, owner of the building at the proposed new location, is in attendance at the meeting.
- The business is a personal training business -- 95% of the sessions are one on one. The trainers deal with muscle activation. It is not a membership club and not health club in that sense.
- The times of training are in the mornings and mid afternoons. At one time, there are only three trainers at most in addition to the owner, Shawn Sherman.
- Mr. Skrodzki presented pictures of the current facility as evidence. The facility has treadmills and elliptical machines that are mainly for warm-ups.
- The new location will be at the lower level. Currently there are only two other tenants in the downstairs level of this building. One unit is a ceramics studio; the other is a counseling office. Mr. Skrodzki had visited the facility several times and has never seen anyone in that office. Mr. Skrodzki provided a letter from Burcor Properties. In addition, he provided sketches and layouts to show the lower level and how Shawn will lay out the equipment in the room.
- Parking will be at the existing Calendar Court lot and the parking deck.

Chairman Pro tem Tyrrell solicited questions from the Commissioners.

- Commissioner Kardatzke asked about the size of the location. Answer: This would be smaller than the original location but the rooms are square, which lends itself nicely to one on one session.
- Commissioner Tyrell asked if personal trainers would be at most two or three people. Answer: Yes. Four would be the maximum number.
- Commissioner Tyrell further asked about the hours of operation. Answer: 6 a.m. to 8:30 p.m. with one session Saturday from around 8:30 until 9:30 a.m.

Chairman Pro tem Tyrrell solicited comments from the Commissioners:

- Commissioner Kardatzke stated that he has no problems. This is a great place at its current location, which is two blocks north of where he lives. He has had no problem with parking.
- Commissioner Holder stated that he has been a client for five years and that there is no loud music. Shawn Sherman is an exceptional trainer. He is very professional and he draws the kind of clientele that fits well in La Grange.

4-13.5

Mr. Holder further stated that this is an outstanding service and element of La Grange that we should maintain.

- Commissioner Reich stated that he was a member of the Plan Commission when they last heard this case and nothing has changed except the location.

There being no further questions or comments from the audience or the Commissioners, a motion was made by Commissioner Kardatzke and seconded by Commissioner Holder that the Plan Commission recommend to the Village Board of Trustees approval of the application for a special use permit and site plan approval submitted with PC Case #185.

BE IT THEREFORE RESOLVED that the Plan Commission recommend to the Village Board of Trustees granting a Special Use Permit and Site Plan Approval for the property legally described in Plan Commission Case #185 and commonly referred to as 26 S. La Grange Road, lower level, to allow personal training – physical fitness facility (SIC Category #7991) on the first floor in the C-1 Central Commercial District with the following condition:

1. The use or operation of the personal training facility shall not cause the emission of sound from the leased space, which exceeds 55dB(A) during the daytime hours or 45dB(A) during the nighttime hours.

Motion carried by a roll call vote:

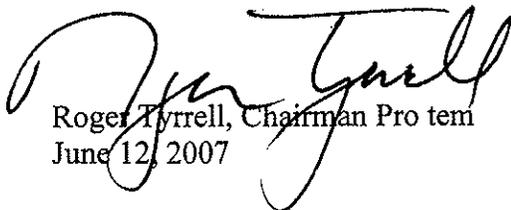
AYE: Commissioners Kardatzke, Reich, Holder, Weyrauch, Williams and Chairman Pro tem Tyrrell

NAY: None.

ABSENT: Chairman Randolph.

Respectfully Submitted

PLAN COMMISSION OF THE
VILLAGE OF LA GRANGE


Roger Tyrrell, Chairman Pro tem
June 12, 2007

4-B.6

STAFF REPORT

PC Case #185

TO: Plan Commission

FROM: Patrick D. Benjamin, Community Development Director
Angela M. Mesaros, Assistant Community Development Director

DATE: June 12, 2007

RE: **SPECIAL USE/SITE PLAN APPROVAL TO ALLOW A PHYSICAL FITNESS FACILITY IN THE C-1 CENTRAL COMMERCIAL DISTRICT, Peak Performance, LLC, 26 South La Grange Road (Lower Level).**

I. BACKGROUND:

In 2004, the Plan Commission recommended and the Village Board approved a special use permit for Peak Performance, LLC, to operate a personal training facility at 120 East Burlington Avenue. Since that time, the facility has been in operation with little, if any, impact on the surrounding area. Due to the condition of the current property, the petitioner, Peak Performance, wishes to relocate his business to a lower level space at 26 South La Grange Road in the C-1 Central Commercial District.

The proposed use at the new location would remain the same as its current use. This use falls within the broad SIC category of Physical Fitness Facilities. A Physical Fitness Facility is a Special Use in the C-1 District. Therefore, a Special Use Permit/Site Plan Approval is required for the proposed personal training facility. The property is also located within the Design Review Overlay District. However, the application would not require Design Review, because the petitioner does not propose any structural changes to the property.

II. APPLICATION:

1. SPECIAL USE TO ALLOW PERSONAL TRAINING - PHYSICAL FITNESS FACILITY IN THE C-1 CENTRAL COMMERCIAL DISTRICT

Shawn L. Sherman, of Peak Performance, LLC, has filed an application with the Community Development Department to obtain a Special Use Permit and Site Plan Approval to conduct personal training sessions at 26 South La Grange Road, lower level. The applicant would occupy a unit comprising approximately 850 square feet. This special use would not involve improvements to the existing building.

4-B.7

SPECIAL USE

SPECIAL USE STANDARDS:

In reviewing the Special Use application, please be sure that the standards listed on the application have been met. In determining that, consider Paragraph 14-401E1 of the Zoning Code:

- (a) Code and Plan Purposes
- (b) No Undue Adverse Impact
- (c) No Interference with Surrounding Development
- (d) Adequate Public Facilities
- (e) No Traffic Congestion
- (f) No Destruction of Significant Features
- (g) Compliance with Standards

- (a) *Code and Plan Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the Official Comprehensive Plan.*

According to the La Grange Zoning Code, the C-1 Central Commercial District is intended to provide for the development and maintenance of a concentrated, pedestrian-oriented commercial shopping center. The proposed use is allowed as a special use in the C-1 district.

- (b) *No Undue Adverse Impact: The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.*

The petitioner proposes to operate a personal training facility on the lower level of the facility. According to the petitioner, sessions would be conducted Mondays through Fridays, early in the morning to early evening with times each day of no activity. Training sessions would be conducted *indoors* by personal trainers. The petitioner would offer private, individual sessions, with occasional two-person training. The petitioner anticipates a maximum of six people, including trainers, at the facility at any one time. Staff does not anticipate that the training sessions will have an adverse impact on the area.

4-B.8

- (c) No Interference with Surrounding Development: *The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.*

The proposed use is within the lower level of the building. According to the petitioner, no improvements to the facility would occur. The proposed use would be low impact and would create virtually no noise. Trainers would potentially use a stereo for background music during sessions. The facility would not offer high impact sessions such as aerobics or step classes.

- (d) Adequate Public Facilities: *The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.*

The proposed use would be serviced by existing utilities at the subject property. Because this is a commercial use, there would be no increase in population. Therefore, the proposed use would have minimal effect on the parks, libraries and schools. Police and Fire protection would be comparable with other uses permitted in the C-1 district.

- (e) No Traffic Congestion: *The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.*

The existing facility, operating on Burlington Avenue for three years, has not caused undue traffic congestion; the new site will have a similar impact. The proposed location for this use is an existing commercial building on La Grange Road. There is no direct access from the subject property to residential streets. The proposed personal training facility would offer individual sessions. According to the petitioner, there is usually one client and one trainer at the facility at a time. Not more than two or three clients with one or two trainers would utilize the facility at most. Some of the petitioner's employees and clients take public transportation, walk, jog or ride bicycles to the facility.

- (f) No Destruction of Significant Features: *The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic or historic feature of significant importance.*

4-B.9

The proposed use would be located on the lower level of an existing structure with no outdoor facilities. Personal training services would utilize approximately 850 square feet of the building.

- (g) Compliance with Standards: *The proposed use and development complies with all additional standards imposed on it by the particular provision of this code authorizing such use.*

The applicant has shown a willingness to comply with all applicable provisions of the Zoning Code.

DELIBERATION FACTORS:

Special Uses are defined as such due to some distinctive characteristic that requires careful review of location, design, and impact to determine whether their establishment should be permitted on any given site. They are uses that require weighing their possible impacts and effects on the community against any added benefit they may afford or need they may address. In order to determine their appropriateness on any proposed site and their compliance with proposed standards, the Commissioners should consider these factors as outlined in Paragraph 14-401E3 of the Zoning Code:

- (a) Public Benefit: *Whether and to what extent, the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.*

The proposed Special Use Permit would allow the petitioner to provide a service that enhances the well-being of the community by continuing to offer conveniently located health benefits. Most of Mr. Sherman's clients live in La Grange and Western Springs.

- (b) Alternative Locations: *Whether and to what extent, such public goals can be met by the location of the proposed site or in some other area that may be more appropriate than the proposed site.*

"Physical Fitness Facilities" are classified as special uses, because many such facilities offer high impact exercise and recreational programs. The proposed facility would be used to hold one-on-one personal training sessions. The facility would not be used as a health club with a large membership base. Peak Performance has established a local client base in La Grange during the past few years.

4-B.10

- (c) *Mitigation of Adverse Impacts: Whether or to what extent, all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, landscaping, and screening.*

Staff anticipates minimal adverse effects from the proposed use on the immediate vicinity. The petitioner currently operates this facility on Burlington Avenue in downtown La Grange, just a couple blocks from the proposed new location, with no complaints.

SITE PLAN

A requirement of a Special Use Permit is also to submit information proving that the proposed use will not have undue adverse impacts on adjacent property, the character of the area, public health and safety; it must also include information regarding lighting, buffering, and proposed hours of operation for the facility.

As the proposed Special Use will be located in an existing building, there is minimal information that we have required the applicant to provide.

Noise Control

Subsection 5-109B of the Zoning Code states, *No use shall produce noise of such volume or pitch as to cause a nuisance in any residential district at any time or within any residential dwelling unit located in any district between the hours of 10:00 p.m. and 7:00 a.m.*

All training sessions would be conducted indoors by a personal trainer primarily one-on-one. The proposed hours of operation are generally early in the morning until early evening, with periods each day when there would be no activity. Peak Performance has been in operation in La Grange since 2004 with no noise complaints.

Parking

Paragraph 10-101F4 of the Zoning Code states, *No parking spaces shall be required for use in the C-1 Central Business District, except as may be provided by the Board of Trustees as a condition of the issuance of a special use permit.*

Not more than three or four people would utilize the facility at one time. Shawn Sherman, principal trainer/owner would utilize the one off-street parking space in the alley adjacent to the facility, which will be provided by the building owner.

4-B.11

Employees and customers would utilize existing public parking lot on Calendar Court (½ blocks from the facility) and the Village’s new parking deck (one block’s distance). In addition, some of the petitioner’s employees and clients would take public transportation, walk or ride bicycles to the facility. According to the petitioner, many training sessions occur during times when other businesses in area are *not* yet open.

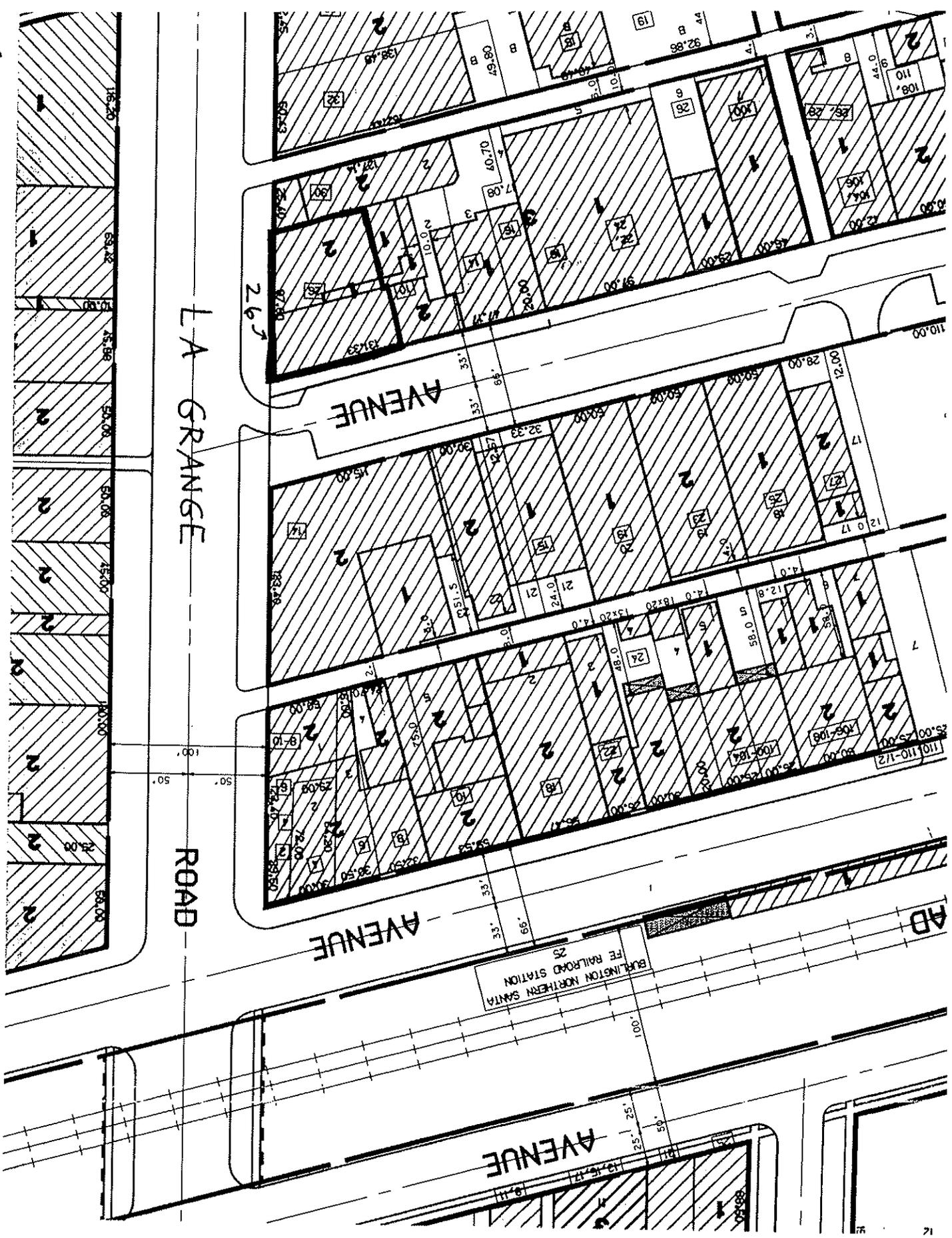
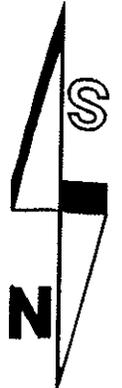
III. RECOMMENDATION:

Should the Plan Commission find that the Special Use Standards have been achieved, **the Plan Commission may wish to recommend to the Village Board of Trustees granting a Special Use Permit and the Site Plan Approval for the property legally described in Plan Commission Case #185 and commonly referred to as 26 S. La Grange Road, lower level, to operate a Physical Fitness Facility - Personal Training (SIC Code #7991) in the C-1 Central Commercial District, with the following condition:**

- 1. The use or operation of the personal training facility shall not cause the emission of sound from the leased space, which exceeds 55 dB (A) during daytime hours or 45 dB (A) during nighttime hours.**

4-B.12

4-8.13



Village of La Grange

53 S. La Grange Road, La Grange, IL 60525
Phone (708) 579-2320 Fax (708) 579-0980

COPY

SPECIAL USE APPLICATION AND PLANNED UNIT DEVELOPMENT

TO THE PRESIDENT AND
BOARD OF TRUSTEES
VILLAGE OF LA GRANGE

Application No.: 185
Date Filed: 4-4-07
UARCO No.: _____
Phone No.: _____

Application is hereby made by Peak Performance, LLC Attn: Shawn L. Sherman, Managing Member

Address: 120 East Burlington Avenue, LaGrange, Illinois 60525

Lessee ~~Owner~~ of property located at: 26 South LaGrange Road, Suite Nos. 103 and 104, LaGrange -
(copy of Lease attached) Lower Level: Approx. 850 sq ft.

Permanent Real Estate Index No: 18-04-125-052
as set forth by plat of survey attached hereto

Present Zoning Classification: C-1 Central Commercial District

PROPOSED SPECIAL USE: Personal training - physical fitness facility (Sec. 5-105 C. 12.)
(Specify from list of allowable Special Uses pursuant to the Zoning Ordinance of the Village of La Grange) Applicant previously granted a Special Use Permit pursuant to Ordinance No. 0-04-07, dated February 23, 2004.

GENERAL STANDARDS: The petitioner should state FACTS AND REASONS and submit any pertinent evidence establishing each of the following principles:

(a) Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the Official Comprehensive Plan.

As stated in Village Code Section 5-101, "Purpose," the commercial districts are intended to permit a full range of commercial uses needed to serve the residents of LaGrange and surrounding areas. A personal training facility is certainly a desired use by local residents.

(b) No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

All personal training sessions are conducted indoors by a personal trainer primarily one-on-one with some two person sessions. The hours of operation are generally early a.m. to early p.m., but with periods each day when there is no activity. There is no adverse affect or impact on adjacent properties and is not detrimental to the public health, safety or general welfare.

** ALL CORRESPONDENCE PLEASE TO:

Attorney for Applicant:
Richard J. Skrodzki, Esq.
Goldstine, Skrodzki, Russian, Nemecek and Hoff, Ltd.
835 McClintock Drive, Second Floor
Burr Ridge, IL 60527
Phone: (630) 655-6000; Fax: (630) 655-9808
Email: RSKRODZKI@GSRNH.com

4-B.15

- (c) No Interference with Surrounding Development The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

The leased premises is within the lower level of the existing "26 South LaGrange Road Building". There is no construction involved. The area is already fully improved.

- (d) Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

As an existing fully improved property, all municipal services as listed above are available.

- (e) No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

Traffic generation is minimal. One to three cars maximum at any one time.

Many clients ride bikes and walk to the personal training sessions. There is variety of available parking for the minimal parking needed, especially during the peak hours of operation.

- (f) No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

All operations are entirely conducted indoor with no outdoor changes at all required.

- (g) Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

The proposed personal training use and Applicant's use of the premises will comply with the standards of the Village of LaGrange Code pertaining to such use.

* * *

NOTICE: This application must be filed with the office of the Community Development Director accompanied by necessary data called for above and the required filing fee of Three Hundred and no/ 100 dollars (\$300). Filing fee for PUD - \$500

The above minimum fee shall be payable at the time of the filing of such request. It is understood the applicant shall reimburse the Village any additional costs over and above these minimums which are incurred by the Village.

4-B.16

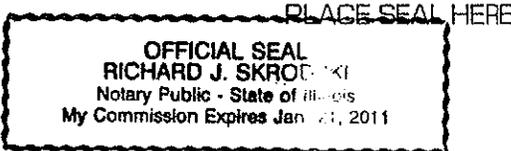
I, the undersigned, do hereby certify that I am the owner or contract purchaser (Evidence of title or other interest you have in the subject property, date of acquisition of such interest and the specific nature of such interest must be submitted with application) and do hereby certify that the above statements are true and correct to the best of my knowledge. I also acknowledge that Village staff will prepare a report with a recommendation to the Plan Commission prior to my hearing. I understand that this report will be available for my viewing the Friday prior to my hearing and it is my responsibility to contact the Village to view this report or obtain a copy.

Shawn L. Sherman 120 East Burlington Avenue
[Signature of OWNER OR CONTRACT PURCHASER] [Address]
LaGrange, Illinois 60525
[City] [State] [Zip Code]

SUBSCRIBED AND SWORN TO BEFORE ME THIS

29th DAY OF March, 2007

Richard J. Skrodzki
NOTARY PUBLIC



- Enclosures:
1. Plat of Survey - Legal Description
 2. Copy of Lease dated March 26, 2007
 3. List of Qualifications: Shawn L. Sherman/Peak Performance, LLC
 4. "Peak Performance Client Traffic/Parking Analysis for Relocation to 26 South LaGrange Road"
 5. Applicant's written response to Village of LaGrange "Special Use Standards"

4-B.17

(FOR VILLAGE USE ONLY)

1. Filed with the office of the Director of Building & Zoning: April 4, 20 07
2. Transmitted to Plan Commission at their meeting held: June 12, 2007
3. Continuation (if any): _____
4. Notice of hearing published in: _____ on: _____
5. Findings and Recommendations of Plan Commission referred to Village Board at meeting of:

6. Final action of Village Board for adoption of amending ordinances or denial of applicant's request at meeting held: _____
7. Payment of expenses satisfied: _____

REMARKS:

4-B.18

APPLICANT: PEAK PERFORMANCE, LLC
PREMISES: 26 SOUTH LAGRANGE ROAD, LOWER LEVEL, LAGRANGE
VILLAGE OF LAGRANGE PLAN COMMISSION

RESPONSE TO SPECIAL USE STANDARDS
(PEAK PERFORMANCE, LLC, 26 SOUTH LAGRANGE ROAD, LOWER LEVEL)

- (a) Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the Official Comprehensive Plan.

As stated in Village Code Section 5-101, entitled "Purpose," the commercial districts are intended to permit a full range of commercial uses needed to serve the residents of LaGrange and surrounding areas. A personal training facility is certainly a desired use by local residents.

- (b) No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

Peak Performance, LLC was previously granted a Special Use Permit for personal training - physical fitness facility at 120 East Burlington pursuant to Village of LaGrange Ordinance No. 0-04-07 passed and approved February 23, 2004. The use at the Premises will be the same. All personal training sessions are conducted indoors by a personal trainer primarily one-on-one with some two person sessions. The hours of operation are generally early a.m. to early p.m., on Mondays through Fridays, but with periods each day when there is no activity. Additionally, there is historically little or no use of the premises on Saturdays or Sundays.

The current Peak Performance premises at 120 East Burlington is located on the first floor of the Burlington Building. There have never been any complaints or problems because of the low intensity of the personal training business. Therefore, there will be no adverse affect or impact on adjacent properties and the use proposed at 26 South LaGrange Road, lower level, will not be detrimental to the public health, safety or general welfare.

- (c) No Interference with Surrounding Development. The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

The leased premises is within the 26 South LaGrange Road building in the lower level. There is no construction involved. The area is already fully improved.

- (d) Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

As an existing fully improved property, all municipal services as listed above are available.

- (e) No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

Traffic generation is minimal because Peak Performance provides individualized personal training sessions. Additionally, because of the nature of the scheduling of personal training sessions, it is unusual for more than one or two trainers to be at the premises at the same time with a client. Furthermore, the preferred times for clients having personal training sessions are early to mid-morning and mid-afternoon to early evening Monday through Thursday and Friday and Saturday mornings. There are generally no appointments Friday and Saturday afternoons and evenings nor on Sunday because of the light amount of automobile traffic there will not be any traffic congestion or "significant" amounts of traffic through residential streets. Typically, during even the above peak training times, 2 to 4 cars would be expected at any one time. Some clients walk, jog or bike to Peak Performance.

- (f) No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

All operations are entirely conducted indoor with no outdoor changes at all required.

- (g) Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

There are no additional standards imposed by the Code on the proposed use. And, the proposed personal training use and Applicant's use of the premises will comply with the standards of the Village of LaGrange Code pertaining to such use.

4-B-20

RE: Peak Performance, LLC
Application for: Special Use Permit -
26 South LaGrange Road
Village of LaGrange Plan Commission

**PEAK PERFORMANCE CLIENT TRAFFIC/PARKING
ANALYSIS FOR RELOCATION TO 26 SOUTH LAGRANGE ROAD**

- A. **CLIENT TRAFFIC.** There will be virtually no change in the client traffic that exists today at Peak Performance's 120 East Burlington Avenue location. The majority of Peak Performance's clients are from LaGrange and Western Springs. Generally, there is one client at a time at Peak Performance, with one trainer, with some early mornings where there will be a maximum of 2 to 3 clients present at once with 1 or 2 trainers. In the warmer weather, some clients will walk/jog/bike to Peak Performance.
- B. **CLIENT PARKING.** There is ample parking available for the maximum 2 trainers and 2 to 3 clients that may be at Peak Performance at any given time. The 26 South LaGrange Road location offers parking on Calendar Court, LaGrange Road and Burlington Avenue - both east and west of LaGrange Road, all in close proximity to 26th South LaGrange Road. Additionally, the Calendar Court parking lot is about 1/2 block's distance and the Village's new parking block is only about 1 block's distance. Please note that a good percentage of Peak Performance's overall training sessions occur in the early A.M. hours before the other businesses nearby are open. Lastly, Peak Performance is given one designated parking space in the "alley" area adjacent to 26 South LaGrange Road, which can be used by the principal trainer/owner, Shawn Sherman.

4-B.21

RE: **PEAK PERFORMANCE, LLC**
APPLICATION FOR: SPECIAL USE PERMIT -
26 SOUTH LAGRANGE ROAD
VILLAGE OF LAGRANGE PLAN COMMISSION

Shawn Sherman

Peak Performance Owner
Personal Trainer – 12 years experience

Qualifications

Penn State
B.S. in Exercise and Sport Science (1995)

Muscle Activation Techniques
1st Certified MAT Specialist in Illinois

Chicago Cubs
1st Certified MAT Specialist in MLB

Milwaukee Admirals
1st Certified MAT Specialist in AHL

Peak Performance History/Operation

- Peak Performance conducted it's first in-home personal training session in June, 1998. We then occupied an approximately 750 square foot space in downtown Western Springs at 500 East Hillgrove Avenue from September, 1998 – March, 2004. Since April, 2004, we have occupied an approximately 1100 square foot space in downtown LaGrange at 120 East Burlington Avenue.
- In addition to Shawn Sherman, Peak Performance currently has four active independent contractor personal trainers that typically conduct a combined 35-40 individual personal training session weekly in addition to the approximately 25 individual training sessions that Shawn Sherman conducts each week.
- Most Peak Performance personal training sessions occur between 5:30 a.m. to 10:30 a.m. and 4:30 p.m. to 8:30 p.m. on Monday through Thursday and 6:30 a.m. to 11:30 a.m. on Fridays and Saturdays. Historically, no sessions are conducted on Friday and Saturday afternoons or Evenings.

4-B, 22



Burcor Properties

June 11, 2007

Property Management and Development

Richard J. Skrodzki
Attorney at Law
835 McClintock Drive
Second Floor
Burr Ridge, Il. 60527

RE: Peak Performance, LLC
26 South LaGrange Road
Suite 103 & 104
LaGrange, Il. 60525

Dear Richard,

This letter will confirm that I have spoken to all of the tenants in the building at 26 S. LaGrange Road pertaining to Peak Performance. I had contacted them to see if there are any objections or concerns to this business being in the building. I was not able to reach Utopia Way because she is on vacation, but according to some of the tenants she had no objections. The following list of tenants or their managers were personally contacted.

Lower Level

Ceramic Art Café -- No objections
D. Blakely -- No objections

Main Floor

National City Bank -- No objections
Pine Merchant -- No objections
The Dinner Club -- No objections
Utopia Way -- Owner out of town

I am looking forward to having Shawn Sherman of Peak Performance as one of our new tenants.

Sincerely

Beverly Hagen
Burcor Properties

5 South LaGrange Road • 2nd Floor Suite A • LaGrange, IL 60525
Phone: (708) 579-0316 • Fax: (708) 579-0347
E-Mail: burcorprop@aol.com

4-B, 23

VILLAGE OF LA GRANGE
Public Works Department

BOARD REPORT

TO: Village President, Village Clerk
Board of Trustees, and Village Attorney

FROM: Robert Pilipiszyn, Village Manager
Ken Watkins, Director of Public Works

DATE: August 27, 2007

RE: **PURCHASE – PUBLIC WORKS DEPARTMENT –
REPLACEMENT OF BRUSH CHIPPER**

The FY 2007-08 Village budget provides funds for the replacement of the 1991 brush chipper used by the Public Works Department. This equipment is used to chip brush from in-house tree trimming, tree removal, and storm damage. The chipper is hauled to the site where the brush is fed into the equipment and the chips are discharged into a metal box mounted on a Village truck. When the box is full, the chips are hauled to our storage site on Tilden Avenue and are available free of charge to residents.

Competitive bids were sought from local vendors known to be capable of supplying the equipment as specified. The bid document included a trade-in allowance for our 1991 brush chipper. The following table reflects the bids received:

VENDOR/LOCATION	Equipment Bid	Trade-In Allowance	Final Bid Price
Alexander Equipment/Lisle, IL	\$37,500	\$7,550	\$29,950
Vermeer Midwest/Aurora, IL	\$37,500	\$6,500	\$31,000
FY 2007-08 Budget Equipment Replacement Fund General Fund/Public Works budget, New Equip. line item			\$30,000 <u>\$10,000</u> \$40,000

Although the low bid was submitted by Alexander Equipment (which provided a higher trade-in allowance), the chipper specified by Alexander Equipment did not meet the bid specifications. The chipper quoted would require us to modify our truck to allow for the longer discharge neck on that particular chipper. That chipper also would raise a safety issue related to the speed at which chipped material would be discharged into the box.

4-C

The chipper specified by Vermeer Midwest met all bid specifications. That chipper is more compact, so no vehicle modifications would be required. It also comes with the added safety feature of an automatic safety bar, and the speed of the machine reduces the amount of debris blow-back.

The Public Works Department has owned Vermeer equipment (such as stump grinders and chippers) for more than 30 years. We have found Vermeer to be very responsive with regard to maintenance and availability of repair parts.

Based upon the equipment proposed and our previous experience, we recommend that the Village Board reject all bids, waive the competitive bidding process and authorize staff to purchase a brush chipper from Vermeer Midwest of Aurora, Illinois in the net amount of \$31,000.

H:\eelder\ellie\BrdRpt\DPWChipperMB.doc

4-C.1

VILLAGE OF LA GRANGE
Department of Public Works

BOARD REPORT

TO: Village President, Village Clerk
Board of Trustees, and Village Attorney

FROM: Robert Pilipiszyn, Village Manager
Ken Watkins, Director of Public Works

DATE: August 27, 2007

RE: **AWARD OF CONTRACT – WATER SYSTEM LEAK DETECTION SURVEY**

As part of our Lake Michigan Water Allocation Agreement, we are required to account for 92 percent of all water distributed throughout our water system. To maintain this accounting, we conduct a survey every other year to identify and correct exfiltration within our water system.

The survey involves the use of electronic/sonic detection equipment on Village mains, services, hydrants, and valves to pinpoint locations of water leakage. The survey is conducted during nighttime hours at our request, because noise levels are at a minimum and more precise readings can be achieved. The contractor must submit a written report at the completion of the survey, thoroughly outlining the type, location and severity of each of the leaks and identifying maintenance items such as broken hydrants, leaking valves, etc.

Competitive proposals were solicited from firms that are known to us to be capable of completing the work according to our specifications. The following table reflects the quotes received.

VENDOR/LOCATIONS	PROPOSAL AMOUNT
Water Service/Elgin, IL	\$8,969
ME Simpson Company/Valparaiso, IN	\$11,840
ADS Environmental Services/Chicago, IL	\$17,000
FY 2007-08 Water Fund, Leak Study	\$10,000

Because we were unfamiliar with the firm submitting the low quote, Water Service from Elgin, IL, we did a thorough check of their references. The outcome of the reference check was unsatisfactory.

4-D

The second lowest quote was submitted by ME Simpson. Although we are very familiar with this firm, it has been a number of years since they last conducted a leak survey for the Village. All references checked for ME Simpson were positive and better than satisfactory. Although the firms use similar equipment, the expertise of the technician will have an impact on the accuracy of the survey. Technicians from ME Simpson each have a minimum of three years of training and experience. It should also be noted that ME Simpson provides a two-man crew as opposed to the one-man crew quoted by other firms.

Although the proposal submitted by ME Simpson exceeds the budget, there are sufficient reserves in the Water Fund to cover the additional \$1,840 in project cost.

For the reasons outlined in this report, we recommend that the Village Board reject all bids, waive the competitive bidding process and authorized staff to enter into an agreement with ME Simpson of Valparaiso, Indiana to conduct a leak survey of our water system in an amount not to exceed \$11,840.

VILLAGE OF LA GRANGE
Public Works Department

BOARD REPORT

TO: Village President, Village Clerk
Board of Trustees, and Village Attorney

FROM: Robert Pilipiszyn, Village Manager
Ken Watkins, Director of Public Works

DATE: August 27, 2007

RE: **PURCHASE – MATERIALS / CENTRAL BUSINESS DISTRICT
PAVER REHABILITATION PROJECT**

The FY 2007-08 Village budget provides funds to reset brick paver panels in the Central Business District (CBD) which have settled over time in an uneven pattern, thus creating trip hazards for pedestrians. In order to stabilize the panels and eliminate trip hazards, the bricks will be removed and reset into a poured concrete base. Last fiscal year, approximately 6,500 square feet of paver panels were rehabilitated at a cost of \$80,600. We have budgeted \$90,000 this fiscal year to complete the remaining panels identified as being trip hazards.

To keep the project cost as low as possible, we order and supply the brick material to the contractor awarded the installation contract. We need to order approximately 6,000 square feet of new brick pavers to complete Phase II of this rehabilitation project.

Because our CBD granite green Holland stone pavers are a special order item, they are only available from one supplier, Unilock Paver located in Aurora, Illinois. At our request, Unilock Paver has submitted a quote in the amount of \$2.45/square foot, plus a delivery charge of \$1,400. This brings the total cost for purchase and delivery of the pavers to \$16,084. There are sufficient funds allocated in the Capital Projects Fund for this expense.

Because this is a sole source purchase, we recommend that the Village Board waive the competitive bidding process and authorize staff to purchase approximately 6,000 square feet of brick paver material from Unilock Paver of Aurora, Illinois in the amount of \$16,084.

4-E

VILLAGE OF LA GRANGE
Fire Department

BOARD REPORT

TO: Village President, Village Clerk, and
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager and
David W. Fleege, Fire Chief

DATE: August 27, 2007

RE: **PURCHASE-CONVERSION/UPGRADE OF EXISTING HOLMATRO
RESCUE EXTRICATION EQUIPMENT**

The FY 2007-08 Foreign Fire Insurance Board budget provides for the replacement of the hydraulic pump and conversion/upgrade of our existing Holmatro Rescue Extrication Tool. The La Grange Fire Department has historically utilized Holmatro Rescue Equipment to perform victim extrication at vehicle accident scenes.

While this equipment has performed well for many years, Holmatro has developed new technology to change the extrication process to make it faster and safer. The model name of this new technology is COaxial Rescue Equipment (CORE). CORE is a hydraulic system that uses hose, couplers, pumps and tools.

Upgrading our existing extrication equipment at this time is recommended for the following reasons:

1. CORE Technology is safer because the high pressure hydraulic hose line is protected inside the low pressure line.
2. The hydraulic hoses are Kevlar reinforced and do not use any steel wire for reinforcement which makes it stronger, more flexible and kink resistant.
3. CORE Technology hose utilizes only one hose per tool, thus reducing trip hazards and snag points. Currently, there are two hoses strapped together.
4. The CORE Technology compact, dual power unit weighs only 55 pounds. The lighter weight makes it easier for one rescuer to carry and prepare the pump for use. Noise level is also reduced during operation, thus improving the working environment for rescuers as well as the patient/victim.
5. CORE Technology is more efficient. The pump allows for two tools to be used at the same time, thus significantly reducing extrication time of the victim. Personnel operating the equipment can change tools (hydraulic cutter or spreader) without returning to the power unit.

4-F

Environmental Safety Group (ESG) of Bolingbrook, Illinois is the sole source, regional vendor of Holmatro Rescue Equipment. They have submitted a written quotation to provide a new hydraulic pump and for the conversion of our existing rescue extrication equipment to the CORE Technology. Below is a summary of their quotation: (all prices include labor costs)

Upgrade our current hydraulic pump	\$ 352.00
Upgrade our current ram device	355.00
Upgrade our Combo-Tool (spreader)	355.00
Upgrade our current Cutter device	355.00
New compact dual power unit	7,675.50
New CORE Technology hose (orange) 32 feet	732.00
New CORE Technology hose (blue) 32 feet	732.00
TOTAL	\$10,556.50

The Environmental Safety Group will provide us with loaner equipment while our system is being retro-fitted.

The Foreign Fire Insurance Board has budgeted \$ 15,000 for the conversion/upgrade and replacement of our existing Holmatro Rescue Extrication Tool. Therefore sufficient funds are available to purchase this equipment.

It is our recommendation that the Village Board waive the competitive bidding process and authorize staff to purchase a new hydraulic pump and upgrade the Holmatro Rescue Extrication Tool through the Environmental Safety Group of Bolingbrook, Illinois at a total cost of \$10,556.50.

F:\USERS\veelder\ellie\BrdRpt\FDPurchaseEquip.doc

4-F.1

VILLAGE OF LA GRANGE
Public Works Department

BOARD REPORT

TO: Village President, Village Clerk
Board of Trustees, and Village Attorney

FROM: Robert Pilipiszyn, Village Manager
Ken Watkins, Director of Public Works

DATE: August 27, 2007

RE: **AWARD OF CONTRACT – COSSITT AVENUE STREETLIGHT
INSTALLATION PROJECT**

The Fiscal Year 2007-08 Village budget provides for the installation of three new streetlights on Cossitt Avenue between Tilden Avenue and the Indiana Harbor Belt (IHB) Railroad tracks. Residents attending a Town Meeting last Fall expressed safety concerns because of inadequate lighting in this segment of Cossitt Avenue. In response to these concerns, it was determined that three additional streetlights should be installed.

Competitive proposals were sought from local electrical contractors to perform this work. The following table reflects the proposals received for this project.

VENDOR/LOCATION	QUOTE
Meade Electric/McCook, IL	\$11,370.87
Pinner Electric/La Grange, IL	\$12,700.00
J.F. Edwards/Geneseo, IL	No Quote
FY 2007-08 Budget Capital Projects Fund	\$25,000.00

The low quote was submitted by Meade Electric of McCook in the amount of \$11,370.87. We have reviewed their submittal and find that it meets our specifications as outlined. We are very familiar with Meade Electric as they currently maintain the traffic signals within La Grange under the IDOT Contract. Based on our favorable experience with this firm, we find them capable of performing this work.

We recommend that the Village Board award the contract to Meade Electric in the amount of \$11,370.87 for the installation of streetlights on Cossitt Avenue as described above.

4-G

VILLAGE OF LA GRANGE
Police Department

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager and
Michael A. Holub, Chief of Police

DATE: August 27, 2007

RE: **ORDINANCE - DISPOSAL OF SURPLUS PROPERTY**

The Police Department routinely becomes the custodian of a wide variety of property that is lost, mislaid, abandoned, or of no further evidentiary value. As the Police Department currently has many such items, permission is requested to dispose of these items. State law allows the Village to sell surplus property in a manner that is best for the Village. All unclaimed/recovered property is being disposed of in compliance with the Illinois State Statutes, which requires property to be held for at least six (6) months and after all reasonable efforts made to return the property to the rightful owner.

In the past, the Police Department has organized a public auction to sell the surplus property. The majority of these items have been bicycles recovered in the previous year that are of little or no value. Our auction efforts for these type of items have been marginally successful and we have been looking at alternative methods to dispose of property. By way of contrast, more valuable property such as vehicles or jewelry do very well when auctioned on-line.

We have learned through a recent property management training program that many municipalities have been using a private auction house to dispose of surplus property. This year we have consulted with an outside firm to conduct our auction. We feel the results will be considerably better since they have the expertise and client base.

A company used by many municipalities is a licensed auction house in Illinois (Auction License #041000529) and does business as Auctions By Jennifer, located at 510 W. Irving Park Rd., Wooddale, IL. They will pick up and sell all of our property, for a fee of 25% of the proceeds of the sale. The attached list is an inventory of bicycles and miscellaneous items to be picked up and sold by Auctions By Jennifer. They will provide us with an itemized list of the property they sell, with the sale price, within one week after the auction.

We recommend that the Village Board authorize the La Grange Police Department to contract with Auctions By Jennifer and to dispose of the items as provided for in the attached ordinance.

4-H

VILLAGE OF LA GRANGE

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING DISPOSAL OF PERSONAL PROPERTY OWNED BY THE VILLAGE OF LA GRANGE

WHEREAS, in the opinion of the corporate authorities of the Village of La Grange, it is no longer necessary, useful, or in the best interests of the Village to retain ownership of the personal property described in this Ordinance; and

WHEREAS, it has been determined by the President and the Board of Trustees of the Village of La Grange to dispose of said personal property in the manner described in this Ordinance;

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

Section 1. Recitals. The foregoing recitals are hereby incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Disposal of Surplus Property. The President and Board of Trustees find that the personal property described in Exhibit A attached to this Ordinance and by this reference incorporated into this Ordinance (the "Surplus Property") is no longer necessary or useful to the Village, and thus the Village Manager for the Village of La Grange is hereby authorized to direct the sale or disposal of the Surplus Property in the manner most appropriate to the Village. The Surplus Property shall be sold or disposed of in "as is" condition.

Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this ____ day of _____ 20__.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____ 20__.

By: _____
Elizabeth M. Asperger, Village President

ATTEST:

Robert N. Milne, Village Clerk

4-H.1

ATTACHMENT A (PAGE 1 OF 2)

#	EQUIPMENT/DESCRIPTION	SERIAL #	MAKE/MODEL	CONDITION
1	BOYS BIKE	CSP1I04437	SPECIALIZED	USED
2	BOYS BIKE	ACMC2I108917	DIAMOND BACK	USED
3	GIRLS BIKE	16595-9061521-H5756	UNK	USED
4	GIRLS BIKE	R-3563-WMBT05-M01JJ	ROADMASTER	USED
5	BOYS BIKE	02TD3036305	MAGNUM	USED
6	BOYS BIKE	AL20D18648	HUFFY	USED
7	BOYS BIKE	57459369	NEXT	USED
8	GIRLS BIKE	UNK	MURRAY-USA	USED
9	BOYS BIKE	37256954	RALLEY-QUAD H2	USED
10	BOYS BIKE	HH0341651	PACIFIC	USED
11	BOYS BIKE	SNID004H447	SCHWINN	USED
12	BOYS BIKE	02TD8091676	CANYON	USED
13	GIRLS BIKE	R927760347	NISHIKI	USED
14	MENS BIKE	M06002231P3424936	JC PENNEY	USED
15	BOYS BIKE	58222149-SFCTD	MAGNA	USED
16	BOYS BIKE	HN0305359	MONGOOSE	USED
17	MENS BIKE	UNK	RAND-TRL BLZR	USED
18	MENS BIKE	FK517105	SCHWINN	USED
19	GIRLS BIKE	C02476748	ROADMASTER	USED
20	BOYS BIKE	F3WJ2257	HARO	USED
21	BOYS BIKE	A02T9	MAGNA	USED
22	BOYS BIKE	44017781	FOCUS	USED
23	BOYS BIKE	01TD8043034	NEXT	USED
24	BOYS BIKE	006590B99E	PACIFIC	USED
25	GIRLS BIKE	SNXDS04F27365	ROADMASTER	USED
26	MENS BIKE	F2011846	OUT FITTER	USED
27	BOYS BIKE	C6343578	BOULDER GIANT	USED
28	BOYS BIKE	99TD397665	NEXT	USED
29	BOYS BIKE	SNACE04J150452	MONGOOSE	USED
30	BOYS BIKE	31258856	RHINO	USED
31	BOYS BIKE	HC5832680	HUFFY ULTIMA	USED
32	BOYS BIKE	TBT1I23CA3D0936	GARY FISHER	USED
33	BOYS BIKE	48030706	MAGNA	USED
34	BOYS BIKE	57076852	NEXT	USED
35	GIRLS BIKE	MA122362	MURRAY	USED
36	GIRLS BIKE	L01081422	BARBIE	USED
37	GIRLS BIKE	613127	MAGNA	USED
38	GIRLS BIKE	UNK	SEARS	USED
39	BOYS BIKE	UNK	ROADMASTER	USED
40	BOYS BIKE	X90516553	MONGOOSE	USED
41	BOYS BIKE	GS833098	TREK	USED
42	GIRLS BIKE	L030526812	KENT	USED
43	BOYS BIKE	SN6NPD42221941	SCHWINN	USED
44	BOYS BIKE	017D1087989	NEXT	USED
45	RADIO	UNK	SONY WALKMAN	DAMAGED

4-H.2

ATTACHMENT A (PAGE 2 OF 2)

46	RADIO	S05LV8A80632	AIWA	DAMAGED
47	RADIO	19778675	JVC	DAMAGED
48	COOLER	NONE	UNK	DAMAGED

4-H.3

VILLAGE OF LA GRANGE

Disbursement Approval by Fund

July 23, 2007

Consolidated Voucher 070723

<u>Fund No.</u>	<u>Fund Name</u>	<u>07/23/07 Voucher</u>	<u>07/13/07 Payroll</u>	<u>Total</u>
01	General	166,163.54	238,196.97	404,360.51
21	Motor Fuel Tax			0.00
22	Foreign Fire Insurance Tax	66.93		66.93
23	TIF	48,292.72		48,292.72
24	ETSB	12,258.00		12,258.00
40	Capital Projects	294,600.25		294,600.25
50	Water	150,314.73	34,041.06	184,355.79
51	Parking	7,203.77	20,017.53	27,221.30
60	Equipment Replacement	15,494.97		15,494.97
70	Police Pension			0.00
75	Firefighters' Pension			0.00
80	Sewer	1,141.39	7,471.30	8,612.69
90	Debt Service			0.00
91	SSA 4A Debt Service			0.00
93	SAA 269			0.00
94	SAA 270			0.00
		<u>695,536.30</u>	<u>299,726.86</u>	<u>995,263.16</u>

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

Village Manager

Village Clerk

President

Trustee

Trustee

Trustee

Trustee

Trustee

Trustee

4-I

VILLAGE OF LA GRANGE

Disbursement Approval by Fund

August 13, 2007

Consolidated Voucher 070813

Fund No.	Fund Name	08/13/07 Voucher	07/27/07 Payroll	08/10/07 Payroll	Total
01	General	229,304.44	249,221.10	229,145.28	707,670.82
21	Motor Fuel Tax				0.00
22	Foreign Fire Insurance Tax				0.00
23	TIF	3,962.59			3,962.59
24	ETSB	2,667.76			2,667.76
40	Capital Projects	202,440.29			202,440.29
50	Water	165,930.73	33,921.40	35,035.91	234,888.04
51	Parking	6,182.89	19,932.50	20,245.86	46,361.25
60	Equipment Replacement	111,132.99			111,132.99
70	Police Pension				0.00
75	Firefighters' Pension	430.50			430.50
80	Sewer	95,924.51	7,087.91	7,034.44	110,046.86
90	Debt Service				0.00
91	SSA 4A Debt Service				0.00
93	SAA 269				0.00
94	SAA 270				0.00
		<u>817,976.70</u>	<u>310,162.91</u>	<u>291,461.49</u>	<u>1,419,601.10</u>

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

Village Manager

Village Clerk

President

Trustee

Trustee

Trustee

Trustee

Trustee

Trustee

4-5

MINUTES

VILLAGE OF LA GRANGE
BOARD OF TRUSTEES REGULAR MEETING
Village Hall Auditorium
53 South La Grange Road
La Grange, IL 60525

Monday, July 9, 2007 - 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL

The Board of Trustees of the Village of La Grange regular meeting was called to order at 7:40 p.m. by President Asperger. On roll call, as read by Village Clerk Robert Milne, the following were present:

PRESENT: Trustees Horvath, Kuchler, Langan, Livingston, and Palermo with President Asperger presiding.

ABSENT: Trustee Wolf

OTHERS: Village Manager Robert Pilipiszyn
Assistant Village Manager Andrianna Peterson
Village Attorney Mark Burkland
Community Development Director Patrick Benjamin
Assistant Community Development Director Angela Mesaros
Finance Director Lou Cipparrone
Public Works Director Ken Watkins
Police Lieutenant Vic Arnold
Fire Captain Gary Mayor
Doings Reporter Ken Knutson
Suburban Life Reporter Joe Sinopoli

2. PRESIDENT'S REPORT

A. Employee Recognition – Retirement of Police Officer Bryan Beaver

President Asperger recognized Police Officer Bryan Beaver for his 20 years of exemplary service to the Village and noted his numerous roles, achievements, awards and commendations during his career.

4-K

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Mrs. Reichl, 641 S. Waiola expressed on-going concerns relative to the zoning code and enforcement. Mrs. Reichl feels the Village needs more staff in place to monitor problems and builders need to be held accountable for code violations. Home owners living adjacent to construction sites should not be disrupted or incur expenses because builders are negligent.

Dr. Patricia Russell, 740 S. Stone provided photos and explained to the Board numerous problems and serious health and safety issues she has had to face due to construction next to her residence. Dr. Russell believes the Village should be proactive and adopt more stringent requirements and increase penalties. President Asperger indicated the Board's desire for the Village to do better and thus has directed staff to research and recommend ways to improve construction site management. President Asperger encouraged Dr. Russell to work with Village Manager Bob Pilipiszyn and Community Development Director Patrick Benjamin.

Bob Reichl, 641 S. Waiola expressed his disappointment at the Board not approving the reduction of building and lot coverage at their previous meeting. Mr. Reichl believes new homes constructed south of 47th are too large. Mr. Reichl feels the Board is going against recommendations presented to them. President Asperger noted that discussion of maximum lot coverage will resume at the next Board meeting on August 27.

4. OMNIBUS AGENDA AND VOTE

- A. Ordinance (#O-07-19)– Special Service Area No. 7: Minor Boundary Adjustments
- B. Award of Contract – Janitorial Services (Ally, Inc., La Grange, IL)
- C. Purchase – Purchase – Stump Grinder (Alexander Equipment, Lisle, IL \$33,495)
- D. Amendment – Engineering Services Agreement / Hillgrove Avenue Reconstruction Project (Heuer and Associates, Westchester, IL additional \$59,322 revised contract not to exceed \$277,501).
- E. Consolidated Voucher 070709 - \$651,191.32
- F. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, June 25, 2007

It was moved by Trustee Langan to approve items A, B, C, D, E, and F of the Omnibus, seconded by Trustee Horvath. Approved by roll call vote.

4-K,1

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo, and
President Asperger
Nays: None
Absent: Trustee Wolf

5. CURRENT BUSINESS

- A. Ordinance (#O-07-20) – Major Adjustment to Planned Unit Development Final Plans – Village Bluffs, 400 East Elm Ave., Bluff & Elm Real Estate partners, LLC: Referred to Trustee Horvath

Trustee Horvath explained the previous history for a special use permit and planned development final plan for Village Bluffs, 400 East Elm Avenue and the denial of a request for an extension of time. Trustee Horvath noted that the property owner has been working with a new developer and has brought forth revised plans. Although revised, the plans must fall within the Zoning Code as a newly submitted plan that does not change specific criteria. Gallagher & Henry, the new developer has submitted plans which include slight revisions and improvements of which staff reviewed and find are in substantial conformity to the original plans.

Trustee Horvath moved to approve the ordinance amending the existing Planned Development for Village Bluffs, seconded by Trustee Langan.

Jon Talty, President of OKW Architects explained to the Board the various improvements to maintain a residential building. Mr. Talty offered more detail if the Board so requested. President Asperger indicated that each member of the Board has had the opportunity to review the revised plans.

Trustee Palermo inquired if the revised plans would have an effect on school enrollment and was informed the previous school studies would not be effected.

Approved by a roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, and Palermo
Nays: None
Absent: Trustee Wolf

- B. Ordinance (#O-07-21) La Grange Zoning Code Amendments Relating to Certain Residential Bulk, Yard, and Space Regulations: Referred to Trustee Langan

Trustee Langan explained that a majority of the Board previously concurred on eight amendments to the Zoning Code affecting the single family residential districts.

4-K.2

Those amendments being:: 1) to add a minimum total interior side yard requirement of 12 feet; 2) to keep window wells a minimum of three feet from lot lines; 3) to require that an attached garage be set back from the front lot line to a point not more than 10 feet in front of the rest of the house; 4) to reduce residential curb cuts across public property to 16 feet; 5) to allow certain horizontal and vertical extensions of roof lines of nonconforming houses; 6) to exclude eaves of houses from the calculation of building coverage unless the eaves are within three feet of a lot line; 7) to slightly amend the definition of "lot coverage;" and 8) to add a new definition of "impervious surface."

Trustee Langan stated the ordinance presented to the Board this evening includes the eight amendments and indicates application would begin on Monday, August 13.

Trustee Langan moved to approve the ordinance amending various sections of the La Grange Zoning Code relating to certain residential bulk, yard, and space regulations, seconded by Trustee Livingston.

Trustee Langan referenced the maximum lot coverage standard as having been tabled until July 9. President Asperger noted that discussion of that item will be continued to the next Village Board meeting which at this time is scheduled to be August 27.

Trustee Langan noted his disappointment in the decisions on bulk and hopes the Board does a better job when addressing lot coverage.

Trustee Horvath does not believe the process is over and would like to see swift action on neighborhood-focused zoning south of 47th Street. He also favors these amendments.

Approved by a roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, and Palermo
Nays: None
Absent: Trustee Wolf

6. MANAGER'S REPORT

Village Manager Robert Pilipiszyn explained that the Village Board previously approved a six-month contract extension for refuse collection in order to allow residents the opportunity to express their comments and concerns regarding current services provided. A survey is being compiled to seek resident's input and consideration for potential changes to the current user fee-based program. The survey is expected to be mailed to single and two-family households in the Village as well as posted on the Village's

4-K.3

website. Residents were encouraged to contact Assistant Village Manager, Andrianna Peterson with any questions.

Manager Pilipiszyn announced that the La Grange Business Association will hold its annual Art and Craft Show on Saturday and Sunday, July 14 and 15. The La Grange Borders has been chosen to host one of the ten largest Borders Harry Potter celebrations in the country on Friday, July 20 with the release of the final Harry Potter book.

Manager Pilipiszyn noted that the July 23 and August 13 Village Board meetings would be canceled and the next meeting is scheduled for Monday, August 27.

Accolades were given to Police Chief Mike Holub for his perseverance and successful enforcement of truck traffic on La Grange Road. Manager Pilipiszyn gave detailed information pertinent to increased Police patrol, speed regulation, intergovernmental cooperation, and the receipt of grant funds to support these endeavors.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

Rose Naseef, 911 S. Stone stated that Citizens United for Responsible Building (CURB) has received numerous calls and complaints regarding construction and building violations. Ms. Naseef indicated the organization is attempting to support victims of teardowns and suggested a high value demolition fee as a possible solution. Ms. Naseef believes that the Zoning Code is a separate issue and inquired how it would be enforced.

President Asperger explained that the Board is looking at enforcement rules and regulations and currently relies on observations made by residents and neighbors adjacent to construction. The Board is also considering demolition fees.

Manager Pilipiszyn noted that vigorous enforcement is implemented when violators are identified.

Don Johnston, 240 S. La Grange Road thanked Manager Pilipiszyn for his report on La Grange Road truck traffic enforcement and noted the difference Police patrol has made.

Mark Shure, 334 S. La Grange Road concurred with Mr. Johnston. Mr. Shure expressed his concerns with the dangerous intersection at Burlington Avenue and Ogden Avenue. President Asperger noted this may be an issue to consult with the Illinois Department of Transportation and will have staff research.

8. EXECUTIVE SESSION

A. Closed Session – Purchase, Sale or Lease of Real Property

4-K.4

It was moved by Trustee Langan and seconded by Trustee Livingston to convene in the lower level conference room for Executive Session to discuss the purchase, sale or lease of real property. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, and Palermo
Nays: None
Absent: Trustee Wolf

9. TRUSTEE COMMENTS

Trustee Livingston inquired if his previous request to table discussion of lot coverage would remain tabled until the next meeting and Village Attorney Burkland indicated yes. Trustee Livingston commended Chief Holub and staff on the enforcement of truck traffic and inquired if similar Police enforcement could be applied to building construction. Manager Pilipiszyn indicated that is being reviewed and a staff report will be presented to the Board at the completion of the review process.

Trustee Palermo indicated his belief that more data should be gathered and builders with violations should be tracked for better compliance. Trustee Palermo thanked the La Grange Country Club for their fireworks display.

Trustee Kuchler offered his congratulations to Police Officer Bryan Beaver on his retirement and wished him well in his new endeavors. Trustee Kuchler added his thanks to Police Chief Holub on La Grange truck traffic enforcement and suggested even more traffic enforcement. Trustee Kuchler noted the Village welcomes good builders but would like to act quickly to eradicate improper building.

Trustee Horvath would like to see data on truck traffic enforcement published, that the Village consider how it communicates with residents and expressed concerns related to school safety.

10. ADJOURNMENT

At 9:05 p.m. the meeting was adjourned to the lower level conference room for closed session.

Elizabeth M. Asperger, Village President

ATTEST:

Robert N. Milne, Village Clerk

Approved Date

4-K.5

CURRENT BUSINESS

VILLAGE OF LA GRANGE
Community Development Department

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager
Patrick Benjamin, Community Development Director

DATE: August 27, 2007

RE: **SPECIAL EVENT -- LA GRANGE BUSINESS ASSOCIATION
WEST END ART FESTIVAL/ELEPHANTS UNDER THE BIG TOP**

Attached is a request from the La Grange Business Association seeking approval to conduct the 12th annual "West End Art Festival". This year the West End Art Festival will kick-off with "Elephants Under the Big Top." This event will be the culmination of the *Elephants on Parade* promotion throughout the Central and West End Business Districts. The La Grange Business Association would like to hold an auction on the Friday night of the West End Art Festival, September 7th, under a big top tent. All 33 elephants will be auctioned off to the public. In addition, they would like to serve light food, beer and wine from a licensed caterer and have music from 6:00 p.m. to 9:00 p.m.

Following Friday night's auction the West End Art Festival is planned to take place on Saturday, September 8th from 10 a.m. to 5 p.m. and Sunday September 9th, 10 am to 4 pm. For the second year the LGBA will be working with Erin Melloy of EM Events. Erin Melloy has extensive experience in the art festival business. She is part founder of Naperville's acclaimed Riverwalk Art Festival and currently is the director of shows in Geneva, Orland Park, Oswego and the Morton Arboretum.

This event would again be held on Burlington Avenue between Brainard and Spring Avenues, as well as in the park area surrounding Stone Avenue train station. La Grange Business Association is in the process of securing permission from the Burlington Northern Railroad to use the park area. It is anticipated that up to 150 artists and exhibitors, as well as a few food vendors, will be at the event. In order to allow for the set-up of the "*Elephants Under the Big Top*" it is necessary to close the street earlier than usual, 10:00 a.m. on Friday, September 7th.

5-A

Village staff has reviewed the request and is supportive of the event subject to the following conditions:

1. that all licenses, permits and insurance coverages be obtained to the satisfaction of the Village; and
2. that the Village maintain final approval of site, security, parking and utility plans; and
3. that all adjacent affected businesses be contacted well in advance of the event by the sponsors and proof of contact be provided to Village staff; and
4. that all residents on the first block of South Stone Avenue are advised of the event, and the closure of Burlington Avenue; and
5. that the administration of the Lyons Township High School North campus be advised of the event and the closure of Burlington Avenue; and
6. that commuters of the Stone Avenue train station be advised of the event and the closure of Burlington Avenue.

If you concur with this request, the Village will need to formally approve: (1) the closure of Burlington Avenue, portions of Stone and Waiola Avenues, and (2) waive restrictions for the outdoor display and sale of goods and services in the C-2 Zoning District.

Representatives of the La Grange Business Association will be in attendance at the Board Meeting and will be available to answer any further questions you may have.

We recommend that the Village Board authorize the LGBA to utilize Burlington Avenue from Waiola Avenue to Brainard Avenue for “Elephants Under the Big Top” and the “West End Art Festival” on September 7th, 8th and 9th, 2007; that restrictions prohibiting outdoor display and sale of goods and services be waived in conjunction with this event; and that all conditions listed above be satisfied.

5-A.1



April 3, 2007

Mr. Patrick Benjamin
Director of Community Development
53 South La Grange Road
La Grange, IL 60525

Dear Mr. Benjamin:

Once again, plans are being made for the annual West End Art Festival hosted by the La Grange Business Association. After a successful eleventh year, we are excited at the opportunity to watch the festival expand with the artists and entertainment. We will again be working with Erin Melloy of EM Events. Erin has extensive experience in the art festival business. She is part founder of Naperville's acclaimed Riverwalk Art Festival and currently is director of shows in Geneva, Orland Park, Oswego, and the Morton Arboretum.

This year the West End Art Festival will kick-off with "*Elephants Under the Big Top.*" This event will be the culmination of the *Elephants on Parade.* We would like to hold an auction on the Friday night of West End Art Festival, September 7th, under a huge big top tent. All 33 elephants will be auctioned off to the public. In addition, we will have light food, beer and wine from a licensed caterer and music from 6 p.m. to 9 p.m.

Following Friday night's auction the West End Art Festival will be held Saturday, September 8th from 10 a.m. to 5 p.m. and Sunday, September 9th from 10 a.m. to 4 p.m. The location will be on Burlington between Brainard and Spring. Artists' booth spaces will be set up on Burlington. Artists will supply their own exhibiting materials and will start to set up after 3:00 p.m. on Friday afternoon. Artist fees for this year are \$15 to be juried and a \$285 booth fee.

The purpose of this letter is to present our proposal to you and the Board of Trustees to seek approval for both events.

We are in the process of securing approval from the Burlington Northern to use the park area. We will keep you informed on its progress. In addition, Lot 13 will be used for parking as well as existing parking in the immediate area.

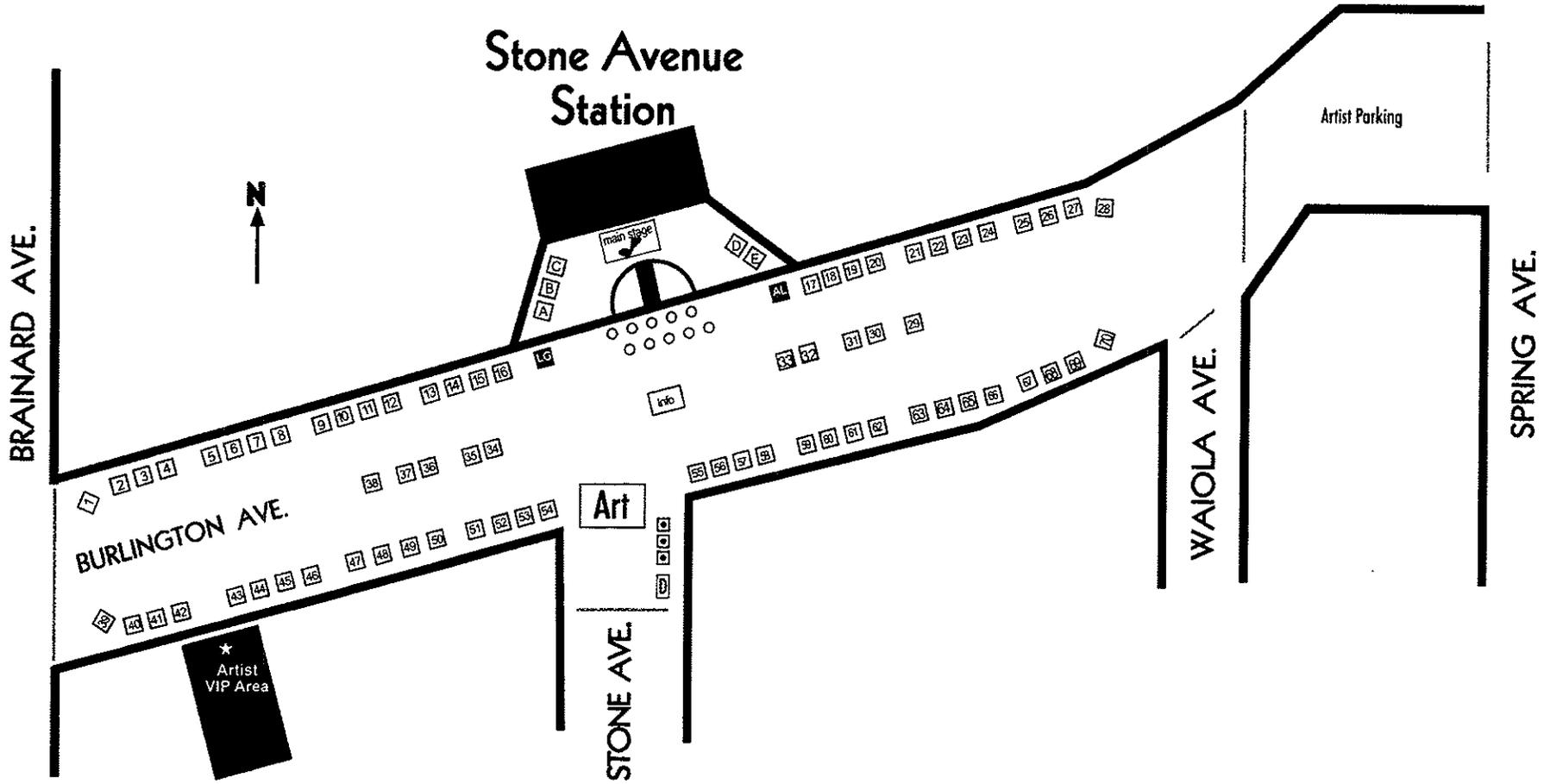
Our commitment remains the same to provide the community with a juried fine art exhibition and focus attention to the "west end" area. We look forward to receiving permission from the Board to proceed with plans for the West End Art Festival.

Thank you again for your continued partnership and please do not hesitate to call me with any questions.

Sincerely,

Michael LaPidus
President

5-14.2



KEY

- Info INFORMATION
- LG LGBA Sponsor Tent
- Art = Art Tent: Free art projects for all
- = Restrooms
- = Music

Festival Food
A- E = To be determined

5 - A. W

VILLAGE OF LA GRANGE
Community Development Department

BOARD REPORT

TO: Village President, Board of Trustees,
Village Clerk and Village Attorney

FROM: Robert Pilipiszyn, Village Manager
Patrick D. Benjamin, Community Development Director
Angela M. Mesaros, Assistant Community Development Director

DATE: August 27, 2007

RE: **ORDINANCE – AN AMENDMENT TO THE AGREEMENT FOR THE
DEMOLITION OF THE PROFESSIONAL OFFICE BUILDING - 5101
South Willow Springs Road, La Grange Memorial Hospital.**

On June 6, 2003, the Village entered into an agreement with Adventist Health System, Inc., the entity which owns La Grange Memorial Hospital, that set the terms for demolition of the professional office building (POB). Execution of the demolition agreement was a condition of the ordinance passed by the Village Board in March 2003 that amended the Hospital's special use permit / planned unit development which provided for the new patient care wing. The agreement stipulated that La Grange Memorial Hospital was to have commenced with demolition of the POB by February 1, 2007, with completion within 120 days thereafter. Demolition of the POB was an integral component of the planned unit development approval at that time in order to: (1) create a field of parking to serve patients and visitors of the new wing; (2) improve traffic circulation and pedestrian access to the new main entrance of the hospital; (3) increase the setback of the hospital away from the residential neighborhood to the north; and (4) begin to create a campus-like setting on the hospital property with increased setbacks and enhanced green space / landscaping. Also at that time, the hospital decided not to replace the office space that would be lost with the planned demolition of the POB. Consequently, physicians, specialists and dentists officed in the POB had to relocate their practices.

In 2006, the hospital reconsidered its decision and began to develop plans for a second medical office building on its campus. Application was made and this matter was forwarded to the Plan Commission. In deference to the hospital, no action was taken to enforce the demolition deadline. After all due consideration, the Plan Commission recommended to deny that specific plan for a second medical office building. The hospital subsequently withdrew its application in March 2007.

5-B

Since then, the Village has been working closely with the hospital and the remaining tenants of the POB (and their agents) to ensure the timely demolition of the POB and implementation of the outstanding elements of the planned unit development amendment approved by the Village Board in 2003. To the best of our knowledge, all of the remaining tenants in the POB have lease documents in some form in hand. The consensus reached was that a date by which the remaining tenants would vacate the POB would be April 15, 2008. This accommodation to the remaining tenants is what leads to more precisely revising the demolition agreement between the Village and the hospital to ensure compliance with and fulfillment of the hospital's obligations under their Special Use Permit. The hospital has subsequently agreed to begin demolition of the POB by May 1, 2008, complete demolition by June 30, 2008 and achieve full site restoration, which includes construction of a parking field, construction of a sunken garden, installation of a decorative perimeter fence, and planting of various trees and landscape materials, by October 1, 2008. (A copy of the approved site plan is attached for your reference.)

Attached for your consideration is an ordinance which amends the demolition agreement for the POB dated June 6, 2003, to reflect this new timetable. All other aspects of the Ordinance adopted in March 2003, will remain in effect.

We recommend that the ordinance be approved.

We have invited Tim Cook, Chief Executive Officer and Ed Gervain, Chief Operating Officer of the hospital to attend the Village Board meeting to answer any questions you may have concerning this item.

H:\eelder\ellie\BrdRpt\POBHospital.DOC

5-B.1

HILLBERRY C

BIRCHWOOD

PROPOSED EVERGREEN TREES

PROPOSED DECIDUOUS SHRUBS

PLAN
PROPI
BY TH

Sunken
Garden

FIRE
LANE

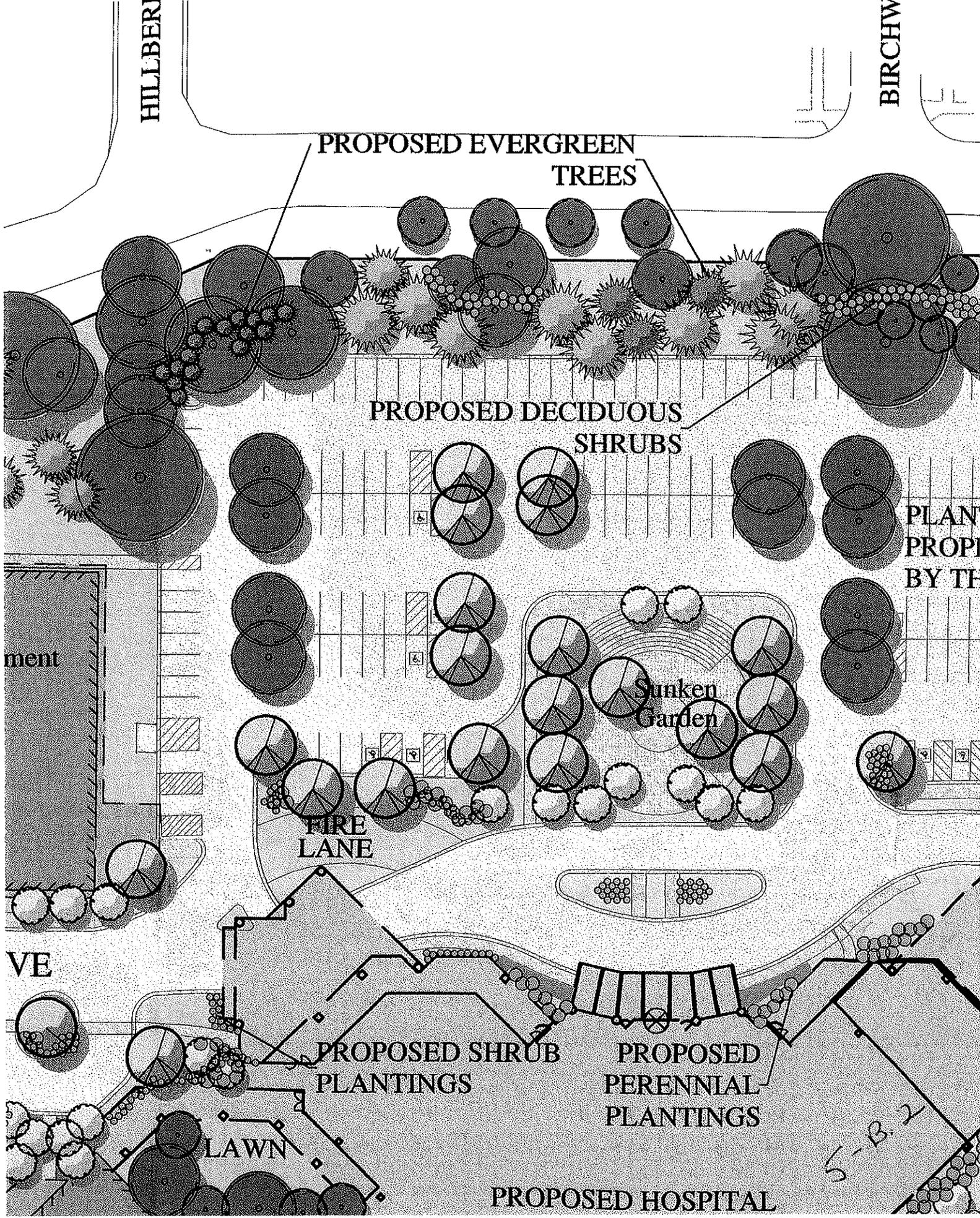
PROPOSED SHRUB
PLANTINGS

PROPOSED
PERENNIAL
PLANTINGS

LAWN

PROPOSED HOSPITAL

5-13-2



VILLAGE OF LA GRANGE

ORDINANCE NO. _____

AN ORDINANCE APPROVING AN AMENDMENT
TO THE AGREEMENT FOR DEMOLITION
OF THE PROFESSIONAL OFFICE BUILDING
ON THE LA GRANGE MEMORIAL HOSPITAL CAMPUS
AT 5101 SOUTH WILLOW SPRINGS ROAD

WHEREAS, the Village of La Grange entered into an agreement (the "Demolition Agreement") dated June 6, 2003, with Adventist Health System, Inc., La Grange Memorial Hospital ("La Grange Hospital"), for demolition of the existing professional office building (the "POB") on the campus of La Grange Hospital at 5101 South Willow Springs Road, La Grange, Illinois (the "Subject Property"); and

WHEREAS, the Subject Property is legally described in Exhibit A attached to and by this reference incorporated into this Ordinance; and

WHEREAS, a copy of the Demolition Agreement is attached to and by this reference incorporated into this Ordinance as Exhibit B; and

WHEREAS, the Demolition Agreement was made pursuant to (a) La Grange Ordinance No. O-03-10, adopted by the President and Board of Trustees of the Village of La Grange on March 24, 2003 (the "PUD Ordinance") approving a "New Site Plan" as defined in that ordinance on the condition that the POB be demolished pursuant to the Demolition Agreement, and (b) La Grange Ordinance No. O-03-10, adopted by the President and Board of Trustees on March 24, 2003, which allowed the continued use of the POB by La Grange Hospital subject to the terms of the Demolition Agreement and other restrictions; and

WHEREAS, La Grange Hospital has requested additional time within which to demolish the POB, and the President and Board of Trustees have determined that it is in the best interests of the Village to allow certain additional time in accordance with the provisions of this Ordinance;

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

5-B.3

Section 1. Recitals. The foregoing recitals are hereby incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Amendment of Sections 2 and 3 of Demolition Agreement. Sections 2 and 3 of the Demolition Agreement is hereby amended in its entirety so that said Sections 2 and 3 shall hereafter be and read as follows:

2. Notwithstanding any other provision of this Agreement, the Applicant shall complete demolition of the POB prior to June 30, 2008, and shall, prior to October 1, 2008, complete restoration and all unfinished improvements required pursuant to the PUD Ordinance.

3. In furtherance of the requirements stated in Section 2 of this Agreement above, the Applicant shall take the following steps:

- a. Notify all tenants within the POB that they must vacate the POB by not later than April 15, 2008, and that there shall be no extensions of that deadline.
- b. Enter into a contract by April 15, 2008, with a demolition contractor for demolition of the POB with a commencement date of not later than May 1, 2008, and a deadline for completion not later than June 30, 2008.
- c. Commence demolition of the POB by not later than May 1, 2008, and complete that demolition by not later than June 30, 2008.
- d. Complete all restoration work and all improvements required by the PUD Ordinance by not later than October 1, 2008.

Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law and execution of La Grange Hospital's Agreement and Consent attached to and by this reference incorporated into this Ordinance as Exhibit C.

PASSED this _____ day of _____ 2007

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____ 2007.

Village President

ATTEST:

Village Clerk

5-13-07

EXHIBIT A

**LEGAL DESCRIPTION OF SUBJECT PROPERTY
(LA GRANGE MEMORIAL HOSPITAL)**

[to be inserted by staff prior to enactment]

5-B.6

EXHIBIT B

DEMOLITION AGREEMENT

[to be inserted by staff prior to enactment]

AGREEMENT REGARDING DEMOLITION
OF PROFESSIONAL OFFICE BUILDING

This Agreement, made this 6 day of June, 2003, by and between Adventist Health System Sunbelt, Inc. (the "Applicant") and the Village of LaGrange, an Illinois municipal corporation, organized and existing under the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.* (the "Village"),

WITNESSETH

WHEREAS, the Applicant is the legal and record title owner of the real property and improvements commonly known as La Grange Memorial Hospital (the "Hospital") located at 5101 South Willow Springs Road in the Village of La Grange, Illinois, and legally described in Exhibit A attached to this Agreement (the "Hospital Property"); and

WHEREAS, in November, 1969, the Village of LaGrange, pursuant to Ordinance No. O-69-50, approved a planned development on the Hospital Property allowing, among other things, the use of the Hospital Property for hospital purposes, medical offices, and certain related uses, all subject to the requirements and conditions of such Ordinance (the "Planned Development"); and

WHEREAS, the regulations and requirements applicable to the Planned Development have been amended from time to time since 1969; and

WHEREAS, the Applicant desires to add to the Hospital a new in-patient bed tower (the "Bed Tower"), expand the Hospital's physical plant, build a new parking lot, demolish certain existing portions of the Hospital, renovate and redevelop various portions of the Hospital Property, build a new garden in the location of an existing professional office building on the Hospital Property (the "POB"), construct (potentially) a new dietary facility in the garden level of the Bed Tower, and perform related improvements; and

WHEREAS, the distance between the existing POB and the proposed Bed Tower is shorter than the distance required pursuant to the building spacing requirement provided in Subparagraph 14-505B7(b) of the Village Zoning Code, which requirement is applicable to the Planned Development (the "Building Spacing Requirement"); and

WHEREAS, the Applicant has filed applications to amend the current final plan for the Planned Development, which applications include requests for approval of a special use, approval of a new concept development plan and final plan (collectively, the "New Plan"), approval of a revised site plan, and approval of a

5-13.8

zoning code text amendment that would allow the Village to approve the POB as a temporary use until such time as the Building Spacing Requirement will be satisfied by the demolition of the POB (the "Text Amendment"), as provided in this Ordinance (collectively, the "Application"); and

WHEREAS, La Grange Ordinance No. 0-03-10, adopted by the President and Board of Trustees of the Village of La Grange on March 24, 2003 (the "Ordinance"), approved the Text Amendment, which allows "the continued use of a building in a planned development that does not satisfy the applicable building spacing requirement, provided that the construction or maintenance of, and the temporary use of, the building has been approved by the Board of Trustees as part of a planned development, and the owner of the building (i) has entered into a written recordable agreement with the Village to demolish the building, or another building in the planned development, so that, after such demolition, the building spacing requirement will be satisfied, which agreement shall provide that such demolition will be complete within a specific time period, to be determined by the Board of Trustees, after the date that the building spacing non-conformity first exists, and (ii) has submitted to the Village an irrevocable letter of credit, in a form approved by the Village Manager, securing such demolition"; and

WHEREAS, the Ordinance, as part of the New Plan, allows the Applicant to maintain the POB as a temporary use, subject to the Text Amendment and the additional conditions set forth in this Agreement;

NOW, THEREFORE, the Applicant and the Village do hereby agree as follows:

1. The Applicant shall be out of compliance with the otherwise applicable Building Spacing Requirement on the first day that it commences construction of the canopy located on the north façade of the Bed Tower, which canopy is generally depicted in the elevation plan attached hereto (the "Initiation Date").

2. Notwithstanding any other provision of this Agreement, the Applicant shall complete demolition of the POB and removal of all debris from such demolition not later than 36 months after the Initiation Date.

3. To that end, the Applicant shall obtain demolition permits for the POB from the Village and from any other governmental entity or agency which must approve such demolition and shall commence demolition of the POB in an expeditious manner and in a manner that will ensure completion of such demolition and removal obligations. In no event shall Applicant (a) obtain such permits later than December 31, 2006; (b) commence demolition of the POB later than February 1, 2007; or (c) fail to complete the demolition more than 120 days after it is commenced. If all tenants with leasehold interests in the POB have vacated the

POB by a date that will allow demolition to commence and be completed earlier than these dates, the Applicant shall endeavor to do so.

4. If the Applicant fails to comply with any of the requirements of Sections 2 or 3 of this Agreement (a) the Applicant shall be required to pay to the Village, as liquidated damages and not as a penalty, \$300 for each day upon which the Applicant has not complied with such requirement; or (b) the Village may take any and all action it deems necessary in its sole and absolute discretion, without further notice and without resort to any judicial proceeding of any kind, to complete such demolition and removal, including the retention of contractors to accomplish such demolition and removal and the Applicant shall be required to pay to the Village for any costs that the Village related to such actions, including without limitation the cost of demolition and removal. Subject to the conditions set forth in this paragraph, the Applicant hereby grants the Village permission to enter the Hospital Property by any means to complete such demolition and removal and agrees that any such entry by the Village shall not be deemed a trespass or any other illegal action. The foregoing grant shall (i) commence at such time as Applicant has first failed to comply with any of the requirements of Sections 2 or 3 of this Agreement; (ii) remain in effect only for so long as is reasonably necessary for the Village to complete such demolition and removal; (iii) be limited to those physical portions of the Hospital Property containing the POB, areas of the Hospital Property that must be accessed and utilized to complete said demolition and removal, and areas of the Hospital Property that are necessary for ingress and egress of construction vehicles and personnel undertaking such demolition and removal.

5. To secure its payment obligations under Section 4 of this Agreement, the Applicant, no later than the earlier of (1) the Initiation Date; (2) the date upon which the Applicant applies for any certificate of occupancy for any portion of the Bed Tower; or (3) December 31, 2006 (whichever occurs first), shall provide the Village with an irrevocable letter of credit, in a form approved by the Village Manager and in an amount equal to 125% of the Village's estimated cost of demolition. The Village shall be permitted to draw upon the letter of credit in any amount necessary to cover all or a portion of any amount that the Applicant is required to pay the Village pursuant to Section 4 of this Agreement. The Village need not demand payment from Applicant first but instead may draw directly from the letter of credit. The escrow shall be released, and the parties shall execute and record a written release of this document not later than 30 days after the demolition and removal activities are complete. The Applicant hereby acknowledges and agrees that it may not take occupancy of the Bed Tower unless and until the Village has issued a certificate of occupancy.

6. The Applicant shall promptly record this Agreement against the Hospital Property. The obligations of this Agreement shall run with the land and

5-B.10

shall be enforceable and binding against all future owners of the Hospital Property and any portion thereof. Within ten (10) business days of receiving a written request from either party hereto, the other party shall deliver a binding, written estoppel letter indicating whether or not this Agreement has been modified in any way and whether or not there are any actual or potential defaults by either party hereunder.

APPLICANT:

By: [Signature]
Name: ERNIE SADAU
Title: PRESIDENT/CEO-AHS/MWR
Date: 6/6/03

ATTEST:
By: [Signature]
Name: TODD S. WERNER
Title: CHIEF EXECUTIVE OFFICER
Date: 6/6/03

VILLAGE:

By: [Signature]
Name: TIMOTHY R. HANSEN
Title: PRESIDENT
Date: 8.28.03

ATTEST:
By: [Signature]
Name: ROBERT N MILNE
Title: VILLAGE CLERK
Date: 8/27/03

5-B.11

EXHIBIT C

LA GRANGE HOSPITAL AGREEMENT AND CONSENT

WHEREAS, Adventist Health System, Inc. La Grange Memorial Hospital (the "Owner") is the legal and record title owner of that certain tract of land located at 5101 South Willow Springs Road, La Grange, Illinois (the "Subject Property"); and

WHEREAS, the Owner desires to demolish the professional office building in accordance with the provisions of La Grange Ordinance No. _____ adopted by the President and Board of Trustees of the Village of La Grange on _____, 2007, (the "Amendatory Ordinance") and with the provisions of the Demolition Agreement, as amended by the Amendatory Ordinance; and

WHEREAS, the Owner desires to provide evidence to the Village of the Owner's unconditional agreement and consent to accept and abide by each of the terms, conditions, and limitations set forth in the Amendatory Ordinance and the Demolition Agreement as amended;

NOW, THEREFORE, the Owner shall, and does hereby, unconditionally agree to, accept, consent to and abide by all of the terms, conditions, restrictions, and provisions of the Amendatory Ordinance and the Owner consents to the recordation of the Amendatory Ordinance against the Subject Property for the purpose of providing notice that Owner shall be subject to the terms, conditions, restrictions, and provisions of the Amendatory Ordinance.

DATED this ____ day of _____ 2007.

**Adventist Health System, Inc,
La Grange Memorial Hospital**

By: _____

Name: _____

Its: _____

Attest:

By: _____

Name: _____

Its: _____

5-B.12

VILLAGE OF LA GRANGE
Community Development Department

BOARD REPORT

TO: Village President, Board of Trustees,
Village Clerk and Village Attorney

FROM: Robert Pilipiszyn, Village Manager,
Patrick D. Benjamin, Community Development Director,
Angela M. Mesaros, Assistant Community Development Director

DATE: August 27, 2007

RE: **ORDINANCE – MAXIMUM LOT COVERAGE - SINGLE FAMILY ZONING
DISTRICTS**

As part of the amendments for bulk, yard and space in the single family districts, the Plan Commission recommended a provision for a lot coverage requirement for adoption by the Village Board. This item was discussed along with other recommended Zoning Code amendments at the Village Board meetings of February 26, March 12, May 21, June 11, June 25, and July 9, 2007.

At the time of the adoption of several of the recommendations on July 9, 2007, the Village Board requested that the discussion of the lot coverage requirement continue at a future meeting. Since that time staff has conducted additional analysis to explore whether other options might exist for a lot coverage requirement. That analysis was completed and plats of survey from nine representative properties was provided in mid July to the Village Board. Subsequently, staff prepared an analysis exploring three separate options as it relates to maximum lot coverage:

1. The Plan Commission and staff recommended 45% allowances of 450 sq. ft. for driveways leading to detached garages; 50% of detached garage area, up to 330 sq. ft; and 160 sq. ft. for open front porches;
2. 45% lot coverage plus 5% bonus for detached garages; and
3. 55% static lot coverage requirement.

Our analysis of these three options indicated that 45% plus allowances, as recommended by the Plan Commission, was still the best option for the Village of La Grange for the following reasons:

- This is an achievable standard based on staff analysis of samplings.
- By providing incentives for detached garages, the appearance of bulk of a home is reduced, because of the increased side yard created by the driveway.

5-C

- This standard encourages desirable design elements such as detached garages and front porches. (At community meetings, we found that among the top priorities were bonuses for detached garages and front porches and preclusion of front facing garages.)
- Relative to the matter of drainage, a driveway servicing a detached garage when properly designed can conduct upwards of one-quarter of storm water run-off from the principal structure towards the street, as opposed to being directed to side and rear yards.

This information was provided to the Village Board in a Memorandum on August 9, 2007. We have prepared the necessary ordinance for your final consideration in adopting maximum lot coverage of 45% in all residential districts with allowances for detached garages and front porches in the R-3, R-4 and R-5 zoning districts. The Plan Commission recommended 45% lot coverage with allowances by a unanimous vote. Through collaborative input at Village Board meetings, the square footage for the allowances has increased in order to provide greater incentives for detached garages and front porches.

Staff concurs with the recommendation of the Plan Commission and encourages your adoption of the attached ordinance effectuating the lot coverage requirement.

5-4.1

VILLAGE OF LA GRANGE

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE LA GRANGE ZONING CODE
TO CREATE A LOT COVERAGE STANDARD
FOR THE SINGLE FAMILY RESIDENTIAL DISTRICTS

WHEREAS, the Village of La Grange engaged in a thorough study of the bulk, yard, and space regulations applicable in the Village's single family residential neighborhoods that led to enactment of certain amendments to the text of the La Grange Zoning Code in La Grange Ordinance No. O-07-21 on July 9, 2007; and

WHEREAS, at the time of enactment of Ordinance No. _____ the Village determined to consider further the proposed amendment relating to a lot coverage standard in the single family residential districts; and

WHEREAS, the President and Board of Trustees have determined that the lot coverage amendment in the form set forth in this Ordinance is appropriate and in the best interests of the Village and its residents; and

WHEREAS, the lot coverage amendment set forth in this Ordinance satisfies the standards set forth in Section 14-605 of the Zoning Code applicable to amendments to the text of the Zoning Code;

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

Section 1. Recitals. The foregoing recitals are incorporated herein as findings of the President and Board of Trustees.

Section 2. Amendment of Zoning Code Section 3-110. The Board of Trustees, pursuant to the authority granted to it by the laws of the State of Illinois and by Article XIV, Part VI of the Zoning Code, hereby amends Section 3-110, titled "Bulk, Yard, And Space Requirements," of the Zoning Code by adding thereto a new Subsection F, which new Subsection 3-110F shall hereafter be and read as follows:

3-110 BULK, YARD, AND SPACE REQUIREMENTS

* * *

F. Maximum Lot Coverage.

R-1	R-2	R-3	R-4	R-5
45%	45%	45%	45%	45%

Section 3. Amendment of Zoning Code Section 16-102 Regarding Definition of Lot Coverage. The Board of Trustees, pursuant to the authority granted to it by the laws of the State of Illinois and by Article XIV, Part VI of the Zoning Code, hereby

5-1-2

amends the definition of "Lot Coverage" in Subsection L of Section 16-102, titled "Definitions," of the Zoning Code so that said definition of "Lot Coverage" shall hereafter be and read as follows:

16-102 DEFINITIONS

* * *

LOT COVERAGE. The percentage of a lot's area that is covered by any building, structure, or impervious surface, other than public sidewalks. The calculation of lot coverage shall not include (a) 50 percent of the square footage of a detached garage located entirely within the rear 50 percent of a zoning lot in the R-3 District, R-4 District, or R-5 District, up to a maximum exclusion of 330 square feet, or (b) 450 square feet of a driveway from the front lot line to a detached garage that is located entirely within the rear 50 percent of a zoning lot in the R-3, R-4, or R-5 District, or (c) the first 160 square feet of a one-story open front porch in the R-3 District, R-4 District, or R-5 District on the condition that a permanent binding declaration of restriction is recorded against the subject property providing that the open front porch shall never be enclosed with screens, walls, or any other form of partition. See Subsection 16-102I of this Section for the definition of "Impervious Surface." See also Subsection 16-102B of this Section for the definition of "Building Coverage."

Section 4. Applicability of Amended Regulations. The regulations adopted in this Ordinance shall be applied and enforced on and after October 1, 2007, to all applications and properties throughout the Village; provided, however, that the existing regulations amended by this Ordinance shall apply to any application for a building or zoning permit or approval that was properly filed with the Village prior to the end of regular Village business hours on September 28, 2007, which application must have included, without limitation, all information, signatures, plans, drawings, specifications, fees, and deposits required by applicable Village codes, ordinances, and regulations.

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this ____ day of _____ 2007.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2007.

Village President

ATTEST:

Village Clerk

5-613

VILLAGE OF LA GRANGE
Community Development Department

BOARD REPORT

TO: Village President, Village Clerk
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager
Patrick D. Benjamin, Community Development Director
Angela M. Mesaros, Assistant Community Development Director

DATE: August 27, 2007

RE: **ORDINANCE - VARIATION - MAXIMUM BUILDING COVERAGE/
STEVEN AND BARBARA WOLF, 213 SOUTH ASHLAND AVENUE.**

The petitioners, Barbara and Steven Wolf, wish to replace an existing two-car detached garage (468 square feet) with a new 420 square foot two-car attached garage, master bedroom on the second floor above the garage, and a 245 sq. ft. two-story addition with a basement, eat-in kitchen and mudroom. The subject property is typical of most single lots in the R-4 single family residential district.

Currently, the petitioners' house does not have an eat-in kitchen and two of the four bedrooms do not have closets. They wish to enlarge the kitchen and construct a master bedroom above the garage. Initially, the Wolfs proposed to construct a coach house; however, this is not permitted by our Zoning Code. Staff has worked with the Wolfs through several revisions so that they could design a garage that is integral to the house in order to meet the zoning definition for an *attached* garage. Due to the configuration of the house, additional space is needed to allow a vehicle to pull into the garage.

One of the reasons that the variation is necessary is that the petitioners constructed a 408 square foot wrap-around porch in 1999. This porch occupies 7% of the allotted 30% maximum allowable building coverage. In addition, the allowable building coverage includes eaves that overhang within three feet of the north property line; this accounts for 1% of the allotted building coverage (82 square feet).

With the proposed addition, the property would exceed the maximum building coverage by 7%. Subparagraph 14-303E1(c) (Authorized Variations) allows an increase of the maximum allowable building coverage by no more than 20%. The requested variation falls within the authorized limits of the Zoning Code.

On July 19, 2007, the Zoning Board of Appeals held a public hearing on this matter (see Findings of Fact). At the public hearing, the petitioners presented the application. The motion to recommend that the variation be granted as requested failed: three (3) ayes and three (3) nays. Pursuant to

5-0

Subsection 13-102D of the Zoning Code, at least four aye votes are required to decide in favor of any application.

Those Zoning Board members recommending denial cited the following facts: this application shows no particular hardship. The project does not meet three out of the seven of the required standards for variation: (1) unique physical condition: This zoning lot is typical of properties in the surrounding area; (2) not self-created: The applicants constructed a wrap-around porch, which is the primary cause of need for the variation, and (3) not merely a special privilege. Many residents do not have eat-in kitchens.

The members voting in favor cited the following facts: this project meets the standard for minimum variation necessary, the design is compatible with the neighborhood, and the addition would improve functionality of the house.

If you concur with the recommendation of the Zoning Board of Appeals to deny the request, then a motion to deny the variation is in order. No resolution or ordinance memorializing such action is necessary. Conversely, should you choose to grant the variation, a motion to approve the attached ordinance authorizing the variation would be appropriate.

Please note that in accordance with State Statute, the approval of any proposed variation which fails to receive the approval of the Board of Appeals will not be passed except by the favorable vote of two-thirds (2/3) majority vote by roll call of all Trustees currently holding office (four out of six Trustees).

Staff has prepared the attached ordinance authorizing the variation for your consideration.

5-R.1

ORDINANCE NO. O-07-

AN ORDINANCE ALLOWING ZONING VARIATION
OF THE VILLAGE OF LA GRANGE

Published in pamphlet form by authority of the Board of Trustees of the Village of La Grange, County of Cook, State of Illinois, this _____ day of _____, 2007.

WHEREAS, Steven and Barbara Wolf, owners of the property commonly known as 213 South Ashland, La Grange, Illinois, and legally described as follows:

Lots 19, in Block 11 in La Grange, a Subdivision of the East ½ of the Southwest ¼ and that part of the northwest ¼ lying south of the Chicago, Burlington and Quincy Railroad (except that portion thereof known as Robbville) in Section 4, Township, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.

have applied for variation from Paragraph 3-110E1 (Maximum Building Coverage) of Chapter 154 of the La Grange Code of Ordinances in order to construct an addition and attached garage on the above referenced property. The Zoning Board of Appeals, as required by law, has conducted a duly noticed public hearing on this matter on July 19, 2007.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LA GRANGE, COUNTY OF COOK, STATE OF ILLINOIS:

SECTION 1: A variation of 7 % from Paragraph 3-110E1 (Maximum Building Coverage) of Chapter 154 of the La Grange Code of Ordinances, to construct an addition and attached garage, be hereby granted to the owner of the above-referenced property in conformance with the plans submitted to the Zoning Board of Appeals.

SECTION 2: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form for review at the La Grange Village Offices and the La Grange Public Library.

ADOPTED this _____ day of _____, 2007, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

5-D.2

APPROVED by me this _____ day of _____, 2007.

Elizabeth M. Asperger, VILLAGE PRESIDENT

ATTEST:

Robert N. Milne, VILLAGE CLERK

5-0.3

FINDINGS OF FACT

ZONING BOARD OF APPEALS
OF THE
VILLAGE OF LA GRANGE

President Asperger and
Board of Trustees

July 19, 2007

RE: ZONING CASE #556: VARIATION – Steven and Barbara Wolf – 213 South Ashland Avenue to consider a zoning variation from Paragraph 3-110E1 (Maximum Building Coverage) to authorize the construction of an addition.

The Zoning Board of Appeals transmits for your consideration its recommendations for a request of zoning variation necessary to construct an addition and attached garage on the property at 213 South Ashland Avenue.

I. THE SUBJECT PROPERTY:

The property in question is a single family residential lot with a 50 foot width and a depth of approximately 124 ft.

II. CHARACTERISTICS OF THE SURROUNDING AREA:

The subject property is located in the R-4 Single Family Residential District.

III. VARIATIONS SOUGHT:

The applicant desires a variation from Paragraph 3-110E1 (Maximum Building Coverage) of the La Grange Zoning Code. The applicant wishes to exceed the allowable building coverage by 7%. At the public hearing, the applicant requested a variation to allow for the construction of an addition and attached garage at the subject property. Paragraph 14-303E1(c) Authorized Variations allows the increase of the maximum allowable building coverage by no more than 20%. The requested variation falls within the authorized limits of the zoning code.

IV. THE PUBLIC HEARING:

After due notice, as is required by law, (including legal publication, posting at the subject property and courtesy notices to owners within 250 feet of the subject property) the Zoning Board of Appeals held a public hearing on the proposed variation in the La Grange Village Hall Auditorium on July 19, 2007. Present were Commissioners Nancy Pierson, Charles Benson, Jr., Nathaniel Pappalardo, Ian Brenson, Kathy Schwappach and Chairperson Ellen Brewin presiding. Also present was Staff Liaison, Angela Mesaros and Village Board Trustee James Palermo. Testimony was given under oath by the

5-0.4

applicants. No objectors appeared at the hearing and no written objections have been filed to the proposed variation.

Chairperson Brewin swore in Steven and Barbara Wolf, owners of the subject property, 213 South Ashland Avenue, and Tim Trompeter, Architect, who presented the application and answered questions from the Commissioners:

Chairperson Brewin stated that she would like to make it clear to everyone, to be transparent, that Mrs. Wolf is a Trustee of the Village and that there would be no special privileges granted to her either in favor or against the variation application.

- Mr. Trompeter stated that he worked with his client to design an addition and garage that allows them an additional bedroom and a family room. Petitioners are interested in pursuing adoption of a child. Without this fourth bedroom, the applicants believe it would not be possible to go through the adoption process and they would like to do this renovation without a wholesale rearrangement and remodeling of the house.
- It is difficult to make the vehicle turn into the garage on a fifty foot lot. The design repeats elements from the front elevation of the house and ultimately, reduces the hardscape on this lot.
- Mr. Trompeter stated that the proposed project could be viewed as being self-created because the applicants constructed a wrap-around porch in 1999. While this porch does not expand interior living space; it, however, is included in building coverage calculations. The 1999 front porch added by petitioners is the primary element of the house that drives the need for the variation.
- Mr. Trompeter stated that he thinks this addition is a well designed project. The proposed addition is not objectionable from the street and it is in kind with two houses to the south, which both have attached garages.
- Mr. Wolf stated that the addition addresses some of the obsolescence of their old house, the undersized kitchen and the fact that there is no real rear entry. He further stated that in order to pull into the garage, they had to add an additional few feet to the back of the house.
- Testimony by petitioners further revealed that the house is situated one foot from the lot line on the north side. Due to this, petitioners were able to build a larger porch in 1999 than they would have had the house been situated further from the north lot line as there was more space to the south in which to build.

5-0.5

Chairperson Brewin solicited questions from the Commissioners:

- Commissioner Pierson asked if there are four bedrooms on the second floor. Answer: Ms. Wolf stated, yes, but two of the bedrooms have no closets in them and are rather small.
- Chairperson Brewin asked if it would be possible to combine the two small bedrooms. Answer: the two bedrooms are on opposite ends of the floor; they are not adjacent.
- Commissioner Brenson asked petitioners to explain how the subject property is exceptional as defined under the Zoning Ordinance. Mr. Trompeter stated that the house is situated within one foot of the lot line on the north side and therefore, the overhang must be calculated as building coverage. Without the square footage of the overhangs, the applicants would need only a variation for thirty (30) square feet. The space is not useable space but is included in building coverage.
- Commissioner Brenson asked if the applicants owned the subject property in 1999 when the porch was added. Answer: Yes.
- Chairperson Brewin stated that in most cases, when applicants come to the Zoning Board, they have purchased the house as it is, and are asking relief from zoning ordinance rules covering additions and the like built by previous owners but that, in this case, the applicants actually built the wrap-around porch. Ms. Wolf stated that replacing their existing garage with a taller garage has always been part of their plan. They originally wanted to construct a coach house but the zoning did not allow that. They also looked into semi-attaching the garage and went through several iterations and designs.
- Chairperson Brewin asked if they have considered taking down a portion of the porch. Answer: Yes; however, this would not look as good.
- Commissioner Pierson asked if they have gotten feedback from any of their neighbors. Answer: No; however, the neighbor to the south has built a similar garage.
- Chairperson Brewin stated that with similar requests regarding porches, the applicants have generally shown evidence that a porch existed previously and therefore, the applicant was not adding anything new to the neighborhood, but

5-0.6

could be considered to be restoring a home to its original or close to original footprint. It would be relevant to know if there was an original porch. Was there an original wrap-around porch? Answer: No, originally the house had only a stoop.

- Commissioner Pappalardo asked if they had undergone several iterations to try to achieve a minimum variation. Answer: Several plans have been drawn up in the last two years and the Wolfs have worked with Staff to make changes to the plans.

Under the provisions of the Zoning Ordinance, no variation shall be granted unless the applicant establishes that carrying out the strict letter of the provisions of this code would create a particular hardship or practical difficulty. Such a showing shall require proof that the variation sought satisfies certain conditions. The following facts were found to be evident:

1. Unique Physical Condition:

This zoning lot is typical of most single lots in the R-4 Single Family Residential Zoning District between Madison Avenue to Kensington Avenue and Elm Avenue to 47th Street.

2. Not Self-Created:

The petitioners added a large 408 square foot wrap-around porch to the property in 1999. According to the petitioners, this design element is in keeping with the historic nature of the house and the neighborhood, but the porch limits the building coverage now allowed for an addition. The porch itself is a new design element to the house and not a part of the original historic structure. The previous addition of the porch to the house by petitioners makes it necessary for petitioners to seek a zoning variation for the newly proposed addition.

3. Denied Substantial Rights:

The petitioners believe that the Zoning Code limits the size and scale of rooms that they can add to the house, and the 2nd floor changes will allow construction of a bedroom and study/play area for their children.

4. Not Merely Special Privilege:

According to the Wolfs, the large covered front porch on their house puts them at a disadvantage, because it takes away from the amount of “livable” space that they are permitted to build by the Zoning Code.

5-0.7

5. Code and Plan Purposes:

The subject property is located in the Historic District of the Village, and the petitioners plan to maintain the house's historic features with the construction of the addition.

6. Essential Character of the Area:

According to the Wolfs, granting a variation from the Code would not adversely affect the character of the neighborhood. Rather it would allow them to make significant improvements to the property while maintaining the historical features of their house.

7. No Other Remedy:

The petitioners have only 151 square feet of buildable area remaining on their zoning lot; therefore, they maintain that they have no other option to construct the bedroom, eat-in kitchen and mudroom addition. Petitioners do have the option of removing the roof of the porch; or reworking the porch to make it smaller.

V. FINDINGS AND RECOMMENDATION:

- Commissioner Pappalardo stated that the porch is compatible with the neighborhood.
- Commissioner Pappalardo stated that DCFS requirements are not adequate criteria for a variation, because they do not have a bearing on the structure. The structure will exist longer and the Commissioners need to look at this long term. The fact that the bedrooms do not have closets is a relevant comment and positive improvements to the structure are relevant, because closets would be required for bedrooms by today's standards.
- Chairperson Brewin stated that she agrees that it is a good design; however, an attractive design alone cannot dictate how the Commissioners vote.
- Commissioner Pappalardo stated that the overall proposed amenities are not excessive and not overly grandiose in context. The minimum request has been achieved.
- Commissioner Pierson stated that she does not think the property meets the standard for uniqueness.
- Commissioner Pierson further stated that the lack of an eat-in kitchen is not a hardship. Many people eat in their dining rooms.
- Commissioner Brenson stated that he believes that the improvements are positive. However, the Zoning Code text states, "*no variation shall be granted pursuant to the section unless the*

5-0.8

applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular hardship or practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this subsection.” Three (3) out of the seven (7) standards have not been met, including “Unique Physical Condition,” “Not Self-Created,” and “Not Merely a Special Privilege.”

- Commission Benson stated that he feels that a small addition to improve the functionality of the house is not a special privilege.
- Commission Benson stated that the lot is typical; however, the layout of the house creates deficiencies, which will be improved with the proposed addition.
- Commissioner Benson stated that the applicants could construct this project if they took a portion of the roof off the porch.
- Commissioner Pappalardo stated that the property is unique in physical condition because the house is situated so close to the north lot line, not entirely, but somewhat a factor in the square footage calculations.
- Chairperson Brewin stated that she believes the applicants took advantage of the house being so close to the north lot line in 1999 in order to add the porch along the south side of the property. At that time, they built a larger porch than they could ordinarily have due to that situation. At this point, they cannot now claim that the closeness to the lot line now hurts them and creates a unique situation.
- Chairperson Brewin stated that the Commissioners have to meet each of the standards. This case does not meet the “Not Self-Created” standard.
- Commissioner Schwappach asked about the 7% variation. Ms. Mesaros stated that as long as the requested variation is under 20%, it is authorized by the Zoning Code so long as the petitioners meet the standards for a variation.

There being no further questions or comments from the audience or the Commissioners, a motion was made by Commissioner Pierson and seconded by Commissioner Schwappach that the Zoning Board of Appeals recommend to the Village Board of Trustees approval of the application submitted with ZBA Case #556.

Motion Failed by a roll call vote (3/3/0).

AYE: Pappalardo, Benson, and Schwappach.
NAY: Pierson, Brenson, and Brewin.

5 - P. 9

ABSENT: None.

BE IT THEREFORE RESOLVED that the Zoning Board of Appeals failed to recommend approval to the Village Board of Trustees that variation from Paragraph 3-110E1 (Maximum Building Coverage) be approved to allow construction of an addition and attached garage at 213 South Ashland.

Respectfully submitted:

Zoning Board of Appeals of the
Village of La Grange

BY: 
Ellen Brewin, Chairperson

5-0.10

STAFF REPORT

CASE: ZBA #556 - Steven and Barbara Wolf - 213 South Ashland Avenue - Maximum Building Coverage

BACKGROUND

(Note: This Staff Report is solely based on information presented in the application and on a physical inspection of subject property and environs, and is not influenced by any other circumstance.)

The petitioners, Steven & Barbara Wolf, wish to replace an existing 468 sq. ft. two-car *detached* garage with a 420 sq. ft. two-car *attached* garage with a master bedroom on the second floor and a 245 sq. ft. two-story addition including a basement, eat-in kitchen and mudroom. Construction of the addition would allow them to expand their kitchen and have a small mudroom for shoes and coats while maintaining the character of their immediate block. In addition, this addition would bring their home into compliance for DCFS foster care/adoption.

The Wolfs' house has a large wrap-around porch, which occupies 7% of the allotted 30% maximum building coverage. In addition, the building coverage calculation includes eaves that overhang within three feet of the north property line; this accounts for 82 square feet of building coverage (1% of the allotted coverage). The Maximum Building Coverage for this lot is 1,861 square feet. Currently this property occupies 1,710 square feet (28%). The proposed addition would increase building coverage to 1,989 square feet, an excess of 128 square feet or 7.00%. A building permit could not be issued for the proposed addition, because the property would exceed the maximum building coverage permitted in the Zoning Code. The Wolfs are seeking a variation from the Code to construct the addition.

Staff has worked with the petitioner through several revisions in order to request the minimum variation necessary as well as to make the garage integral to the principal structure in order to be considered an *attached* garage. With the proposed addition, the property would exceed the Maximum Building Coverage of 30% set forth in Paragraph 3-110E1 by 7%. Subparagraph 14-303E1(c) (Authorized Variations) allows the increase of the maximum allowable building coverage by no more than 20%. The requested variation falls within the authorized limits of the Zoning Code.

VARIATION STANDARDS

In considering a variation, be guided by the General Standard as outlined in our Zoning Code that "No variation shall be granted pursuant to this Section unless the applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this Subsection."

5-0,11

Unique Physical Condition - *"The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot."*

This zoning lot is typical of most single lots in the R-4 Single Family Residential Zoning District between Madison Avenue to Kensington Avenue and Elm Avenue to 47th Street.

Not Self-Created - *"The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid."*

The petitioners added a large 408 square foot wrap-around porch to the property in 1999. According to the petitioners, this design element is in keeping with the historic nature of the house and the neighborhood, but the porch limits the building coverage now allowed for an addition.

Denied Substantial Rights - *"The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision."*

The petitioners believe that the Zoning Code limits the size and scale of rooms that they can add to the house, and the 2nd floor changes will allow construction of a bedroom and study/play area for their children.

Not Merely Special Privilege - *"The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation."*

According to the Wolfs, the large covered front porch on their house puts them at a disadvantage, because it takes away from the amount of "livable" space that they are permitted to build by the Zoning Code.

5-A.12

Code and Plan Purposes - *"The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan."*

The subject property is located in the Historic District of the Village, and the petitioners plan to maintain the house's historic features with the construction of the addition.

Essential Character of the Area - *"The variation would not result in a use or development on the subject property that:*

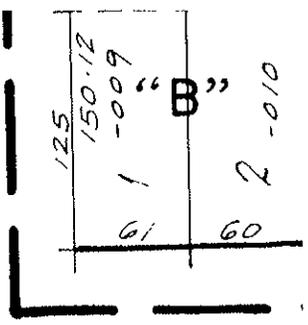
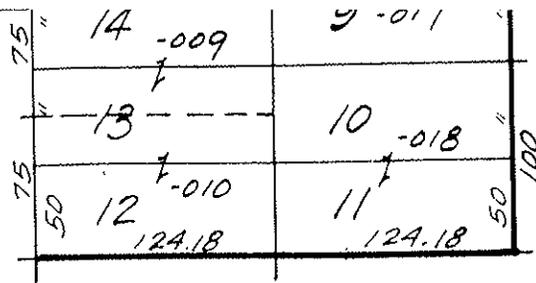
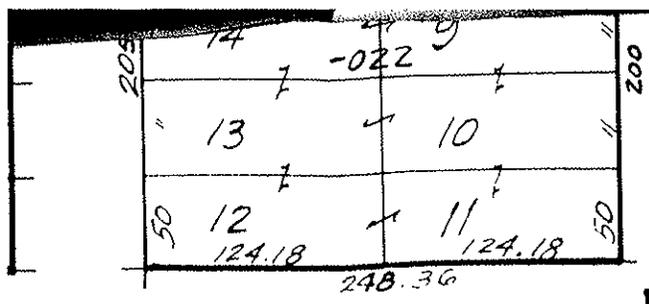
- a. Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or*
- b. Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or*
- c. Would substantially increase congestion in the public streets due to traffic or parking; or*
- d. Would unduly increase the danger of flood or fire; or*
- e. Would unduly tax public utilities and facilitates in the area; or*
- f. Would endanger the public health or safety."*

According to the Wolfs, granting a variation from the Code would not adversely affect the character of the neighborhood. Rather it would allow them to make significant improvements to the property while maintaining the historical features of their house.

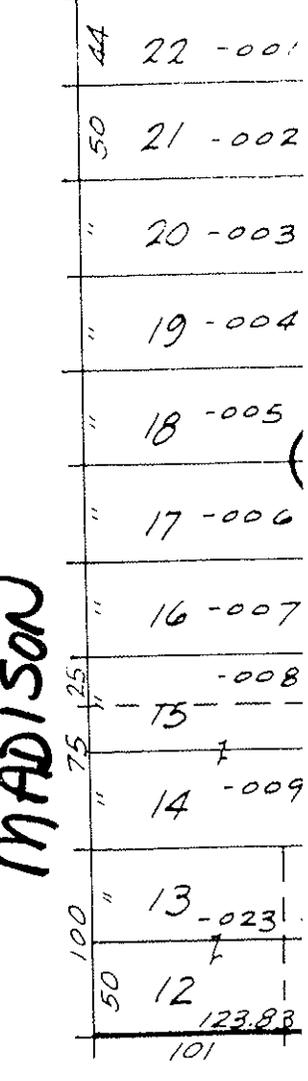
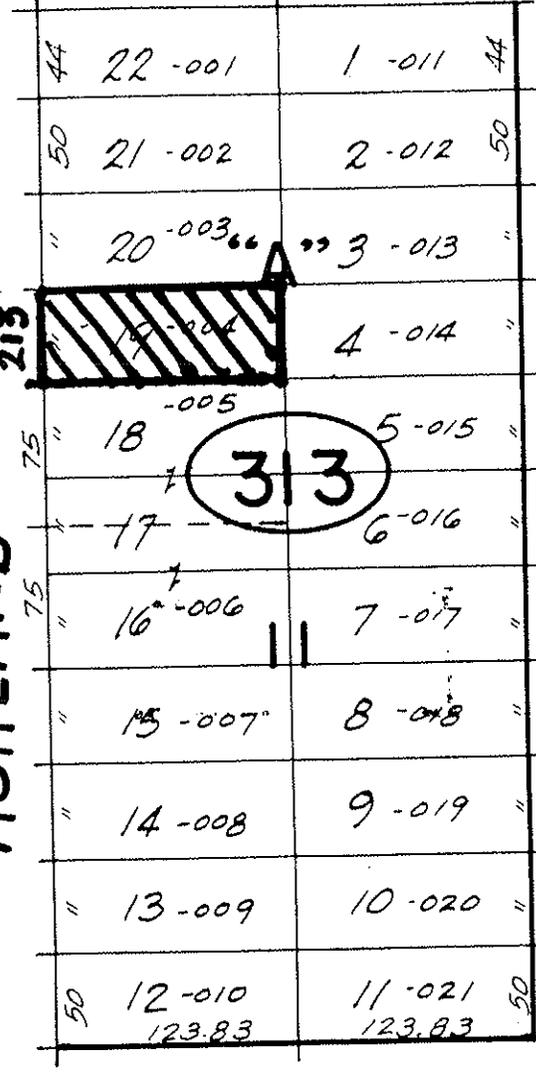
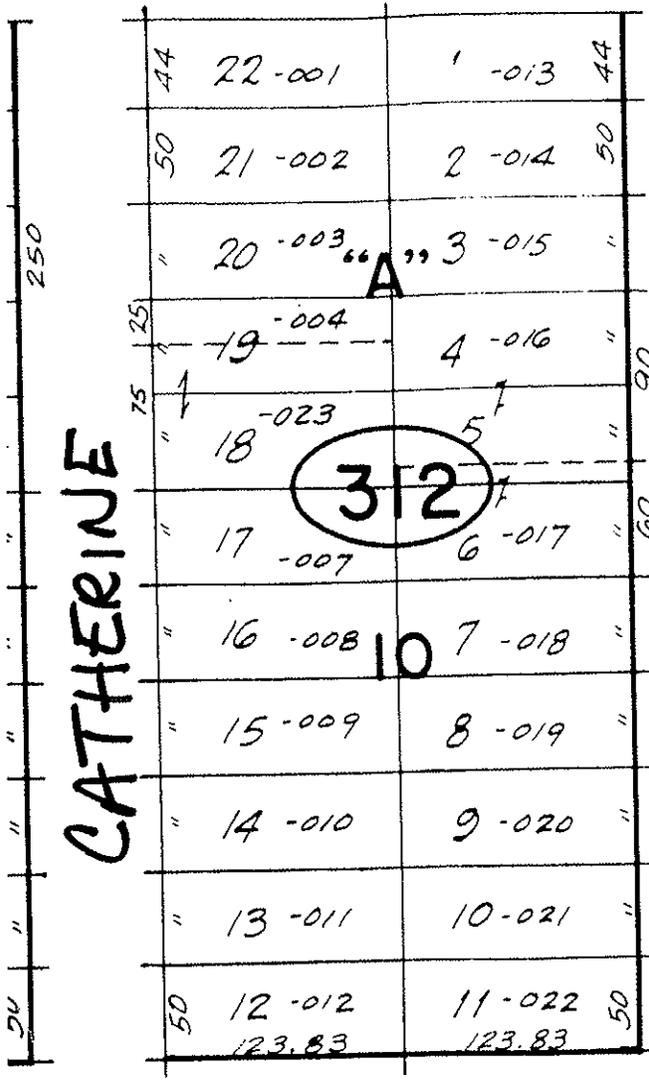
No Other Remedy - *"There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property."*

The petitioners have only 151 square feet of buildable area remaining on their zoning lot; therefore, they have no other option to construct the bedroom, eat-in kitchen and mudroom addition.

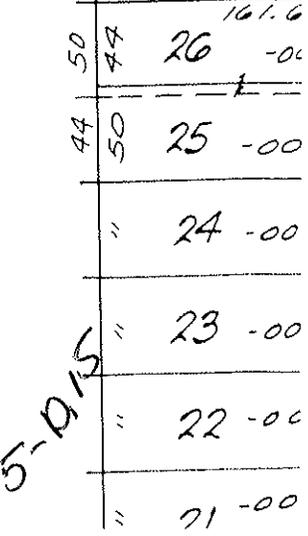
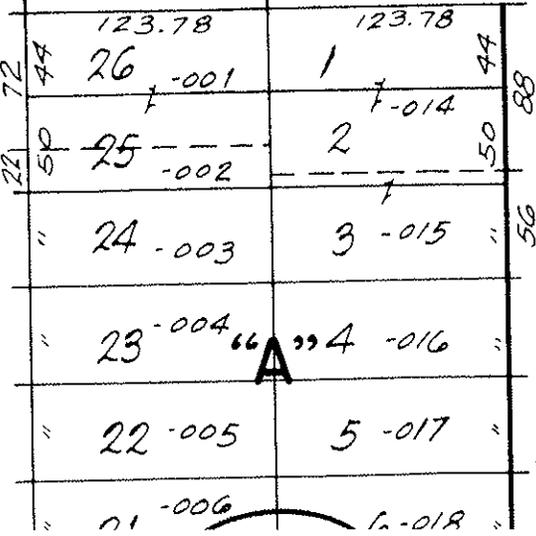
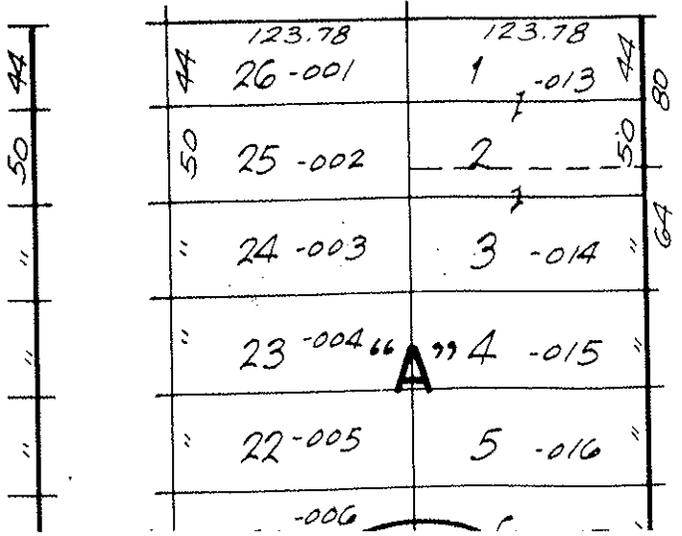
5 - D.13



ELM



MAPLE



June 15, 2007

To the President and Board of Trustees
Village of La Grange, Illinois

Owner of Property
Steven and Barbara Wolf
213 S. Ashland Avenue
La Grange, IL 60525
H 708-579-3002

Permanent Real Estate Index No. 18-04-313-004-0000

Present Zoning Classification: R-4

Present Use: Single Family Residence

Re: Zoning Variance Application

Ordinance Provision for Variation from Article #3-110-E-1 [Maximum building coverage on an Interior Lot -- 30%]

Lot Area -- 6203 square feet

30% Lot Coverage = 1861 square feet

House = 1242 square feet

New Addition = 665 square feet

Total = 1907 square feet

Overhangs (that extend into the side yard) = 82 square feet

New Total = 1989 square feet [over by 128 square feet]

1989 square feet = 32% lot coverage
2% over including overhangs

A. Minimum Variation:

2% increase in the lot coverage to allow for a two-story addition with a basement, eat-in kitchen/mudroom and master bedroom on the 2nd floor.

1
5-0,16

B. The purpose therefore is to add onto an existing residence a two story addition with a basement.

C. The specific features that require a variation are: The existing house and addition exceed the [30%] lot coverage by 128 square feet. We are removing an existing 2-car frame garage.

1. General Standard: Facts and Reasons

- a. Practical Hardship: We are only requesting 128 square feet, which is less than the total amount of our overhangs. This will allow us to have an eat-in kitchen [we currently have to use the dining room for every meal] as well as a small mudroom for shoes and coats.
- b. A reasonable use: While we have completed our DCFS fostering/adoption training, our home does not meet DCFS standards because only the two large bedrooms have closets; the small rooms do not. DCFS children cannot share a room with another child and must sleep on the same floor level as the adults in the home. This plan will create a master bedroom; a child could then use our former bedroom.
- c. Our situation is unique: We have a home that is situated on the lot close to the north property line. Because of this fact, we were able to add a large 408 square foot wrap-around porch and side driveway in late 1999. This design element is beautiful and in keeping with the historic nature of the home and neighborhood, but it limits the amount of building coverage that we are now allowed for our addition.

2. Unique Physical Condition:

The architectural style of this home is what is known as a 2 story Victorian. The design is a 2-story addition intended to mimic the original front elevation.

3. Not Self Created:

We are submitting this design as a complete cohesive project and not in pieces which would in fact be self created. The village staff has reviewed and commented on the plans throughout the entire process.

4. Denied Substantial Rights:

The denial of the increase in lot coverage would reduce the size and scale of the rooms being added on the back of the house, which is one of the reasons that we are planning an addition. The 2nd floor changes will create a 3rd bedroom and a study/play area for the kids.

5. Not Merely Special Privilege:

We feel that the variance process has been put into place for situations such as our own. Our request is not unusual in size or function; we simply request the

ability to have an additional bedroom space that is acceptable to DCFS and a space for everyday dining.

6. Code and Plan Purposes:

Our sole objective from the beginning of this planning process has been to continue the curb appeal and architectural details that are already part of our home. This is a single-family residential block and our request is in keeping with that intent.

7. Essential Character of the Area:

- a. The height and mass of this 2-story home in its completed state will be well below the maximum height under the zoning limitations. The height at the mean of the addition will be 28' 11" above grade while the maximum allowed is 38' above grade.
- b. This request would have no adverse effect on traffic or parking.
- c. By moving the garage forward on the lot, we lose 583 square feet of driveway and gain a continuous stretch of green space in the backyard.
- d. We do not believe there would be any increase in the danger of flooding or fire. On the contrary, we will add 583 square feet of pervious surface (green space).
- e. This request would not endanger the public health or safety.

8. No Other Remedy:

We respectfully request that an addition to the back of the house for a total of 128 square feet over the maximum lot coverage be granted. The current maximum lot coverage is 1861 square feet and we are proposing 1989 square feet.

We have included for your use and consideration both the existing drawings of the floor plans, elevations and the new design floor plans and elevation in addition to a new site plan.

Thank you for this opportunity,

Barb and Steve Wolf

3
5-0.18

ASHLAND AVENUE

EXIST'G CONC. SIDEWALK

50.00'

LOT AREA (6203 SQ. FT.)
 30% LOT COVERAGE = 1861 SQ. FT.
 HOUSE (1242 S.F.)
 NEW ADDITION (665 SQ. FT.)
 TOTAL = 1907 SQ. FT.
 OVERHANGS = 82 SQ. FT.
 NEW TOTAL = 1989 SQ. FT. (OVER BY 128 SQ. FT.)
 (1989 = 32% LOT COVERAGE) 2% OVER INCLUDING OVERHANGS

124.06'

124.03'

TWO STORY FRAME
 ADDITION W/ PORCH
 4'-0"

NEW BULKHEAD DOORS

EXISTING TWO STORY
FRAME RESIDENCE

BARBARA & STEVE WOLF
 213 S. ASHLAND AVE.
 (708) 574-3002

EXIST'G 6" SANITARY

24'-4 3/4"

NEW 4" SANITARY LINE

EXISTING CONC. DRIVE:

24'-4 1/4"

NEW 4" CONC. DRIVEWAY
 W/ 6x6/ 10-10 W/M REIN. ON
 6" COMPACTED GRAVEL FILL
 DOWEL INTO ADJACENT SLABS

5'-0"

4'-0"

8'-0"

14'-0"

18'-0"

20'-0"

7'-0"

0'-0"

5'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

21'-0"

5'-0 3/4"

1'-6 1/2"

23'-4 3/4"

16'-0"

4'-0"

20'-0"

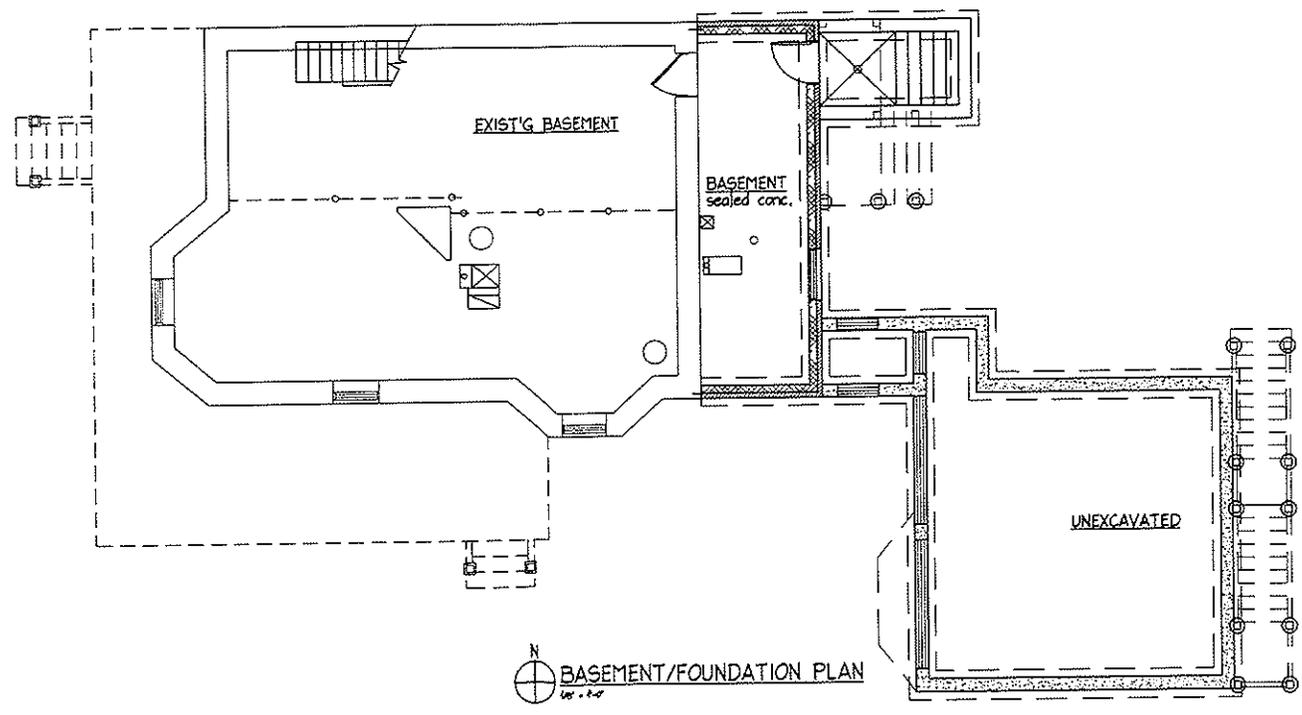
21'-0"

5'-0 3/4"

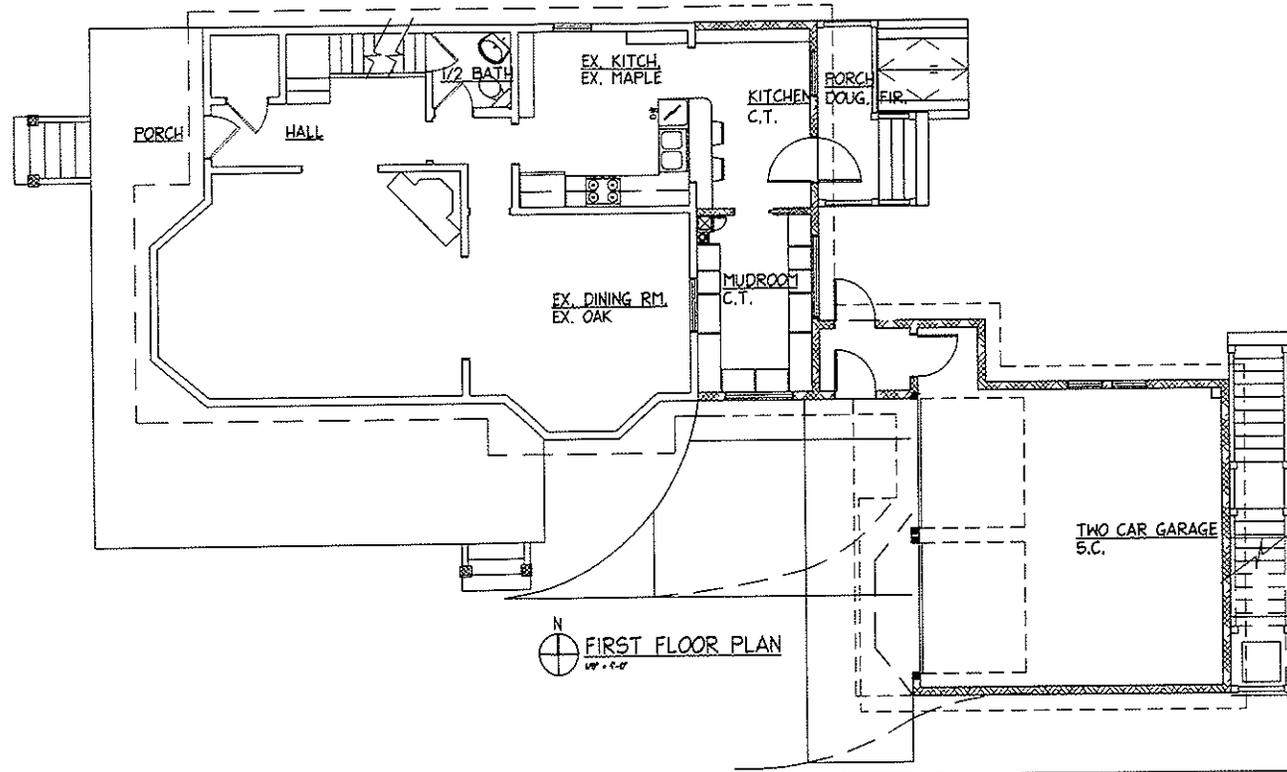
1'-6 1/2"

23'-4 3/4"

5-020-S

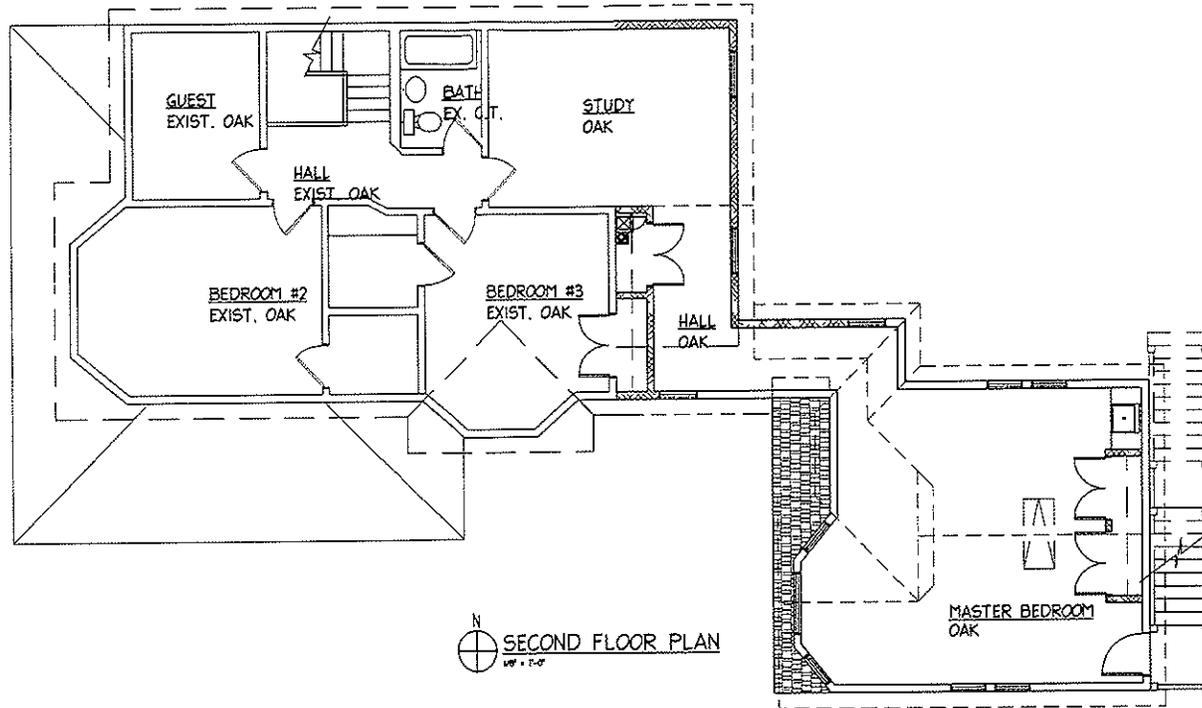


172-D-5



N
FIRST FLOOR PLAN
1/4" = 1'-0"

9-0-22



N
SECOND FLOOR PLAN
1/8" = 1'-0"

157-0-5

RIDGE VENT (TYP.)

SHINGLES TO MATCH EXIST'G

2456
DH

2456
DH

2656
DH

2456
DH

2456
DH

SIDING AND TRIM TO MATCH EXIST'G

DOOR BEYOND

D.S.

NORTH ELEVATION

1/4" = 1'-0"

6 7 1/2" = 1'-1"

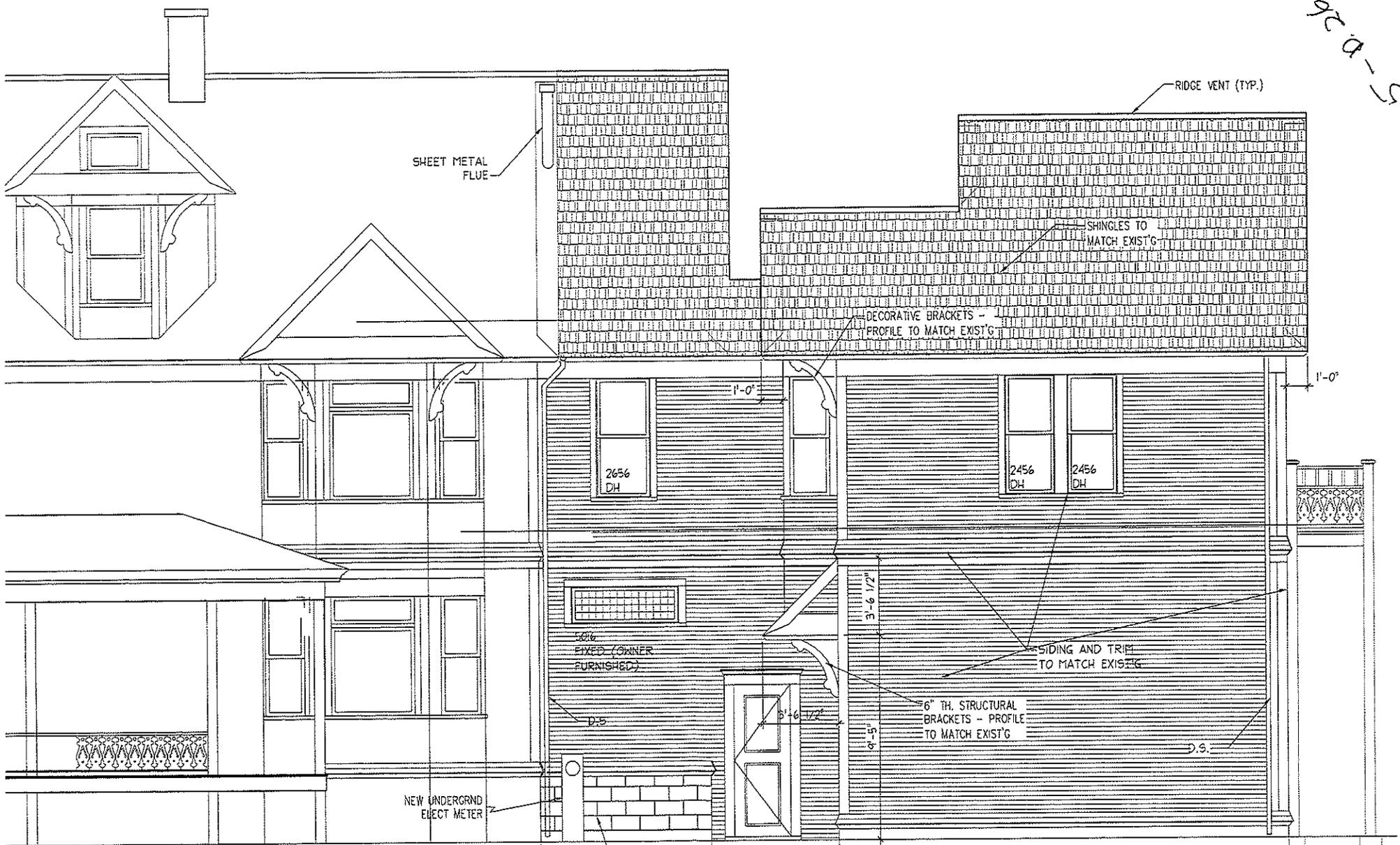
3 8" = 3'-4"

4 T @ 10" = 3'-4"

REN. STONE VENEER



9c a-5



SOUTH ELEVATION

1/4" = 1'-0"

REN. STONE VENEER

NEW UNDERGRND
ELECT METER

5816
FIXED (OWNER
FURNISHED)

6" TH. STRUCTURAL
BRACKETS - PROFILE
TO MATCH EXIST'G

SIDING AND TRIM
TO MATCH EXIST'G

3'-6 1/2"

9'-5"

5'-6 1/2"

1'-0"

1'-0"

SHEET METAL
FLUE

RIDGE VENT (TYP.)

SHINGLES TO
MATCH EXIST'G

DECORATIVE BRACKETS -
PROFILE TO MATCH EXIST'G

2656
DH

2456
DH

2456
DH

D.S.

D.S.