
**THE VILLAGE OF WILLOW SPRINGS
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2011-O-18**

**AN ORDINANCE APPROVING A VARIANCE FOR 115 MOUND STREET
IN THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS**

**ALAN NOWACZYK, President
ADENA BASKOVICH, Village Clerk**

**GEORGE BARTIK
MARIO IMBARRATO
ANNETTE KAPTUR
KEVIN MALONEY
KATHRYN STANPHILL
JERRY STRAZZANTE**

Trustees

ORDINANCE NO. 2011-O-18

AN ORDINANCE APPROVING A VARIANCE FOR 115 MOUND STREET IN THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS

WHEREAS, Petitioners, Benjamin and Dawn DeAnda, have filed with the Village of Willow Springs an application for a variance (the "*Application*"), a copy of which is attached hereto and made a part hereof as Exhibit A, for the property commonly known as 115 Mound Street (the "*Property*"); and

WHEREAS, Petitioners are is desirous of constructing a country porch on their Property; and

WHEREAS, the Property is zoned R-1 Residential and the Petitioners are seeking a variance from Section 9A-4-1 of the Village Code regarding front yard setback; and

WHEREAS, the Plan and Zoning Commission held a public hearing on June 1, 2011 to hear testimony and consider the variance, along with all other requested documents submitted by the Petitioner, in accordance with Village Code of the Village of Willow Springs; and

WHEREAS, the Plan and Zoning Commission issued a written recommendation to the Village Board that the variance be approved (the "*Recommendation*"), a copy of which is attached hereto and made a part hereof as Exhibit B; and

WHEREAS, the Application and Recommendation have been reviewed by staff and the Acting Building Commissioner; and

WHEREAS, the Village Board has reviewed the Application, Recommendation, and the Acting Building Commissioner's Memorandum dated May 27, 2011(the "*Memorandum*"), a copy of which is attached hereto and made a part hereof as Exhibit C; and

WHEREAS, the President and the Board of Trustees of the Village of Willow Springs have reviewed the Application, Recommendation and Memorandum and, after due consideration, have determined that it is in the best interests of the Village to approve the variance

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

SECTION 1: That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

SECTION 2: The written findings of fact and recommendation of the Plan and Zoning Commission are hereby accepted and incorporated herein and made a part hereof, as if fully set forth in their entirety.

SECTION 3: The Village President and Board of Trustees have reviewed the Application, Recommendation and Memorandum and agree to approve the variance for the purpose of constructing a country porch on the Property in accordance with the application attached hereto as Exhibit A.

SECTION 4: If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval by the Village Board, and publication as provided by law.

ADOPTED this 9th day of June, 2011, pursuant to a roll call vote as follows:

	PRESENT	ABSENT	AYE	NAY	ABSTAIN
Bartik	✓		✓		
Imbarrato	✓		✓		
Kaptur	✓		✓		
Maloney	✓		✓		
Stanphill	✓		✓		
Strazzante	✓		✓		
(Mayor Nowaczyk)	✓				
TOTAL	7	0	6	0	0

APPROVED this 9th day of June, 2011.


Alan Nowaczyk, Village President

ATTEST:


Adena Baskovich, Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION

I, Adena Baskovich, DO HEREBY CERTIFY that I am the duly qualified and appointed Clerk of the Village of Willow Springs, Cook County, Illinois, and that as such Clerk I do have charge of and custody of the books and records of the Village of Willow Springs, Cook County, Illinois.

I DO HEREBY FURTHER CERTIFY that the foregoing is a full, true and correct copy of **ORDINANCE No. 2011-O-18** "AN ORDINANCE APPROVING A VARIANCE FOR 115 MOUND STREET IN THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS" adopted and approved by the President and Board of Trustees of the Village of Willow Springs, Illinois, on June 9, 2011.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the Corporate Seal of the Village of Willow Springs, Cook County, Illinois this 9th day of June, 2011.

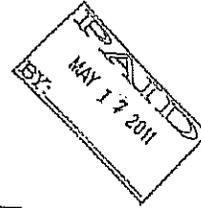




Adena Baskovich, Village Clerk
Village of Willow Springs, Cook County, Illinois

EXHIBIT A
Application for Variance

Village of Willow Springs
Zoning Application



IMPORTANT NOTICE
TO
APPLICANTS

Upon filing with the Village Clerk's office, the Application process will be as follows:

1. The Application will be reviewed by Village staff to determine if it is completed, the appropriate relief is requested, and the proper fee has been submitted. **The application is not deemed accepted and ready for processing until the staff review is completed and you are so notified. If the application is not complete, it will be returned to you with an explanation and instructions to complete the application.**
2. Upon acceptance of the completed Application, it will be placed on the Agenda at the next Village Board meeting for referral by the Village Board to the Plan Commission for required public hearings or meetings. The Village Board meets on the second and fourth Thursdays of each month, unless rescheduled for holidays.
3. The Plan Commission will schedule, in accordance with public notice requirements, the public hearings/meetings required. The Plan Commission meets on the first Wednesday of each month.
4. Applicants and their professionals are urged to review the Village of Willow Springs Zoning and Subdivision Ordinances in order to file and present all documentation and evidence necessary, and in the form required, for the particular zoning or subdivision requested.

Revised: DEC 2009
Forms/ZoningApp

VILLAGE OF WILLOW SPRINGS,
COOK COUNTY, ILLINOIS

APPLICATION FOR ZONING AMENDMENT,
VARIATION, SPECIAL USE PERMIT,
SPECIAL USE-PLANNED UNIT DEVELOPMENT,
AND SITE PLAN REVIEW

PLEASE TYPE OR PRINT

TO: Village Clerk
Village of Willow Springs
One Village Avenue
Willow Springs, IL 60480

Date: 5/17 2011

1. Applicant: BENJAMIN & DAWN DE ANNA Phone: (708) 839-9081
Address: 145 MAUND Fax: (708) 967-0524

2. Owner: SAME Phone: _____
Address: _____ Fax: _____

3. An Applicant for a Zoning Amendment, Special Use Permit, Variation or Site Plan Review must have a present legal interest in the property, e.g. owner, contract purchaser or lessee. If the Applicant is not the owner of the property which is the subject of this Application, he must submit with this Application a letter of authorization from the owner of the property.

4. Address of Property: SAME

5. Legal Description of property: LOTS 32 AND 33 IN BLOCK 19 IN MOUNT FOREST, A SUBDIVISION OF THE SOUTHWEST 1/4 AND THAT PART OF THE EAST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTHWEST 1/4 WEST OF LAND OF JEROME ADAMS AND THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 27 NORTH, RANGE 12 EAST OF THE THIRD MERIDIAN, ALCOGAN TOWNSHIP SOUTH OF CHICAGO, ST. LOUIS AND ANTON RAILROAD, IN COOK COUNTY, ILLINOIS

6. Permanent Real Estate Index No.: 2 2 1

7. Nature of request (check all that apply):
 Zoning Amendment
 Variation
 Special Use
 Special Use-Planned Unit Development
 Site Plan Review

8. If this Application is for a Zoning Amendment or Site Plan Review, answer the following:

(A) Present zoning classification of property: _____

(B) proposed zoning amendment: _____

(C) Existing structure(s) on property: _____

(D) Size of property, acreage and/or square feet: _____

(E) Describe the present uses on the property and proposed uses if rezoned: _____

NOTE: All Applicants for Zoning Amendment must review Village Code Section 9A-1-7 and be prepared to present evidence to the Plan Commission or other hearing body to support the necessary findings of fact required in accordance with the standards set forth therein.
 All Applicants for Site Plan Approval must review Village Code Section 9A-1-9 to comply with all Site Plan Review approval requirements.

(F) If the property is to be improved, set forth a brief description of the improvements to be made:
CONSTRUCTURE COUNTRY PORCH TO FRONT OF HOUSE.

9. If Application is for a Variation, answer the following:

- (A) Present zoning classification of property: RESIDENTIAL
- (B) Proposed variation request: TO EXTEND 2' BEYOND CURB
FINAL STEP OF EXISTING PUNCH
- (C) State the nature of the hardship or practical difficulty requiring the request for variation: CRACKS POUCH IS HAZAROUS AND SIDE WALK SOA
IS CRACKING TOWARD HOUSE. CRACKS RATED TO IMPROVE
OF FOUNDATION
- (D) Describe existing structure(s) on property: 2 STORY HOUSE WITH
BASEMENT
- (E) Size of property, acreage and/or square feet: 7,500 SQUARE FEET

NOTE: All Applicants for Variation(s) must review Village Code Section 91-2-3 (Standards for Variations) and 9A-2-4 (Authorized Variations) and be prepared to present evidence to the Zoning Board of Appeals or other hearing body to support the necessary findings of fact required in accordance with the standards set forth therein.

10. If the Application requests a Special Use Permit which includes a Planned Unit Development, answer the following:

- (A) Present zoning classification of property: _____
- (B) Proposed special use requested: _____
- (C) State reasons why the special use is requested: _____
- (D) Describe existing structure(s) on the property: _____
- (E) Size of property, acreage and/or square feet: _____

NOTE: All Applicants for Special Use Permit must review Village Code Section 9A-1-5 and/or 9A-1-5-1 for a Planned Unit Development and be prepared to present evidence and required documentation to the Plan Commission to support the necessary findings of fact required in accordance with the standards set forth therein.

11. Documents to be submitted with Application:

For all matters, an Applicant must submit the following:

- (A) Ten (10) copies of a recent (not more than 6 months old) survey of the property prepared by an Illinois Registered Land Surveyor in accordance with Illinois Land Survey Standards locating all easements of record, improvements and building lot lines;
- (B) Proof of ownership (Title Policy, etc.) or evidence of the Applicant's interest in the property.
- (C) Such other drawings and plans, including Site Plans, Landscape Plans, building elevations and engineering drawings as are required by the Village Code for necessary approvals.

12. **Fees and Cost Reimbursement:** Section 9A-2-6 of the Village Code of the Village of Willow Springs, 1983, as amended, requires all Applicants for a Zoning Amendment, Variance, Special Use or Site Plan Review to reimburse the Village for all legal, engineering, planning or other necessary fees and costs, including publication charges incurred in connection with the Application and hearing process. *This requirement is in addition to the Application fee to be paid when the Application is filed. Attached hereto, and made a part of this Application is a separate form to be completed, signed by the owner(s) of the property and the Applicants and submitted with this Application.*
13. When the Village Clerk receives this Application, completed as required together with the filing fee and supporting documentation required herein, it will be referred to the President and Board of Trustees for referral to the Plan Commission for the necessary public hearing and/or meeting. The Applicant will be notified of the date of hearing or meeting.

Signature of Applicant

Signature of Applicant (if more than one)

AFFIDAVIT OF APPLICATION

STATE OF ILLINOIS)
) S.S.
COUNTY OF COOK)

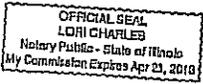
The undersigned being first duly sworn, states he/she has read and completed the foregoing Application by him/her subscribed; and that the information contained therein and in the attached documents are true and correct.

Signature of Applicant

Signature of Applicant

Subscribed and sworn to
Before me this 17 day of
May, 2011.

Notary Public



VILLAGE CLERK'S OFFICE ONLY

Date filed: _____, 20____.

Date paid: _____, 20____.

Documents submitted (list): _____

Referred to Village Attorney on: _____, 20____.

Referred to President
And Board of Trustees on: _____, 20____.

Section 9A-2-6 entitled "Fees" of the Village of Willow Springs Village Code states:

BA-2-6: FEES

A. Applications for a Variation, Special Use, Special Use - Planned Unit Development, Zoning Amendment or Site Plan Review shall be made in the office of the Village Clerk on forms provided by the Village Clerk. The applications shall be accompanied by a nonrefundable fee in the following amounts:

<u>Relief Required</u>	<u>Application Fee</u>
1. Variations	\$400.00
2. Special Use	\$750.00
3. Special Use - Planned Unit Development	\$750.00
4. Site Plan Review	\$750.00
5. Zoning Amendment	\$750.00

An applicant shall pay the appropriate application fee for each approval required. By way of example, if the applicant requires a Zoning Amendment (\$750.00), Site Plan Review (\$750.00), and Variation(s) (\$400.00), the total application fee payable is \$1,750.00.

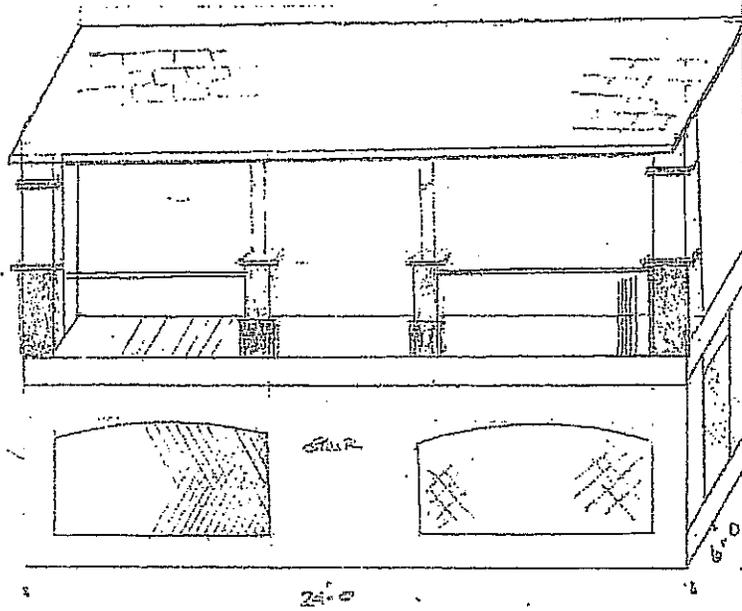
- B. The fee for filing a Notice of Appeal for review of any order, requirement, decision or determination of the Building Commissioner shall be Five Hundred and 00/100 Dollars (\$500.00). This fee shall be paid to the Office of the Village Clerk prior to filing the Notice of Appeal and is nonrefundable. A receipt from the Village Clerk evidencing payment of the fee shall accompany the Notice of Appeal when filed with the Plan Commission.
- C. In addition to the payment of the foregoing fees in subsections A and B of this Section, the applicant, or owner of the subject property, if different, or person appealing in the case of an Appeal, shall reimburse the Village (or pay directly to the Village's consultants if so directed by the Village) all expenses, costs and fees incurred by the Village in its sole judgment in connection with the consideration and review of applications for Variation(s), Special Use, Special Use - Planned Unit Development, Zoning Amendment, Site Plan Review or an Appeal. Such costs shall include, but not be limited to: stenographic fees; engineering review fees; traffic engineer fees; financial consultants; planning consultants; landscape consultants; and other consulting fees; attorneys' fees; public hearing and other publication charges; and recording charges. These charges shall be paid within seven (7) days after an invoice is submitted to the applicant, owner or appellant by the Village Clerk or person performing the service, but in no event shall the Plan Commission or Village Board of Trustees take any final action or render any final decision on any application or Appeal prior to payment of all invoiced items. These fees and charges shall be paid notwithstanding an adverse decision to the applicant on an Appeal, the abandonment of the proceedings by the applicant, or the denial of the request of an applicant, in whole or in part, by the Plan Commission and/or the Village Board of Trustees.
- D. In addition to the foregoing, the Village may, in its sole discretion, upon receipt of an application for a Variation, Special Use, Special Use - Planned Unit Development, Zoning Amendment or Site Plan Review, require the applicant to deposit with the Village for deposit by the Village into a special account, an advance payment, toward the subsection C development review fees and costs to be incurred by the Village. The amount of such deposit shall be determined by the Village, the receipt of which shall be a condition precedent to the Village's acceptance of an application and the commencement of the development/zoning review process.
- E. From time to time as fees are incurred by the Village, they shall be paid by the Village from said special account and the applicant so notified. At such time as the Village deems necessary, the applicant shall deposit additional monies to the special account. The deposit of such additional monies within ten (10) days of a request therefore shall be a condition precedent to the Village continuing the development/zoning review process.

I, the undersigned, have received this document captioned "Reimbursement of Fees and Costs to the Village of Willow Springs," have read same and fully understand and agree to comply with the provisions contained herein. I further understand, as set forth above, that no final action on my Application will be taken until all fees and costs for which I am obligated to the Village are paid.

DATE 5/12/11 SIGNATURE OF OWNER 
SIGNATURE OF APPLICANT 

Please print the name of the party responsible for payment of fees and costs:
BENJAMIN A BOWEN JR. ACAA
 Address of Subject Property: 165 BOUND
 Billing Address: SAME
 Applicant: SAME Owner: SAME
 Address: SAME Address: SAME
 Phone #: (708) 835-8084 Phone #: (708) 835-8084

James
Russell
& Associates, Inc.
Custom Homes/Renovators



P.O. Box 501 • Western Springs, IL 60558 • Office (630) 325-7440 • Fax (630) 325-7446
www.JamesRussellAssoc.com



Proposal

April 24, 2011

Construct porch as per drawing

- Demo
- Concrete piers
- 6 x 6 main columns
- 2 x 12 & 2 x 10 frame
- 5/4 deck boards
- 2 x 4 upper and lower railing
- 2 x 8 rafters
- 2 x 6 ceiling joist
- 3/8" porch ceiling
- 3/8" not 1/2" roof decking
- stair & railing
- porch columns decorative
- Porch skirt decorative arch
- Shingled roof w/ Zestings
- Gutter

Labor, material, supervision & insurance

\$5,987.00

Chuck

JEM'S

219-545-2321

466-7750 CEN

235-1150

P.O. Box 501 • Western Springs, IL 60555 • Office (630) 325-7440 • Fax (630) 325-7446

www.JamesRussellAssoc.com

Bill MARRAY

EXHIBIT B
Plan and Zoning Recommendation

RECOMMENDATION OF THE VILLAGE OF WILLOW SPRINGS
PLAN AND ZONING COMMISSION TO THE PRESIDENT AND
BOARD OF TRUSTEES OF THE VILLAGE OF WILLOW SPRINGS

DATED: June 1, 2011

APPLICANT: Benjamin and Dawn DeAnda
115 Mound, Willow Springs, IL 60480

PROPERTY: 115 Mound, Willow Springs, IL 60480

RELIEF REQUESTED: Application for Front Yard Encroachment

PUBLIC HEARING: This variation request seeks approval of a front yard encroachment to build a new front porch. The new porch would extend two feet beyond the existing front steps of the residence.

Mr. & Mrs. DeAnda explained the existing cement porch was leaning into the house and has caused water damage. They are seeking a new wooden porch which will run the width of the house.

The hearing was attended by Commissioners Formento (Acting Chairman), Hansen, Mroch, Schmidt, Smuda, Village Administrator Murray, Village Attorney McGrath, and Building Commissioner Keslin. There was no public comment or opposition.

Commissioner Hansen made a motion to approve the variance, which was seconded by Commissioner Smuda. The motion passed by a 5-0 vote.

PUBLIC COMMENT: There was no public comment.

COMMISSION RECOMMENDATION: The Commission voted 5-0 to approve the variation.

Respectfully Submitted

Village of Willow Springs
Plan and Zoning Commission

By: _____
Edward Formento, Acting Chairman

Exhibit B

EXHIBIT C

Acting Building Commissioner Memorandum

ALAN P. NOWACZYK
VILLAGE PRESIDENT

ADENA BASKOVICH
VILLAGE CLERK

WILLIAM P. MURRAY
VILLAGE ADMINISTRATOR



TRUSTEES
GEORGE BARTIK
MARIO IMBARRATO
ANNETTE KAPTUR
KEVIN J. MALONEY
KATHRYN STAHPHILL
JERRY STRAZZANTE

May 27, 2011

Re: 115 Mound Street

Variance Request - Front Yard Encroachment

9A-4-1: R-1 RESIDENCE DISTRICT: D. Area: 3. Setback: The setback line shall be thirty feet (30') from the front lot line. (Ord. 86-0-17, 8-28-1986)

I have reviewed the above referenced variance request and visited the site. It is my opinion that the granting of the variance will not have a detrimental effect on surrounding property values.

Sincerely,

Charles R. Keslin, Acting Building Commissioner.

Exhibit C

