

---

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

---

**ORDINANCE  
NUMBER 2014-O-15**

---

**AN ORDINANCE APPROVING A VARIANCE FOR 306 S. OAKWOOD IN  
THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS**

---

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

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

**Trustees**

---

**ORDINANCE NO. 2014-O-15**

**AN ORDINANCE APPROVING A VARIANCE FOR 306 S. OAKWOOD IN  
THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS**

---

**WHEREAS**, Petitioners, Monika and Grzegorz Dlugosz, 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 306 S. Oakwood (the "*Property*"); and

**WHEREAS**, the Property is zoned R-1 Residential and the Petitioner is seeking a variance from the Village Code regarding side yard setbacks; and

**WHEREAS**, the Plan and Zoning Commission held a public hearing on February 26, 2014 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 a variance of 6 foot side yard setbacks 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 Building Department Consultant; and

**WHEREAS**, the Village Board have also reviewed the Recommendation of the Plan and Zoning Commission (Exhibit B), and considered the testimony presented at the March 13, 2014 Village Board meeting; and

**WHEREAS**, the President and the Board of Trustees of the Village of Willow Springs have reviewed the Application, Recommendation and Testimony and, after due consideration, have determined that it is in the best interests of the Village to approve a 6 foot 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 Testimony and agree to approve the variance allowing a 6 foot side yard setback 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.

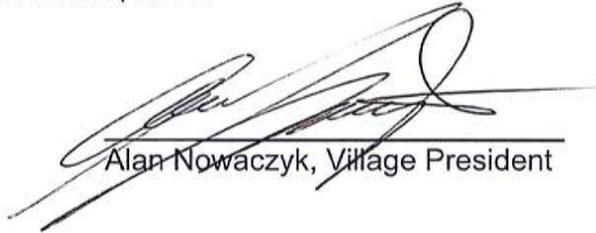
**SECTION 5:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**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 27<sup>th</sup> day of March, 2014, pursuant to a roll call vote as follows:

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

**APPROVED** this 27<sup>th</sup> day of March, 2014.

  
 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. 2014-O-\_\_** “AN ORDINANCE APPROVING A VARIANCE FOR 306 S. OAKWOOD 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 March 27, 2014.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the Corporate Seal of the Village of Willow Springs, Cook County, Illinois this 27<sup>th</sup> day of March, 2014.



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

EXHIBIT A  
*Application for Variance*

EXHIBIT B

*Plan and Zoning Recommendation*

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.

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: 1-10, 20 14

- 1. Applicant: Monika & Grzegorz Dlugosz Phone: 708-296-8459  
Address: 306 S. OAKWOOD Fax: \_\_\_\_\_
- 2. Owner: Monika & Grzegorz Dlugosz Phone: 773-822-4232  
Address: 306 S. OAKWOOD 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: 306 S. OAKWOOD

5. Legal Description of property: Lot 3 in block 50 in Mount Forest, a subdivision of the southeast quarter and that part of the east half of the southwest quarter and the northeast quarter (west of the land of Joseph Abbit) and the northwest quarter of section 33 Township 38 north range 12, east of the 3rd principal meridian, lying south of the Chicago & St. Louis & Alton railroad, in Cook County IL.

6. Permanent Real Estate Index No.: \_\_\_\_\_

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:  
\_\_\_\_\_  
\_\_\_\_\_

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

(A) Present zoning classification of property: R-1

(B) Proposed variation request: Reduce Required 7.5 feet Side yard to 4.5 feet

(C) State the nature of the hardship or practical difficulty requiring the request for variation: The width of 7.5 feet side yard (current variation) of the new built home will not have the required value for the neighborhood, as it would with 5 feet side yard.

(D) Describe existing structure(s) on property: Vacant lot

(E) Size of property, acreage and/or square feet: 8,125 S.F.

**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 8 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.

Monika Dugosz  
Signature of Applicant

[Signature]  
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.

Monika Dugosz  
Signature of Applicant

[Signature]  
Signature of Applicant

Subscribed and sworn to  
Before me this 18<sup>th</sup> day of  
JANUARY, 2014

[Signature]  
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:

9A-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 \$1,900.00.

- 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.

1-15-14  
DATE

  
SIGNATURE OF OWNER

\_\_\_\_\_  
SIGNATURE OF APPLICANT

Please print the name of the party responsible for payment of fees and costs:

Address of Subject Property: \_\_\_\_\_

Billing Address: \_\_\_\_\_

Applicant: \_\_\_\_\_

Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

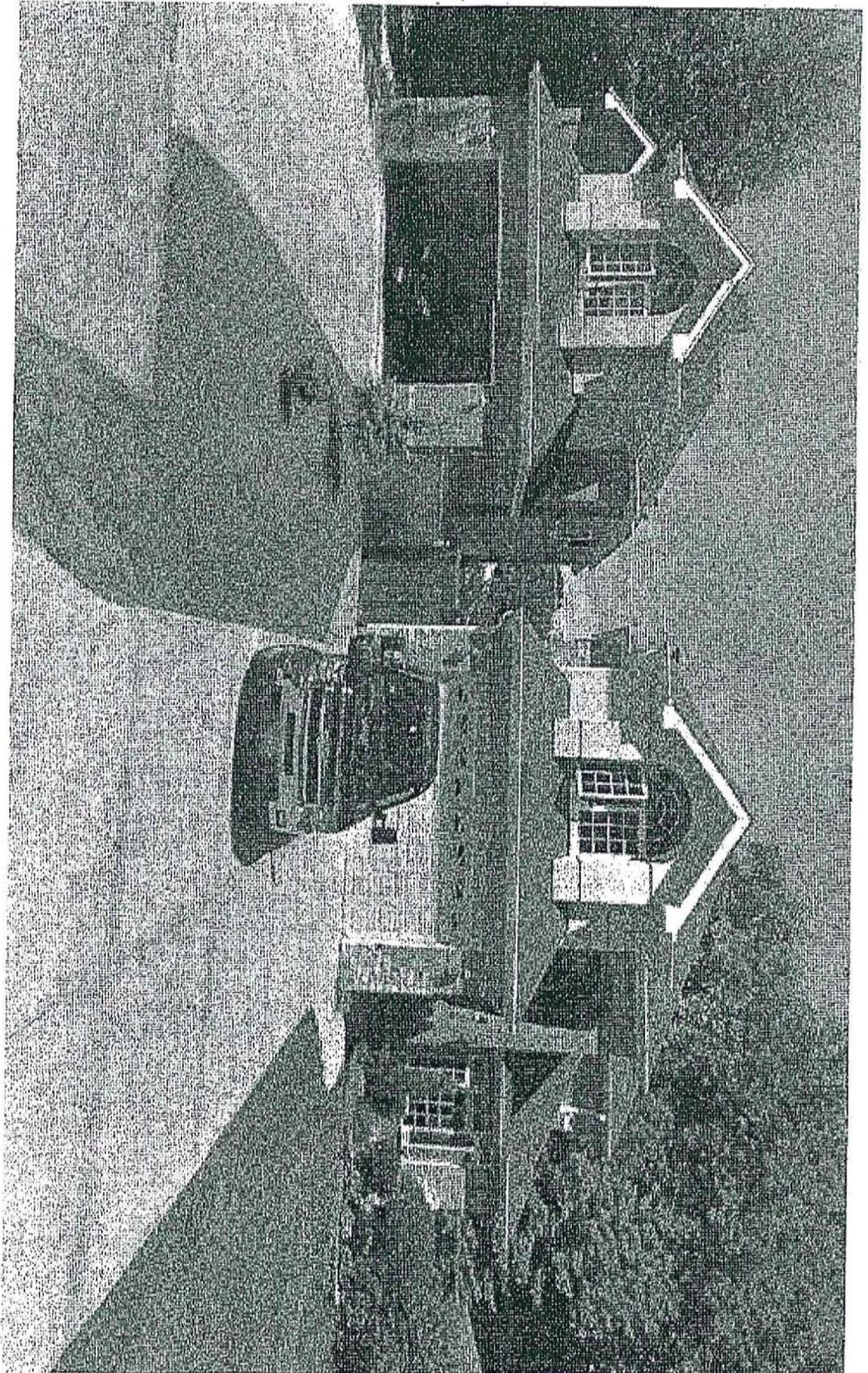
Phone #: \_\_\_\_\_

Phone #: \_\_\_\_\_

**Exhibit - A**

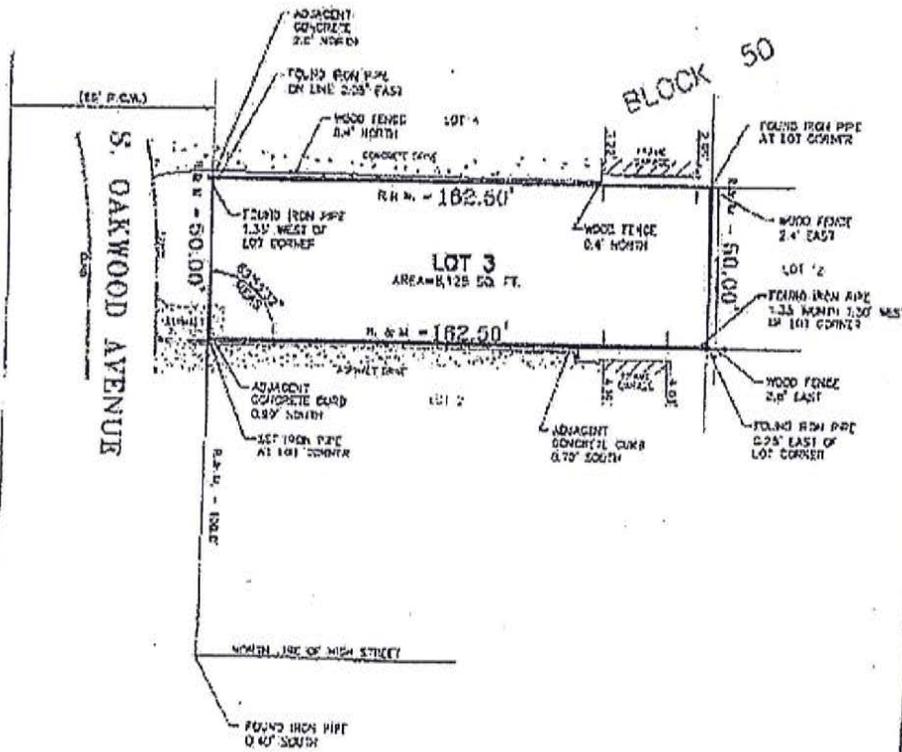
Exhibit -A

Exhibit A shows property 515 Maple Ave and 512 Maple Ave, Willow Springs, having a side yard of less than 4.5 ft for each property.



# PLAT OF SURVEY

LOT 3 IN BLOCK 50 IN MOUNT FOREST, A SUBDIVISION OF THE SOUTHEAST QUARTER AND THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER AND THE NORTHEAST QUARTER (WEST OF THE LAND OF JOSEPH ABBIT) AND THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CHICAGO AND ST LOUIS AND ALTON RAILROAD, IN COOK COUNTY, ILLINOIS.



NOTE: N. & V. DENOTES ACCORD AND MEASURED DISTANCES RESPECTIVELY

CLIENT: BRIDGES & BARR, (2010)  
 JOB ADDRESS: 324 S. OAKWOOD AVENUE, MOUNT FOREST, IL 60140  
 JOB NO: 10-01-017

**S.H. CAMPBELL**  
 LAND SURVEYOR

2430 KENNES BATH AVENUE TEL: (708) 594-3370  
 HICKORY HILLS, IL 60457 FAX: (708) 594-5347

ALL MEASUREMENTS MADE OR MADE ON THE BASIS OF THIS PLAN AND THE PLAN IS VALID FOR THE PURPOSES OF THE STATE OF ILLINOIS. THIS PLAN IS VALID FOR THE PURPOSES OF THE STATE OF ILLINOIS. THIS PLAN IS VALID FOR THE PURPOSES OF THE STATE OF ILLINOIS.



DATE: 10/11/12

BY: [Signature] LARCH

DATE: 10/11/12

BY: [Signature]

DATE: 10/11/12

BY: [Signature]

ALAN P. NOWACZYK  
VILLAGE PRESIDENT

ADENA BASKOVICH  
VILLAGE CLERK

WILLIAM P. MURRAY  
VILLAGE ADMINISTRATOR



ONE VILLAGE CIRCLE, WILLOW SPRINGS, ILLINOIS 60480-1885  
(708) 467-3700 • FAX (708) 467-3710

January 17, 2014

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

City of Willow Springs  
Attn: Bill Murray  
One Village Circle  
Willow Springs, IL. 60459

Re: Variance Request: 9A-4-1; R-1 Residence District, D. Area, 2. Side Yard.  
NEW SINGLE FAMILY RESIDENCE  
306 S Oakwood Avenue  
Willow Springs, IL.

Dear Mr. Murray:

I have reviewed the submittal drawings as listed on Drawing A-1 – A-2, prepared by ABD and Associates, Ltd., dated 08/10/2013; and Variance application for e2'-6" encroachment of each existing side yard.

Given the current home designs acceptable to market and the existence of other variances noted in Exhibit A, I would express no objections if the Plan Commission recommends and the Board approves the requested variance.

Please feel free to contact me if you have any questions.

Sincerely,

  
Charles R. Keslin, P.E., C.B.O., C.P.E.

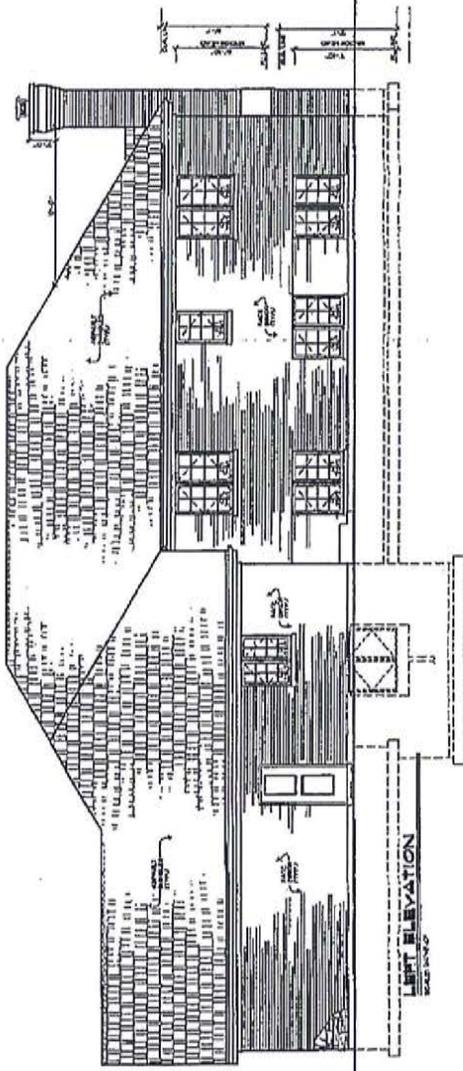
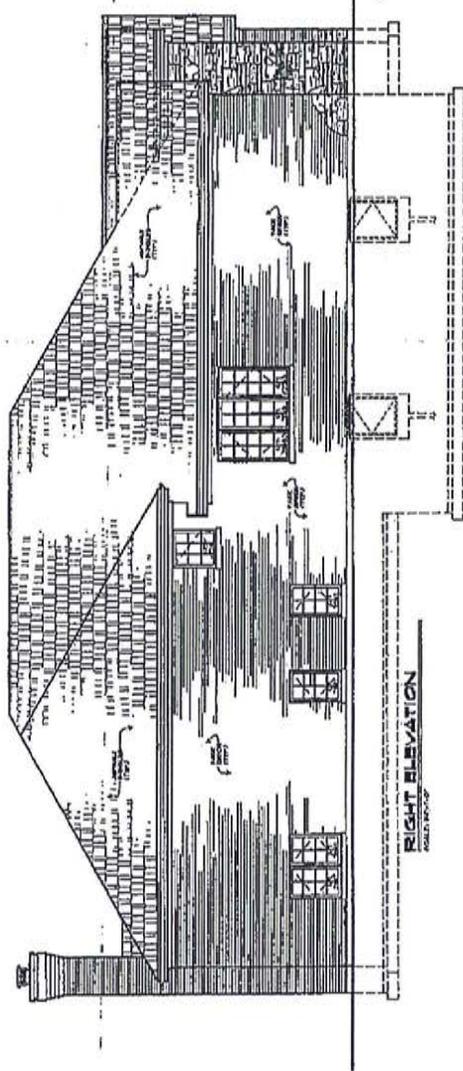
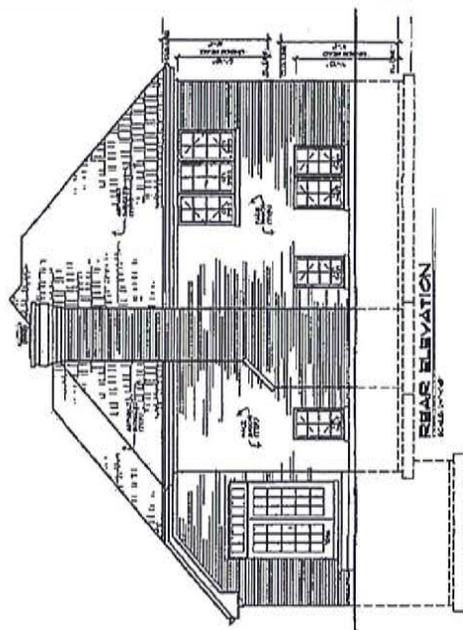
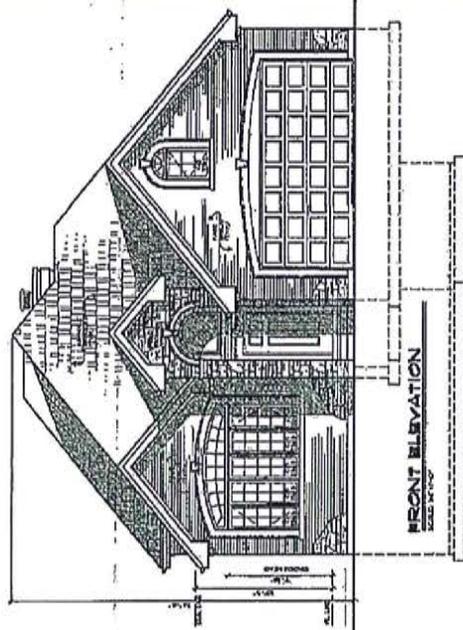


DATE: 10/15/10  
DRAWN BY: J. J. JONES  
CHECKED BY: J. J. JONES  
SCALE: AS SHOWN

PROPOSED NEW S.F. RESIDENCE  
306 S. OAKWOOD AVE.  
WILLOW SPRINGS  
ILLINOIS

ARCHITECT: J. J. JONES  
FLOOR PLAN: J. J. JONES  
ELEVATIONS: J. J. JONES  
SECTION: J. J. JONES  
AD & ASSOCIATES, LTD.  
1000 N. LAUREL AVE. SUITE 100  
WILLOW SPRINGS, ILL. 60097  
TEL: 708.399.1234

NO.	DESCRIPTION
1	FRONT ELEVATION
2	REAR ELEVATION
3	LEFT ELEVATION
4	RIGHT ELEVATION



**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: February 26, 2014

Applicant: Monika and Grzegorz Dlugosz

Property: 306 S. Oakwood Willow Springs, Illinois

Current Zoning: R-1

Request for Hearing: Petitioner requested a side yard variance of five feet.

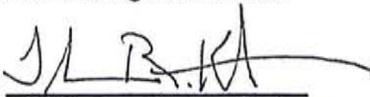
Public Hearing: A public hearing was held on February 26, 2014, before the Plan and Zoning Commission. Present were Chairman Kaptur, Commissioners Schmidt, Formento, Hansen, Attorney McGrath, Village Administrator Murray, and Building Commissioner Keslin.

Plans Submitted: Petitioner has submitted an Application for a five foot side yard setback variance instead of the required 7.5 foot setback. The Application, Agenda, and Public Notice are attached as Exhibits A, B, and C, respectively. The parcel is currently 162 feet by 50 feet. Applicants are requesting a five foot side yard setback, claiming a 7.5 foot setback would result in a very narrow house and a smaller garage. Mr. Keslin advised the Commission the 4.5 feet variance requested in the application is not allowed by the building code. The Applicants stated they were seeking a 5 foot variance similar to the houses built on Maple. The Applicants stated they spoke to some of the neighbors who have no objection to the variance requested. Carla Timmons, lives next to property in question, (304 S. Oakwood Ave.), objects to variance stating applicants were aware of size of lot when they purchased lot. Chairman Kaptur stated the Commission has approved variances of 20% previously, which would allow a 6 foot setback. The calculation and side yard setbacks were discussed. The files for 515 Maple and 512 Maple were pulled and reviewed. These houses were built in 2005, there are no records in file to explain 5 foot variances for those properties.

Public Comment: At the conclusion of the hearing, Chairman Kaptur made a motion to approve a 6 foot variance, which was seconded by Commissioner Hansen. The motion carried by a 4-0 vote.

Respectfully Submitted,

Village of Willow Springs  
Plan and Zoning Commission

By:   
Thomas Kaptur, Chairman