



Village of Lemont  
*Planning and Zoning Commission*

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418 Main Street · Lemont, Illinois 60439  
phone 630-257-1595 · fax 630-257-1598

**PLANNING & ZONING COMMISSION**  
**Regular Meeting**  
**Wednesday, March 19, 2014**  
**6:30 p.m.**

**Planning and Zoning  
Commission**

Anthony Spinelli,  
Chairman

**Commission Members:**

Ryan Kwasneski  
David Maher  
Jerry McGleam  
Gregory Messer  
Jason Sanderson  
Phil Sullivan

**Planning & Economic  
Development Department  
Staff**

Charity Jones, AICP, Director  
Martha M. Glas, Planner

- I. **CALL TO ORDER**
  - A. Pledge of Allegiance
  - B. Verify Quorum
  - C. Approval of Minutes: February 19, 2014 meeting
- II. **CHAIRMAN'S COMMENTS**
- III. **PUBLIC HEARINGS**
  - A. **Case 14-02 – 931 Singer Ave. Variation.** A public hearing for variation to allow a proposed detached garage to be accessed from the street as opposed to the alley as required by code in the R-4A district.
  - B. **Case 14-03 – Chicago Blaze Rugby Club Variations.** A public hearing for 10 variations pertaining to the redevelopment of the site. The redevelopment includes the construction of a new clubhouse facility and associated parking.
- IV. **ACTION ITEMS**
- V. **GENERAL DISCUSSION**

Comprehensive Plan 2030 Future Land Use Map
- VI. **ADJOURNMENT**

**Village of Lemont**  
**Planning and Zoning Commission**  
Regular Meeting of February 19, 2014

A meeting of the Planning and Zoning Commission of the Village of Lemont was held at 6:30 p.m. on Wednesday, February 19, 2014 in the second floor Board Room of the Village Hall, 418 Main Street, Lemont, Illinois.

**I. CALL TO ORDER**

**A. Pledge of Allegiance**

Commissioner Sanderson called the meeting to order at 6:34 p.m. He then led the Pledge of Allegiance.

**B. Verify Quorum**

Upon roll call the following were:

Present: Kwasneski, Maher, McGleam, Messer, Sanderson

Absent: Sullivan and Spinelli

Planner Martha Glas was also present.

**C. Approval of Minutes: January 15, 2014 Meeting**

Commissioner McGleam made a motion, seconded by Commissioner Messer to approve the minutes from the January 15, 2014 meeting with no changes. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

**II. CHAIRMAN'S COMMENTS**

Commissioner Sanderson stated he will be filling in as Chairman tonight for Chairman Spinelli.

**III. PUBLIC HEARINGS**

**A. Case 14-01 – 410 Main St. Variation**

A public hearing for variation to allow a residential unit on the first floor of a property located on the Main Street street type in the Downtown District.

Commissioner Sanderson called for a motion to open the public hearing.

Commissioner Kwasneski made a motion, seconded by Commissioner McGleam to open the public hearing for Case 14-01. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

Commissioner Sanderson then asked for the audience to stand and raise his/her right hand. He then administered the oath.

Mrs. Glas said the case before them is a variation request to allow a residential unit on the first floor of a property that is subject to the Main Street street type standards in the Downtown District. She stated she was going to show on the overhead what is in the Unified Development Ordinance in terms of a regulating plan for the downtown district. It is done by street types which is different than the rest of the Village. The property is located on the Main Street street type, which is the central business district. She said anything happening on those properties have specific regulations. The first being that you want to maintain the historic character of the area. She stated being a central business district commercial area you want it to flow in terms of the commercial uses. So if there was a residence on the first floor it is something that is not supported in this district.

Mrs. Glas stated the variance request to allow for a residential use on this property is unique. There are two commercial units on the first floor. The front commercial unit that faces Main Street is currently occupied. There is a second commercial unit that is in the rear that hasn't been used commercially, but has been used just for storage. She said the front unit is about 930 square feet and the rear unit is about 730 square feet. Laundry facilities are also on the first floor. The request is unique in that it is not a residential unit that would face Main Street and would not away the commercial feel.

Mrs. Glas said there is an east and west entrance on the building. The east entrance provides access to the commercial unit in the front. The west entrance provides access to the laundry facility, the stairs for the residential units on the second and third floor, and also the rear unit. She stated there are separate utilities for both units and this door is a security entrance for the residences. Since this is a unique configuration and the conditions are existing, staff is recommending approval of the variation.

Commissioner Maher asked what used to be in the back.

Mrs. Glas stated at one time a State Senator had the front office and they just used the back for storage. She said they do not have any record of it being used as a commercial use.

Commissioner Maher asked if it was going to require a build out.

Mrs. Glas said it is somewhat already built out and the only addition would be to add a shower and kitchenette.

Commissioner Messer stated the staff report talked about the parking. He asked where the current residents are parking.

Mrs. Glas said she is not sure where those particular tenants are parking. She showed on the overhead areas that are public parking in the downtown. Residents are able to park there over night, but during the day it is limited to four hour parking.

Commissioner Sanderson asked if any other Commissioners had questions for staff. None responded. He then asked if the applicant wanted to speak.

John Savarino stated he is the owner of 410 Main Street which is attached to the Village Hall. He said the issue that he has is there is no accessibility unless you go through the residential. There are two security doors that you have to go through and once you are past those you have access to the residences. He stated it will jeopardize the safety and security of the tenants to allow commercial there. The way it is constructed they should have made it a whole unit from front to rear but it is actually divided.

Commissioner Maher asked if there is no other access point between the two units besides the hallway.

Mr. Savarino said that is correct. There are separate utilities and doors.

Commissioner Sanderson asked what the variation would be.

Mrs. Glas stated it would be to allow residential on the first floor of the commercial building. She said it is not specified in the UDO whether it is the front or rear of the building, but in this case it would be limited to the rear.

Mr. Savarino said from the front of the building you would never know that there was commercial space back there.

Commissioner Sanderson stated if this was a new building they would like the whole first floor to be commercial versus residential on the first floor in the Downtown area.

Mr. Savarino said the building is only 12 or 13 years old. There was a fire in the original building and it burned down. This is the new building they constructed which has a sprinkler system. He stated when they divided it that is the way they constructed the building.

Mrs. Glas stated if someone came in requesting to do this, then that would be a different case but this already exists and the units are separated.

Commissioner Sanderson said his problem is if someone has an existing building, they put up a wall, and state now that it is an existing condition.

Mrs. Glas stated this one has utilities for two spaces. It was developed with two utilities. Someone just putting up a dividing wall would not be able to convert it to two uses.

Mr. Savarino said the entrance is the problem because you have to go through two security doors. The doors are coded doors so you would not be able to have customers go through them to get to the business.

Commissioner Maher asked if there was a bathroom in the front unit.

Mr. Savarino stated there was and showed on the diagram where it was located.

Commissioner McGleam asked if there was existing storage space for the commercial tenant on the first floor.

Mr. Savarino said there are two small offices and a small storage room. He stated the space is leased currently. He stated every time he tried to lease both spaces as commercial he would get shot down once they saw the security doors.

Commissioner McGleam asked if any future lease opportunities would be restricted to the current size of that commercial space. He said by converting the back you will never be able to increase the size of the commercial space.

Mr. Savarino stated unless someone wanted to live in the back and lease the front.

Commissioner Messer asked if he knew where the current tenants were parking.

Mr. Savarino said it is his understanding that there is an issue with the parking especially with all the snow. The tenants are allowed to park for only four hours in the main parking lot right here at Village Hall. He stated the tenants have been told to park in the lot across the street from the post office. He asked what the parking is across the street from the Village Hall.

Mrs. Glas stated that is public parking also which has the four hour limit during the day but they can park over night.

Mr. Savarino said they could use some additional parking.

Commissioner Kwasneski asked if he had received any complaints about this.

Mr. Savarino stated no because you can't even tell that there is a unit back there.

Commissioner Sanderson asked if anyone in the audience wanted to come up and speak. None responded. He then called for a motion to close the public hearing.

Commissioner Messer made a motion, seconded by Commissioner McGleam to close the public hearing for Case 14-01. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

Commissioner Sanderson then called for a recommendation to the Mayor and Village Board.

Commissioner Maher made a motion, seconded by Commissioner Kwasneski to recommend to the Mayor and Village Board approval for a variation to allow a residential unit on the first floor of a property located on the Main Street street type in the Downtown District. A roll call vote was taken:

*Ayes: McGleam, Kwasneski, Maher, Messer, Sanderson*

*Nays: None*

*Motion passed*

Commissioner Messer made a motion, seconded by Commissioner Maher to authorize the Chairman to approve the Findings of Fact for Case 14-01 as prepared by staff. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

#### **IV. ACTION ITEMS**

Mr. Savarino stated they were in the process of working on a small restaurant on the corner of Main Street. He said they were actually concerned about parking. He asked if there was anything on the agenda for the Village to purchase additional parcels for parking.

Commissioner Sanderson said there is public parking by The Lofts.

Mrs. Glas stated there is nothing besides the public parking that currently exists and the Village is not looking to purchase any property for additional parking.

Mr. Savarino said he was just asking because there has been mention of the 2030 plan.

Mrs. Glas stated the UDO currently has a whole section on what the Village envisions the Downtown to be developed like. She said she can send the link to him and that would give him an idea of what the vision is for the downtown. In terms of the future land use map it is not specific for the downtown but rather looks at Lemont and a mile and half beyond Lemont. Mrs. Glas stated there are sub plans that have been developed in the past couple of years that the Village uses as a guide for development. So that would be a starting point to see what the direction was for the Downtown area.

Commissioner Maher said the Village is looking into getting a Sports Complex in the Downtown area. He stated if that went through there would also be a significant amount of parking.

Mr. Savarino thanked the Commission for their information.

## V. GENERAL DISCUSSION

### A. Status of Comprehensive Plan Update

Mrs. Glas said in February they had a meeting with the Committee of the Whole (COW). In preparation for that they refined their existing five elements which the Commission has seen a draft to all of those. She stated in the Natural Resources they had added a level of service standards for parks. It was not included in there before, but they feel it should be added now. She said the intent was to go through all five elements at the COW, but they were only able to get through three.

Mrs. Glas stated they did have the two Land Use workshops. The meeting on the 28<sup>th</sup> was better attended which had 10 participants and the meeting on the 3<sup>rd</sup> there were 5 participants. She said they had maps set up at different tables with different land use categories. The participants were suppose to put those land use categories on the map where they thought was appropriate. She said they will synthesize that and add some to it. At the March Planning and Zoning meeting they will have the first rendition of what the future land use map may look like. In preparation for March's meeting she would like to go through the categories with the Commission.

Mrs. Glas said there were seven land use categories with some sub-categories for retail and residential. The residents were given a flier with information and the photos. In the fliers it had illustrations on building scale and type and the site plans they would expect based on what the Comprehensive Plan vision is. She said everything they are going to see in terms of land use categories is informed by the guiding principles of the Comprehensive Plan.

Mrs. Glas stated she is going to start with the industrial land use category. This district is characterized by well designed sites that include suitable buildings for modern functional features, screening for outdoor storage, equipment, and landscaping to create curb appeal. Included are some pictures of what that type of development would look like. She said when you are thinking about the map of Lemont and designating areas for industrial, this is the type of industrial they would hope to go there.

Mrs. Glas said for open space and recreation it is characterized by large parks, open green space, and outdoor commercial recreation. The sites can range from 25 acres to more. Smaller parks that are part of residential would not be classified because they are more of an amenity to a neighborhood. She stated some local examples include Heritage Quarries, the Centennial Campus, Ruffled Feathers Golf Course, and any other area that would be suitable for the map.

Mrs. Glas stated the next section is employment center. It is a mix of uses which all generate high employment per square foot of building. This district has a primary benefit of generating local employment and a secondary benefit of providing useful services to the local residents. She said the building would vary in design but the size would be no taller than a three story building. She stated some local examples would be Advocate Good Samaritan Outpatient Center, Timberline Knolls, or Palos Community Hospital Home Health Care.

Mrs. Glas said the next one is multi-family midrise. This district is characterized by larger scale multi-family developments such as apartment complexes or condominiums. They are usually on sites of 10 acres and would have amenities such as club houses or swimming pools that are specific to that community. The buildings within this district would be three to six stories and there are no local examples. She stated if they felt a certain area of Lemont would be suited for that type of development then they would like to see it on the map.

Mrs. Glas stated the mixed use district is characterized by the presence of buildings that house a mix of commercial and residential use. They can be similar to what they find in the historic district or they can be new construction. She said it can be as small as a 1,000 square foot structure or as large as 250,000 square feet on a newly developed retail shopping center. These sights are well suited for areas that are around transit stops. Some examples of this would be Front Street Lofts, Budnik Building and Callahan Plumbing.

Mrs. Glas said in the commercial district there are two subsets, the neighborhood retail and the community retail. The neighborhood retail is characterized by retail uses that are convenience orientated which are shops and offices that need to be visited on regular basis. The commercial building is usually occupied by a single business, a stand alone site or a small shopping center. They are located on arterial streets but easily accessed by walking, bicycling, or transit and the sizes vary from 30,000 square feet to 125,000 square feet on sites up to five acres. She stated examples of this type of retail would be Riley's Point with Three Corners or Lemont Village Square. Mrs. Glas stated community retail would be bigger and it draws from the bigger area. She said examples would be the Target/Kohl's area or Lemont Plaza.

Mrs. Glas stated that there would be four different categories identified for the residential land use category. She said one being the conventional neighborhood with mostly single-family detached homes, some single-family attached homes with multi-family homes mixed in. It would have two to four dwelling units per acre. She stated most of the open space is private yards and some may feature common open space. Some examples of this type would be Covington Knolls, Briarcliffe including The Courtyards, and Woodglen. Another category that is identified is the contemporary neighborhood. Those have a typical density of four to eight dwelling units per acre. The private open space is smaller but the offset is more common open space. Mrs. Glas said with an average of five to six dwelling units per acre more of the residents would



likely live within walkable or biking distances of other amenities. She stated some examples are Brown Park block or Bailey's Crossing Townhomes.

Discussion continued in regards to trails and paths for connectivity.

Mrs. Glas said another type of residential design is the large lot subdivision. They would be single-family detached homes and the density is less than two dwelling units per acre. She stated you find this in the unincorporated areas of Lemont. The last residential design type is the conservation design. This is typical for areas you would want to preserve some natural features. She said this might be areas that have wetlands or areas that have significant ecological features. So if there are any areas in Lemont that are not developed or if they have something significant that you would not want to see completely leveled this is the designation you would want to put there.

Mrs. Glas stated that is a synopsis of what the land use categories are. If you have seen the 2002 Comprehensive Plan it just gives the density and the raw terms. She said it does not state much else in regards to walkability or design intents. She stated if they have any feedback it would be appreciated, otherwise they will come back in March with the first rendition of the Land Use Map. Mrs. Glas said this would conclude her presentation.

Commissioner Messer asked if 604-606 State Street was approved.

Mrs. Glas stated it was. She said next month the Chicago Blaze Club might be coming in asking for some variations.

Commissioner Sanderson asked what happened to the Birchpath Preliminary PUD/Plat.

Mrs. Glas said it did not get approved. She stated at the COW he had submitted an alternate plan that addressed some of the things that were concerns of the Planning Commission. She said staff had stipulations in there prior to getting Preliminary approval they had to provide certain things. The applicant is working on revisions to get preliminary approval.

Commissioner Sanderson stated then he was not denied but instead he needs to come back with more.

Mrs. Glas said yes he does need to come back with more. She stated he has opted to do a shared detention with Mayfair. This will allow them to expand the lot width. She said once they get all of things that they have asked of them then it will go to the Village Board for approval. She stated it will come back before the Planning Commission Board for Final PUD/Plat approval.

## **VI. ADJOURNMENT**

Commissioner Sanderson called for a motion to adjourn the meeting.

Commissioner Messer made a motion, seconded by Commissioner McGleam to adjourn the meeting. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

*Minutes prepared by Peggy Halper*



Village of Lemont  
*Planning & Economic Development Department*

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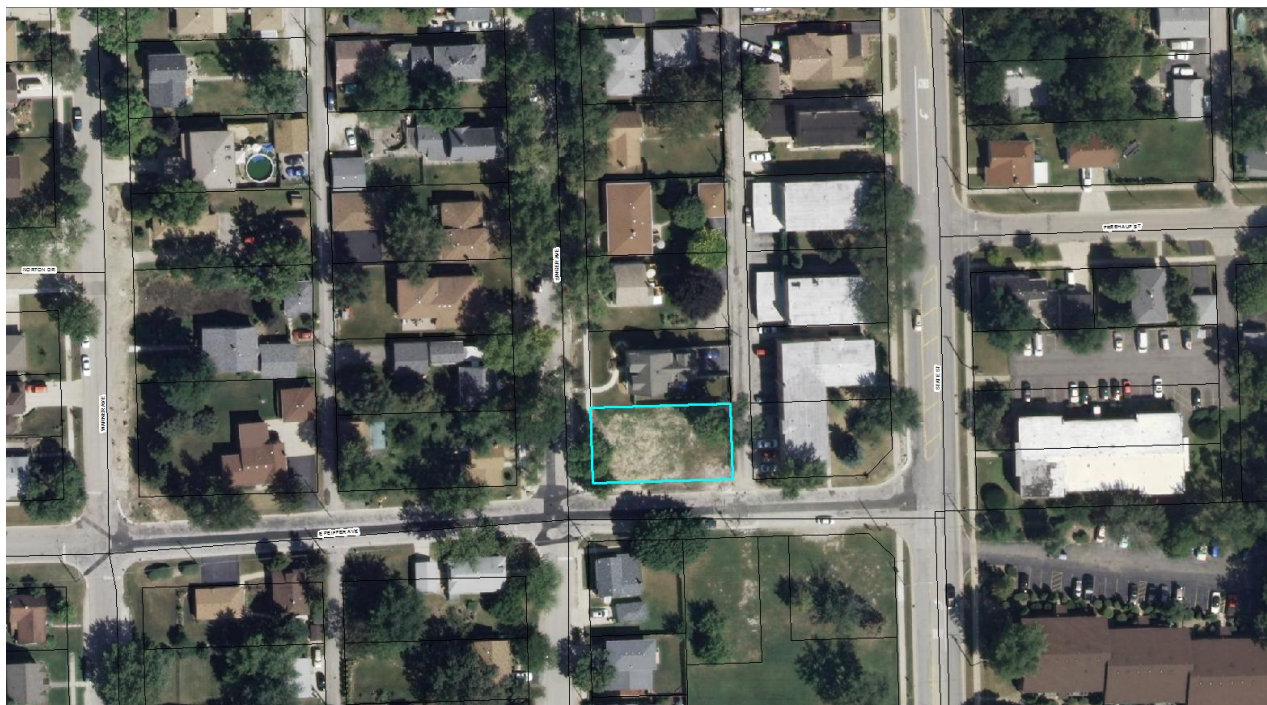
418 Main Street · Lemont, Illinois 60439  
phone 630-257-1595 · fax 630-257-1598

TO: Planning & Zoning Commission  
FROM: Martha M. Glas, Village Planner  
THRU: Charity Jones, AICP, Planning & Economic Development Director  
SUBJECT: Case 14-02 931 Singer Ave. Variation  
DATE: March 14, 2014

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**SUMMARY**

Tracey Nappier, acting on behalf of owner Leslie Zalewski, is seeking a variation from §17.07.020.F.2 of the Unified Development Ordinance. The variation would allow a proposed detached garage to be accessed from the street as opposed to the alley as required by code in the R-4A district. The subject property is a corner lot and is currently vacant. The applicant intends on constructing a home and a detached garage on the property. Access to the garage is proposed off of Peiffer Ave. Staff is recommending approval.



## PROPOSAL INFORMATION

Case No. 14-02  
Project Name 931 Singer Ave. Variation

### General Information

Applicant	Tracy Nappier
Owners	Leslie Zalewski
Status of Applicant	Agent acting on behalf of the owner
Requested Actions:	Variation to allow access from a proposed garage onto the street (Peiffer Ave.) as opposed to the alley as required by code in the R-4A district
Site Location	931 Singer Ave. (PIN 22-29-119-010-0000)
Existing Zoning	R-4A
Size	6,630 sq ft
Existing Land Use	Previously single family, currently vacant lot
Surrounding Land Use/Zoning	R-4A to the north, south and west; R-6 to the east
Comprehensive Plan 2002	The Comprehensive Plan calls for this site to be Medium density 2-6 units/acre within a Tear Down Area Overlay.
Zoning History	N/A

### Special Information

Public Utilities

## BACKGROUND

The applicant is a prospective purchaser of the property and acting on behalf of the owner. The subject property is a corner lot at Singer Ave. and Peiffer Ave. The home and detached garage that existed on the property was demolished in 2006. The detached garage on property at the time did exit onto Peiffer Ave. and a curb cut is present in the area. A new construction permit was submitted in 2006 and cancelled within the same year. The regulations have changed since the original submission. The property is currently zoned R-4A *Single Family Preservation and Infill*. When an alley is present, driveways are required to access off the alley.

## STANDARDS FOR VARIATIONS

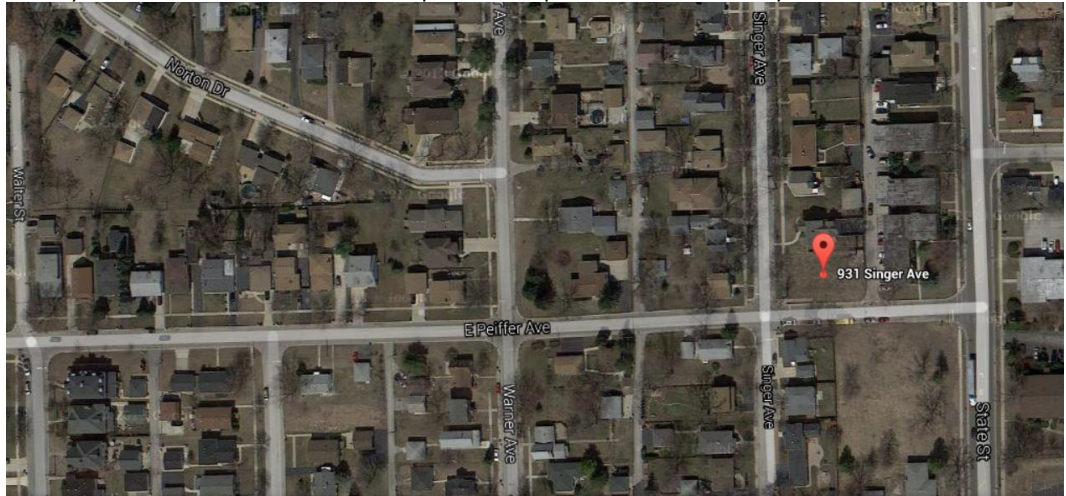
UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

**Analysis.** The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, four are not applicable to the variation request. The variation request to allow a driveway access the street as opposed the alley is consistent with the remaining four components.

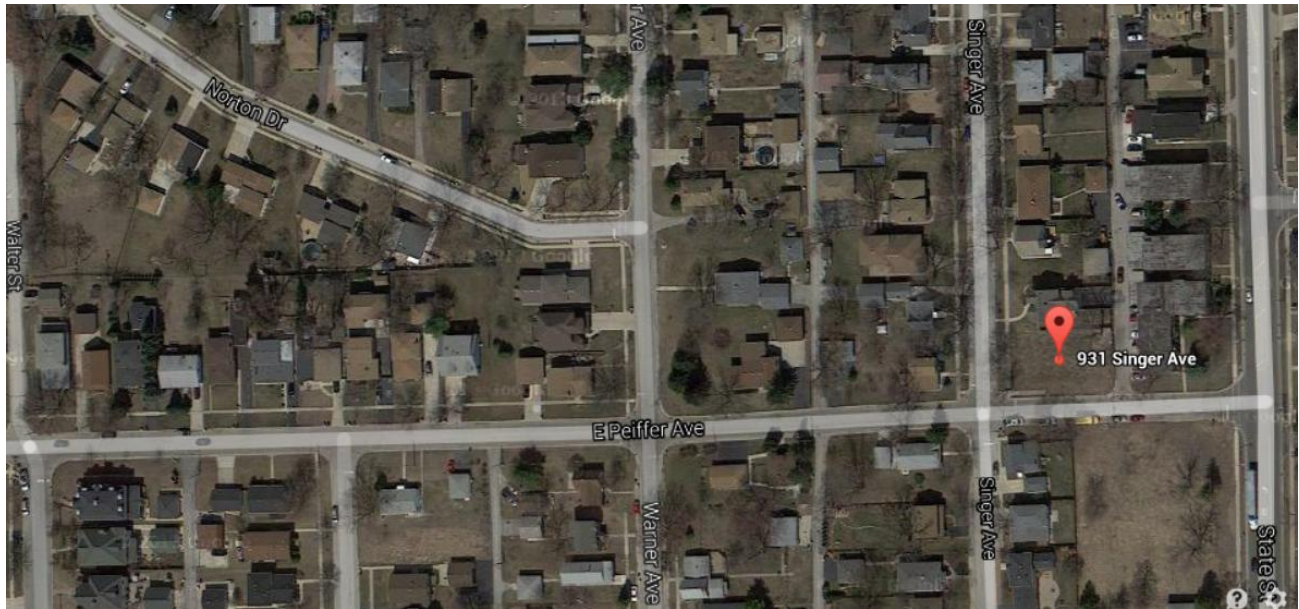
- **Promoting and protecting the general health, safety and welfare.** The variation request will not injure the health, safety and general welfare of the public.

Currently the sidewalk network along the north end of Peiffer Ave. is fragmented. (see photo below) A sidewalk currently exists from Walter to Warner Ave. but does not continue from Warner Ave. to Singer Ave. The sidewalk along the southern edge of the subject property is partial and when completed, will terminate at the alley. No public sidewalk is present on the southern side of the apartment complex from the alley to State St. There is an existing curb cut on Peiffer Ave. Any pedestrian walking along Peiffer Ave. would have to execute caution before the alley and as such an additional driveway would have minimal impact on pedestrian safety.



- **Ensuring adequate natural light, air, privacy, and access to property.** The variation will have no impact on light and air to the property. The variation would make the property accessible from Peiffer Ave.
- **Protecting the character of established residential neighborhoods.** The subject site is located in an established residential area and is zoned R-4A. This area encompasses the majority of the older and historic homes in the village. Lots in this district are typically narrow and deep. The property is adjacent to a multifamily apartment complex which is zoned R-6. The apartment complex, which faces State St., currently has parking spaces in the rear of the building. These spaces are accessed through the alley.

The intent of requiring driveway access from an alley when one is available is to promote development that creates uninterrupted lengths of sidewalk for pedestrian use. Blocks without driveway interruptions provide safer places for children to play and reduce the amount of hard surface in front yards when the lots are narrow. The subject site being a corner lot, does provide uninterrupted sidewalk in the front of the home. The driveway interruption would be on Peiffer Ave. The overwhelming majority of homes located along Peiffer Ave. from Walter St. to Singer Ave. have garage access onto Peiffer Ave. or intersecting streets (see photo below) The subject property, providing access from Peiffer Ave. would not impact the character of this block substantially and would maintain the integrity of the Singer Ave. block face.



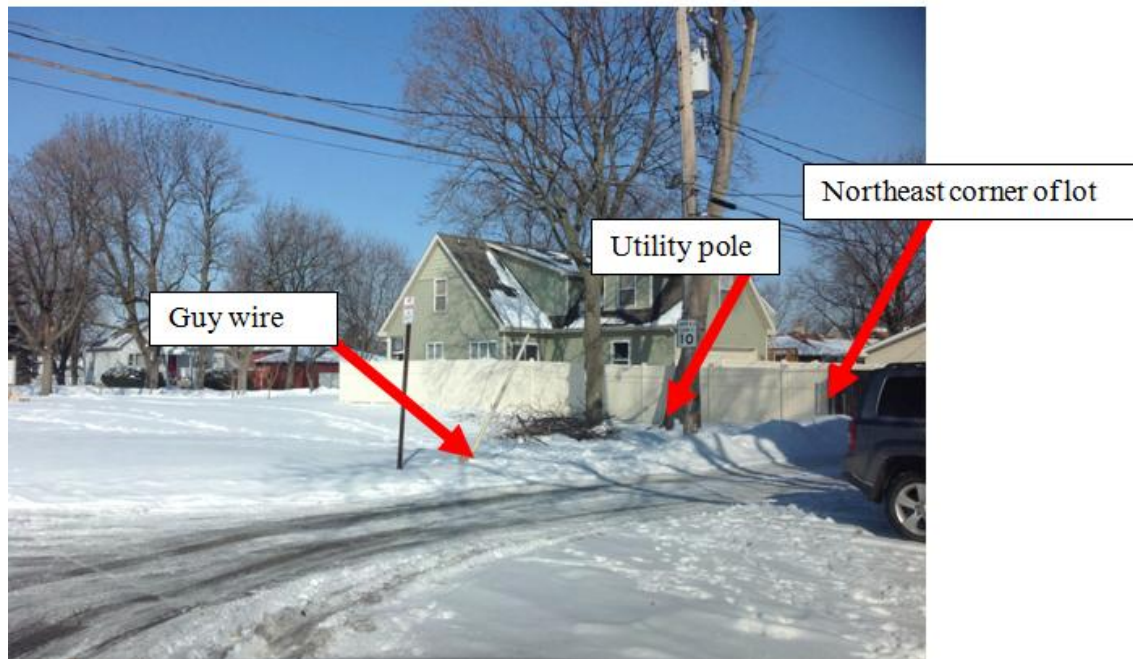
- **Conserving the value of land and buildings throughout the Village.** Investments that allow a property to be fully utilized add value to the land and generally conserve value throughout the Village.
2. The plight of the owner is due to unique circumstances, and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

**Analysis.** The UDO states that in making a determination whether there are unique circumstances, practical difficulties, or particular hardships in a variation petition, the Planning and Zoning Commission shall take into consideration the factors listed in UDO §17.04.150.D.2.

- **Particular physical surroundings, shape or topographical conditions results in a particular hardship upon the owner as distinguished from a mere inconvenience.** The subject property is currently vacant. The garage associated with the previous home was accessed from Peiffer Ave. A utility pole is located 20 ft. south of the northeast corner of the lot along the rear property line and restricts access from the alley. The utility pole guy wire is located an additional 20 ft. south of the utility pole along the rear lot line and further restricts the ability to access a garage from the alley.

The current location of the pole and associated wire limits the garage placement. (See photo below) In the northeastern corner of the lot, the 3ft. setback requirement would limit the available space to 17 ft. if the garage was to be accessed from the alley. This particular location is also where two mature trees are located and the applicant expressed a desire to retain the trees. Being a 60 ft. lot, the same is true in the southeastern corner of the lot as the guy wire is grounded in a location that leaves 20 ft. of available space.

With a 3 ft. setback, the available space is reduced. A standard 2 car garage is 20 ft. at the minimum.



- **The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district.** The conditions upon which this petition is based would not generally be applicable to other properties in the R-4A district. The location of the utility pole and guy wire is unique to this property.
- **The alleged difficulty or hardship has not been created by any person presently having an interest in the property.** The location of the utility pole and guy wire makes access from the alley impractical and this has not been caused by any person presently having interest in the property.
- **The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject project is located.** Driveway access from the garage onto Peiffer Ave. would not be detrimental to the public welfare or injurious to other property in the neighborhood. The driveway is proposed in the same location as what previously existed on Peiffer. The home is proposed to face Singer Ave. and as such will not create an interruption of sidewalk on the primary block face. The secondary block face, or Peiffer Ave., consists primarily of homes that exit onto Peiffer Ave.
- **The variation will not impair an adequate supply of light and air to adjacent properties or substantially increase congestion in the public street or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.** No parking is permitted along Peiffer Ave. on the north side of the street so a driveway would not decrease the quantity of on street parking available in the neighborhood.

Exiting the lot onto Peiffer Ave. from a driveway would create the same traffic as exiting onto Peiffer Ave. from the alley. Being a corner lot, exiting directly onto Peiffer Ave. may decrease the congestion at the intersection of the alley and Peiffer Ave. particularly because of the extra vehicles associated with the adjacent apartment complex and parking space.

3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

**Analysis.** See the analysis contained within section one of the variation standards, regarding the UDO's purposes of protecting the character of established residential neighborhoods and conserving the value of land and buildings throughout the Village.

## **RECOMMENDATIONS**

Staff recommends approval of the variation request. The UDO requires that the applicant demonstrate consistency with all three of the variation standards contained within §17.04.150.D. and staff finds that they were substantially met.

## **ATTACHMENTS**

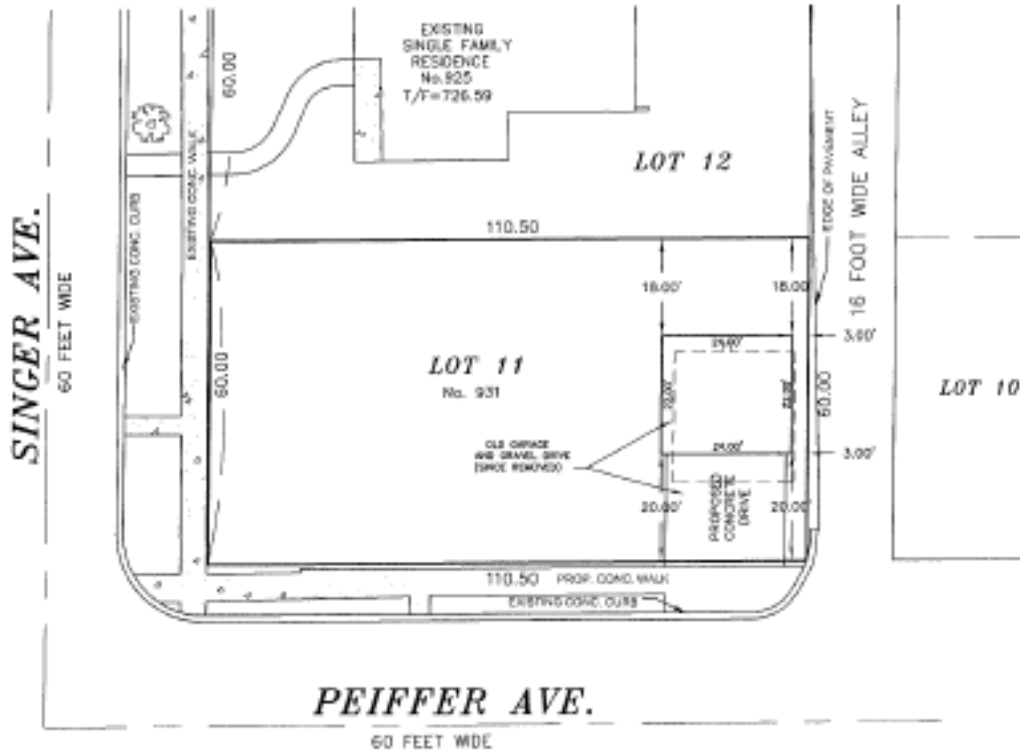
1. Exhibit A – Site plan
2. Exhibit B - Site Photos
3. Applicant submissions



EXHIBIT A – Site plan

# PLAT OF SURVEY

LOTS 11 IN BLOCK 3 IN NORTON AND WARNER'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



*Proposed*

NO DATA HEREIN SHOULD BE USED FOR CONSTRUCTION OR ESTABLISHING BOUNDARY OF FENCE LINES. FOR BUILDING RESTRICTIONS AND/OR ENCUMBRANCES, REFER TO THE DEED, CONTRACT, TITLE POLICY OR LOCAL ZONING REGULATIONS.

BOUNDARY DIMENSIONS ARE BASED ON THE PUBLIC RECORDS AND/OR THE LEGAL DESCRIPTION. LEGAL DESCRIPTION ABOVE HAS BEEN PROVIDED BY THE CLIENT AND MUST BE COMPARED WITH DEED AND/OR TITLE POLICY. NO DIMENSIONS SHALL BE ASSIGNED BY SCALE MEASUREMENTS ON THIS DOCUMENT.

DISCREPANCIES FOUND BETWEEN FIELD CONDITIONS AND DIMENSIONS SHOWN ON THIS DOCUMENT SHALL BE REPORTED TO THIS OFFICE IMMEDIATELY. LIABILITY OF LANDTECH CONSULTANTS ASSOCIATED WITH THIS DOCUMENT AND THE WORK IT REPRESENTS IS LIMITED TO THE COST OF PRODUCING IT.

LANDTECH CONSULTANTS LTD. AN ILLINOIS PROFESSIONAL DESIGN FIRM, SURVEY AND PROFESSIONAL ENGINEERING CORP. # 054-081269 HEREBY CERTIFIES THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN MEASURED IN THE FIELD AND THAT THIS DOCUMENT IS A TRUE AND CORRECT REPRESENTATION OF SAID FIELD WORK. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF. LANDTECH CONSULTANTS CORPORATE LOCKSMITH CERTIFIES APRIL 30, 2015.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MIRROR STANDARDS FOR A BOUNDARY SURVEY.

DATED THE 14TH DAY OF FEB., 2014. CORP. LIC. # 04-30228  
 BY ILLINOIS LICENSED PROFESSIONAL LAND SURVEYOR, MATTHEW D. DUAN  
 ILLINOIS SURVEYORS LICENSE # 3107, MY LICENSE EXPIRES 11/30/14

JOB NUMBER 140202  
 ORDERED BY KEN PASIEWCZ SCALE: 1" = 20'  
 COPYRIGHT 2005 LANDTECH CONSULTANTS INC.



**Landtech**

Consultants INC.

ENGINEERING · SURVEYING · LAND PLANNING

13711 N. 159th STREET LOCKPORT, IL 60441  
 PHONE (708)301-8200 FAX (708)301-6204

**Exhibit B Site Photos**



Looking north from the alley



Looking east towards the alley and adjacent apartment complex



Looking southwest from the alley

**Exhibit B Site Photos**



Looking northwest from Peiffer Ave.



Looking northwest from Peiffer Ave.



Curb cut on Peiffer Ave.

# Variation Application Form

### APPLICANT INFORMATION

Tracy Nappier

Applicant Name

Company/Organization

202 Stephen Street, Lemont, Illinois 60439

Applicant Address

(630) 988-7229

Telephone & Fax

tracy@adcommgrp.com

E-mail



### CHECK ONE OF THE FOLLOWING:

- Applicant is the owner of the subject property and is the signer of this application.
- Applicant is the contract purchaser of the subject property.
- Applicant is acting on behalf of the beneficiary of a trust.
- Applicant is acting on behalf of the owner.

### PROPERTY INFORMATION

931 Singer Avenue, Lemont, Illinois 60439

Address of Subject Property/Properties

22-29-119-010-0000

Parcel Identification Number of Subject Property/Properties

60' x 110.50'

Size of Subject Property/Properties

### DESCRIPTION OF REQUEST

To obtain a variance to allow a new driveway with access from Peiffer

Brief description of the proposed variation

Avenue in an R-4A Single Family Preservation In Fill Residential District

### REQUIRED DOCUMENTS

See Form 500-A, Variation Application Checklist of Required Materials, for items that must accompany this application.

### FOR OFFICE USE ONLY

Application received on: 2/20/14

By: mmg

Application deemed complete on: 2/24/14

By: mmg

Current Zoning: R-4A

Fee Amount Enclosed: 250<sup>00</sup>

Escrow Amount Enclosed: 500<sup>00</sup>



# Variation Application Checklist of Required Materials

## Materials Required at Submittal of Application

A complete application for a variation must include **all** of the following items. Any application that does not include all of the following items will not be considered complete. The Planning & Economic Development Department **will not** schedule a public hearing for any variation request until a complete application has been submitted.

✓  
\_\_\_\_\_ **Application Form.** One original copy of the attached *Variation Application Form*, signed by the applicant and notarized.

✓  
\_\_\_\_\_ **Application Fee.** A non-refundable fee of \$250 per zoning lot.

✓  
\_\_\_\_\_ **Escrow Account.** \$500 per application. Any unused portion may be refunded upon request after completion of the variation review process.

✓  
\_\_\_\_\_ **Proof of Ownership & Applicant Authorization.** One copy of a deed that documents the current ownership of the subject property. If the applicant is the owner, this is the only documentation necessary. If the applicant is not the owner, the following are required in addition to a copy of the deed:

- If the applicant is the contract purchaser of the property, a copy of said contract must be attached.
- If the applicant is acting on behalf of the beneficiary of a trust, a notarized letter from an authorized trust officer identifying the applicant as an authorized individual acting in behalf of the beneficiaries must be attached. The letter must also provide the name, address and percentage of interest of each beneficiary.

○• If the applicant is acting on behalf of the owner, a notarized letter of consent from the owner must be attached.

If the property owner is a company, a disclosure of the principals of the company must be included in the application materials. For example, an LLC may submit a copy of the LLC Management Agreement.

\_\_\_\_\_ **Submittal Packet.** 22 collated copies of a submittal packet for distribution at public meetings and one electronic copy for Village files. Additional copies of the submittal

packet may be required after initial submission of the variation application. Planning & Economic Development Staff will advise if/when additional copies are needed.

Any plans and maps included in the submittal packet should contain the following: a north arrow or other indication of true north or map north; the date of map/plan preparation; the name of the person preparing the map/plan; and a scale, the scale may be expressed verbally (e.g. 1 inch equals 60 ft.) but other forms of scale are preferable (e.g. scale bar or ratio such as 1:24,000).

The submittal packet shall include the following:

- **Legal Description.** A legal description of the subject property.
- **Variation Criteria Worksheet.** The applicant must address the standards listed on the attached *Variation Criteria Worksheet*.
- **Additional Plans or Documents as Required by the Planning & Economic Development Director.** Department staff will advise if any additional materials are necessary.

### **Materials Required when Public Notice is Served**

The following items **are not** required at the time of application submittal. However, these items must be submitted to the Planning & Economic Development Department prior to the public hearing before the Planning & Zoning Commission or Zoning Hearing Officer. Once the applicant has fulfilled the public notice requirements, the following items must be submitted:

\_\_\_\_\_ **Affidavit of Public Notice.** The attached *Affidavit of Public Notice* must be submitted by the applicant once he/she has completed the necessary public notice requirements. A signed and notarized original form should be submitted to the Planning & Economic Development Department no later than 15 days prior to the scheduled public hearing for the variation request. More explanation regarding public notice requirements is contained in the attached *Variation Public Notice Requirements* document.

\_\_\_\_\_ **Copy of Written Notice.** Once the applicant has sent the required written notice of public hearing, a copy shall be submitted to the Planning & Economic Development Department. The copy of the written notice should be submitted at the time that the notice is sent to the surrounding property owners. More explanation regarding public notice requirements is contained in the attached *Variation Public Notice Requirements* document.

\_\_\_\_\_ **Address List.** A list of all addresses to which the applicant sent the written notice of public hearing shall be submitted to the Planning & Economic Development Department at the time the written notice is sent to the surrounding property owners. More explanation regarding public notice requirements is contained in the attached *Variation Public Notice Requirements* document.



# Variation Criteria Worksheet

Unified Development Ordinance (UDO) Section 17.04.150.D.1 establishes the criteria that all applications for variations must meet. In addition, Section 17.04.150.D.2 of the Unified Development Ordinance requires that the Planning & Zoning Commission or Zoning Hearing Officer take the following conditions into consideration when determining whether a request qualifies for a variation. You may want to consider the following in your variation request:

- The particular physical surroundings, shape, or topographical condition of the specific property involved results in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations of the Unified Development Ordinance were fulfilled;
- The conditions upon which the petition for variation is based would not be applicable, generally, to other property within the same zoning classification;
- The alleged difficulty or hardship has not been created by any person presently having an interest in the property;
- The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject property is located; and
- The variation will not impair an adequate supply of light and air to adjacent properties, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Please describe below how your variation request meets the criteria of UDO Section 17.04.150.D.1. Attach additional sheets if necessary.

## **UDO Section 17.04.150.D.1.a**

The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

Other corner lots on Peiffer and Norton with alleys utilize  
street access to their garages.

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**UDO Section 17.04.150.D.1.b**

The plight of the owner is due to unique circumstances and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unusual conditions that are not generally found on other properties in the same zoning district; and

There is a Commonwealth Edison Utility Pole directly in the center of the lot which would significantly impact access to the garage through the alley.

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**UDO Section 17.04.150.D.1.c**

The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

The previous residence and garage provided access from Peiffer and not the alley. Furthermore, the adjacent multi-family building to the East provides parking in the alleyway which will contribute to additional traffic congestion. By allowing access from Peiffer, the Owner/Occupant will be able to accommodate guest parking in the driveway as opposed to street parking.

February 20, 2014

Village of Lemont  
Planning and Zoning Department  
418 Main Street  
Lemont, Illinois 60439

RE: Variance - 931 Singer Avenue, Lemont, IL  
Permanent Tax Index Number: 22-29-119-010-0000

Dear Sir:

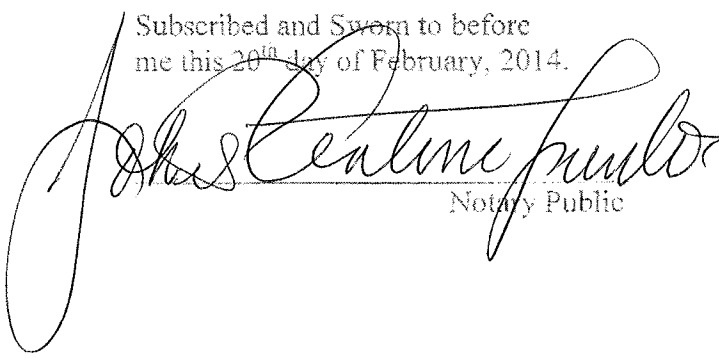
Please be advised that I am the owner of the property above-described and hereby authorize Tracy Nappier to appear on my behalf and to pursue a variance in connection with a side-load driveway access off of Peiffer Avenue. The property is currently under contract to construct a single family home and I am allowing Tracy to act on my behalf in connection with said variance.

Very truly yours,

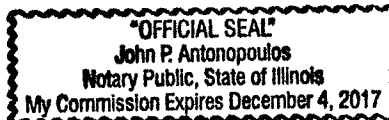


Leslie Zalewski

Subscribed and Sworn to before  
me this 20<sup>th</sup> day of February, 2014.



Notary Public





Doc#: 0730505024 Fee: \$28.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 11/01/2007 10:41 AM Pg: 1 of 3

**WARRANTY DEED  
(INDIVIDUAL)**

**The Grantor MAJESTIC HOME BUILDERS, INC, an Illinois Corporation** § 384989  
of 742 McCarthy Street, Lemont, County of Cook, State of Illinois, for and in consideration of TEN and 00/100 DOLLARS, and other good and valuable consideration in hand paid conveys and warrants to

**LESLIE ZALEWSKI**  
of 14720 Main Street, Lemont, Illinois 60439, the following described Real Estate situated in the County of Cook in the State of Illinois, to wit: (Legal Description on other side) hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Subject to general taxes for 2006 and subsequent years, covenants and restrictions of record.

P.I.N. 22-29-119-010

Address: 931 Singer, Lemont, Illinois 60439

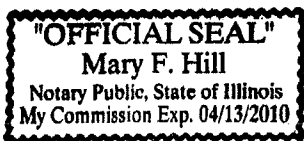
DATED this 25th day of October 2007.

MAJESTIC HOME BUILDERS, INC.

By: *John Knoelk*  
**JOHN KNOELK, its President**

State of Illinois, County of COOK ss. I, the undersigned, a Notary Public in and for said county, in the State aforesaid, DO HEREBY CERTIFY that personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and seal this 25th  
day of October 2007



*Mary F. Hill*  
NOTARY PUBLIC

I hereby declare that the attached deed represents a transaction exempt under provisions of Paragraph E of Section 4 of the Real Estate Transfer Tax Act.

BOY 334 CTM

*2 CB  
16*

**LEGAL DESCRIPTION**

of premises commonly known as 931 Singer, Lemont, Il 60439

LOT 11 IN BLOCK 3 IN NORTON AND WARNER'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PREPARED BY: Mary Frances Hill, Attorney at Law  
12400 S. Harlem, Palos Heights, IL. 60463

**MAIL TO:**

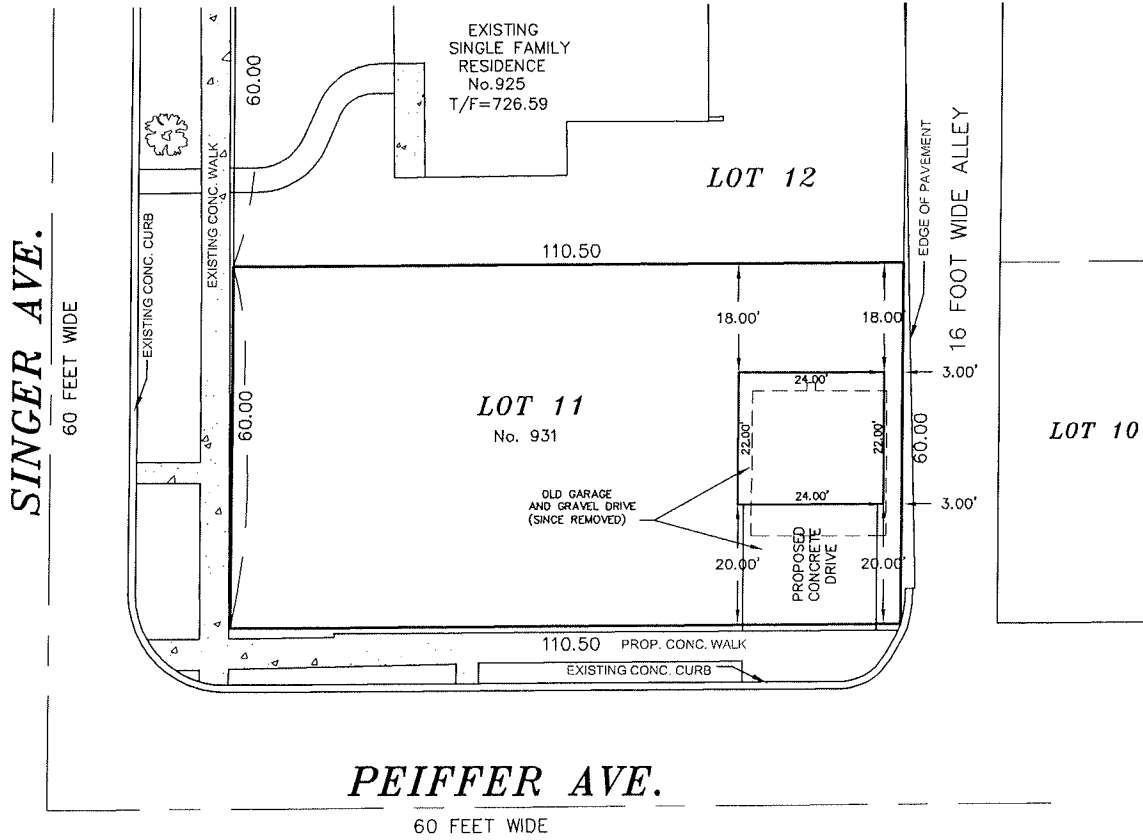
Leslie Zalewski  
931 Singer  
Lemont, IL 60439

**SEND SUBSEQUENT TAX BILLS TO:**

Leslie Zalewski  
931 Singer  
Lemont, Illinois 60439

# PLAT OF SURVEY

LOTS 11 IN BLOCK 3 IN NORTON AND WARNER'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



*Proposed*

NO DATA HEREIN SHOULD BE USED FOR CONSTRUCTION OR ESTABLISHING BOUNDARY OF FENCE LINES. FOR BUILDING RESTRICTIONS AND/OR EASEMENTS, REFER TO THE DEED, CONTRACT, TITLE POLICY OR LOCAL ZONING REGULATIONS.

BOUNDARY DIMENSIONS ARE BASED ON THE PUBLIC RECORDS AND/OR THE LEGAL DESCRIPTION. LEGAL DESCRIPTION ABOVE HAS BEEN PROVIDED BY THE CLIENT AND MUST BE COMPARED WITH DEED AND/OR TITLE POLICY. NO DIMENSIONS SHALL BE ASSUMED BY SCALE MEASUREMENTS ON THIS DOCUMENT.

DISCREPANCIES FOUND BETWEEN FIELD CONDITIONS AND DIMENSIONS SHOWN ON THIS DOCUMENT SHALL BE REPORTED TO THIS OFFICE IMMEDIATELY. LIABILITY OF LANDTECH CONSULTANTS ASSOCIATED WITH THIS DOCUMENT AND THE WORK IT REPRESENTS IS LIMITED TO THE COST OF PRODUCING IT.

LANDTECH CONSULTANTS LTD. AN ILLINOIS PROFESSIONAL DESIGN FIRM, SURVEY AND PROFESSIONAL ENGINEERING CORP. # 184-001289 HEREBY CERTIFIES THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN MEASURED IN THE FIELD AND THAT THIS DOCUMENT IS A TRUE AND CORRECT REPRESENTATION OF SAID FIELD WORK. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF. LANDTECH CONSULTANTS' CORPORATE LICENSURE EXPIRES APRIL 30, 2015.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 14TH DAY OF FEB., 2014 CORP. LIC. # 184-001289

BY ILLINOIS LICENSED PROFESSIONAL LAND SURVEYOR, MATTHEW D. DUNN  
ILLINOIS SURVEYORS LICENSE # 3107, MY LICENSE EXPIRES 11/30/14

JOB NUMBER 140202

ORDERED BY KEN PASIEWICZ

COPYRIGHT 2006 LANDTECH CONSULTANTS INC.

SCALE: 1" = 20'



**Landtech**

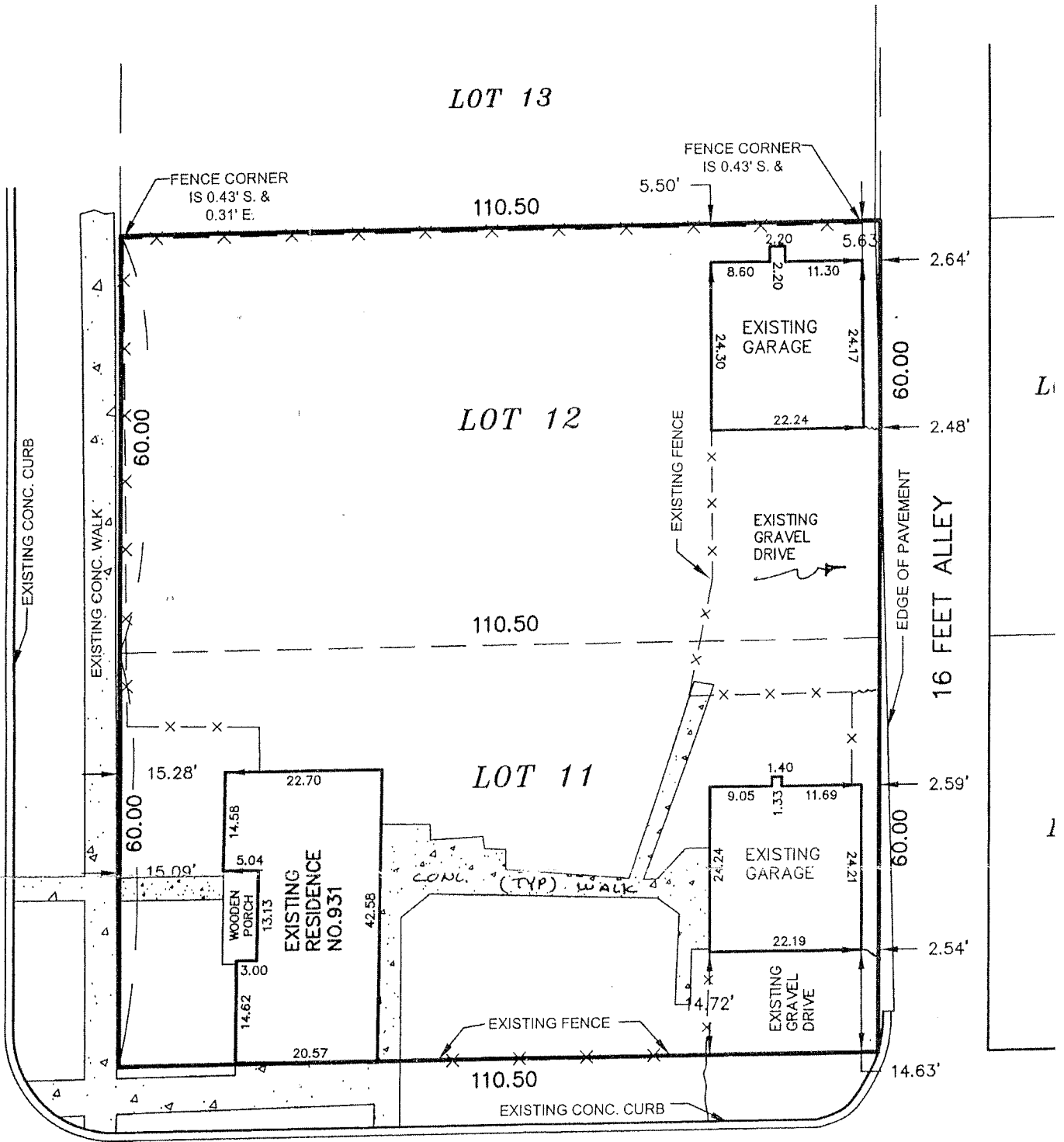
Consultants INC.

ENGINEERING · SURVEYING · LAND PLANNING

13711 W. 159th STREET LOCKPORT, IL. 60441  
PHONE (708)301-6200 FAX (708)301-6204

CHRYSLER AVE.

60 FEET WIDE



**PEIFFER AVE.**

60 FEET WIDE

*ORIGINAL CONDITION*

THIS PLAN SHOULD BE USED FOR CONSTRUCTION OR ESTABLISHING BOUNDARY OF LOT OR FOR BUILDING RESTRICTIONS AND/OR EASEMENTS, REFER TO THE DEED, ZONING POLICY OR LOCAL ZONING REGULATIONS.

DIMENSIONS ARE BASED ON THE PUBLIC RECORDS AND/OR THE LEGAL DESCRIPTION. INFORMATION ABOVE HAS BEEN PROVIDED BY THE CLIENT AND MUST BE COMPARED WITH TITLE POLICY. NO DIMENSIONS SHALL BE ASSUMED BY SCALE MEASUREMENTS ON

JOB NUMBER 260135





Village of Lemont  
***Planning & Economic Development Department***

418 Main Street · Lemont, Illinois 60439  
phone 630-257-1595 · fax 630-257-1598

TO: Planning & Zoning Commission

FROM: Martha M. Glas, Village Planner

THRU: Charity Jones, AICP, Planning & Economic Development Director

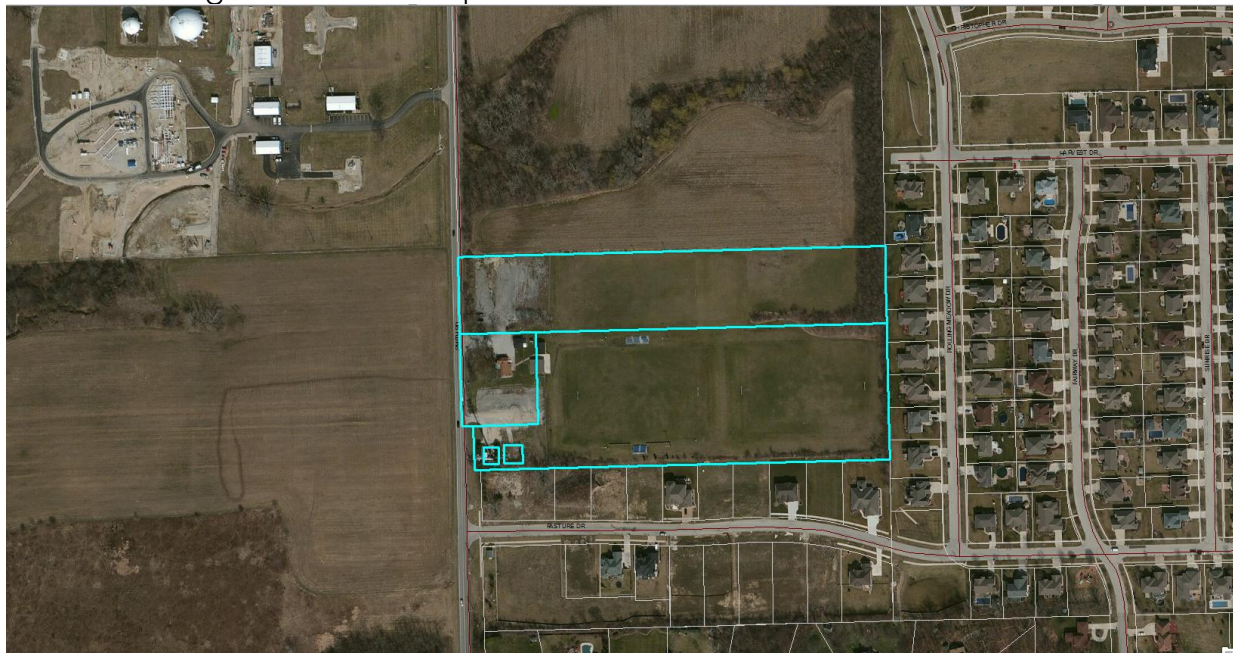
SUBJECT: Case 14-03 Chicago Blaze Rugby Club Variations

DATE: March 14, 2014

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**SUMMARY**

Walt Rebenson, president of Chicago Blaze Building Corporation, owner of the subject property, is requesting 10 variations from the Unified Development Ordinance. The requested variations pertain to the redevelopment of the site which includes a new 4,738 sq. ft. rugby clubhouse and associated parking. The redevelopment affects the western 240 ft of the property. No changes are proposed to the eastern portion that comprises the rugby fields. The applicant contends that the variations are warranted because the site and the use are unique. The existing conditions are depicted in Exhibit A and the proposed site plan is included as Exhibit B. A sports club is a permitted use in the B-3 district. Outdoor recreation is a special use. The property is exempt from obtaining a special use permit due to an existing annexation agreement (O-11-98). The annexation agreement allows for the continued use of the site as a rugby club. Staff is recommending denial of the requested variations.





**PROPOSAL INFORMATION**

Case No. 14-03  
Project Name Chicago Blaze Rugby Club Variations

**General Information**

Applicant	Walt Rebenson
Owners	Chicago Blaze Building Corporation
Status of Applicant	President of the Chicago Blaze Building Corporation
Requested Actions:	10 building design and site development variations pertaining to the redevelopment of the site which includes a new 4,738 sq. ft. rugby clubhouse and associated parking.
Site Location	13011 Smith Rd. (PIN 22-31-100-004, 023, 027)
Existing Zoning	B-3
Size	14.3 acres
Existing Land Use	Rugby club and four athletic fields
Surrounding Land Use/Zoning	North, R-4 Single Family Residence unincorporated Cook County; East, R-4 Single Family, Village of Lemont Rolling Meadows; South, R-4 Village of Lemont Smith Farms West, I-3 Intensive Industrial, unincorporated Will County, vacant land and CITGO refinery
Comprehensive Plan 2002	The Comprehensive Plan calls for this site to be Neighborhood Commercial.
Zoning History	Annexation Agreement O-11-98

**Special Information**

Public Utilities

**BACKGROUND**

The applicant submitted building and site development applications in late fall of 2013. The submitted plans did not meet code requirements and plan review comments were provided. The applicant submitted revised building plans in January 2014 and requested 3 variations related to the urban design standards outlined in the UDO and 2 variations related to site development. Site development plans were submitted in February 2014. Upon review of the site development plans, it was determined that the revised site development plans still did not meet code. An additional 5 variations would be required to accept the plans as submitted. The applicant was advised to consider applying for a planned unit development and declined. An amended variation application was submitted to address the remaining issues.

In addition to the Unified Development Ordinance, the property is subject to an annexation agreement, adopted as Ordinance O-11-98. Per Ordinance O-11-98, paragraph II.3, the territory, irrespective of its zoning, shall always be available for use consistent with its current unique usage as artificially lighted rugby or other athletic fields, related parking, a clubhouse requiring a limited liquor license, related locker room facilities and a cellular communications tower. Therefore, a special use permit is not required.

Per the Ordinance paragraphs, IV.1 and IV.2, the owner agrees to grant easements for utilities, drainage access and other public purposes as necessary upon development

and agrees to dedicate to the public 50 feet of right-of-way for Smith Road as measured from the centerline. The site development plans submitted on 2/10/14 do not show the dedication of the 50 ft. right-of-way. The applicant has stated that the dedication will be completed. However, the dedication will impact the current site design and needs to be addressed in the design stage. As currently designed, the proposed parking would abut the west lot line.

The existing building square footage equals 3,514 sq. ft. With the demolition of one building and the addition of the new clubhouse building, the building square footage on the property is 6,780 sq. ft., representing nearly a 100% increase. The Village has previously agreed to waive the requirement to pave the parking lot, therefore the requirements for paving and for interior landscaping of parking lots is not applicable to this application. Per Ordinance O-11-98 paragraph III.5, street lighting and parkway trees are also not required and are not applicable to this application.

Per section of three of O-11-98, with the addition of 1,000+ sq. ft. of building space, other applicable code requirements apply. The variations requested pertain to applicable code requirements and are as follows:

1. 17.12.040 FENCES IN THE B AND INT DISTRICTS. Fences in B or INT districts shall be constructed of the following materials only: wood or wood laminate, wrought iron, aluminum or vinyl. Chain link fences are not allowed. Applicant is requesting a variation to allow chain link fencing.
2. 17.14.020 ILLUMINATION STANDARDS. (A) Glare. All open off-street parking lots shall be illuminated. Applicant is requesting a variation to allow illumination of the parking area to be below the minimum 0.15 footcandles required.
3. 17.20.070 A LANDSCAPE STANDARDS FOR PARKING LOTS. Exterior parking lot landscaping required when there are 15+ new spaces. The exterior of parking lots shall be landscaped with at least three plant units per 100 feet of linear distance surrounding the parking area. Applicant is requesting a variation to allow reduced landscaping.
4. 17.20.080 LANDSCAPE STANDARDS FOR DETENTION PONDS. Detention and/or retention basins and ponds shall be landscaped along the perimeter of the high water level of the basin or pond. Applicant is requesting for a variation to allow for no landscaping around the detention pond.
5. 17.21.030 D(2) ROOFS. Roof lines shall have a change in height every 100 linear feet in the building length. Applicant is requesting a variation to allow no change in height along the roof line.
6. 17.21.030 E(1) BUILDING ENTRANCES. Building Entrances shall have clearly defined, highly visible customer entrances featuring at least 3 of items listed in the UDO. Applicant is providing 2 elements and requesting a variation from having to provide a third element.
7. 17.21.030 F(2) SIDEWALKS. A sidewalk shall be provided from the perimeter public sidewalk to the principal customer entrance. Applicant is requesting a variation

from having to provide a sidewalk from a public sidewalk to the entrance of the building.

8. 17.21.030 H WINDOWS. A minimum of 40% of the area between four feet and 10 feet in height on a building elevation facing the public street shall be comprised of clear, non-reflective windows that allow views of indoor commercial space. Applicant is requesting a variation from having to meet this requirement.
9. 17.21.030 J PARKING. No use shall provide off-street parking in excess of 140% of the minimum standards expressed in Table 17-10-01. Applicant is requesting a variation to allow for parking in excess of what is permitted.
10. 17.26.110 D (1) PUBLIC SIDEWALKS. Sidewalks shall be installed in all residential and commercial subdivisions and commercial developments. Applicant is requesting a variation from having to provide a public sidewalk

## STANDARDS FOR VARIATIONS

### 1) 17.12.040 FENCES IN THE B AND INT DISTRICTS. Fences in B or INT districts shall be constructed of the following materials only: wood or wood laminate, wrought iron, aluminum or vinyl.

UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

**Analysis.** The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, four are not applicable to the variation request. The variation to allow a chain link fence is consistent with the remaining four components.

- **Promoting and protecting the general health, safety and welfare.** The variation request will not injure the health, safety and general welfare of the public. A chain link type fence currently exists on the property and is non conforming in the B-3 zoning district. With the redevelopment of the site, portions of the fence will be removed and relocated in generally the same area it currently exists. See Exhibit B for location of the proposed chain link fence.
- **Ensuring adequate natural light, air, privacy, and access to property.** The variation to allow a chain link type fence will have no impact on light, air, and access to the property. The applicant stated that an opaque fence is preferred so that the fields are visible from the parking areas so privacy is also not a concern.
- **Maintaining and promoting economically vibrant and attractive commercial areas.** The purpose of restricting the permitted materials for fences in a B-3 district is to promote and ensure attractive a commercial areas. A chain link

type fence is deemed inferior for the B-3 district and is only permitted in B-4 district and M districts.

- **Conserving the value of land and buildings throughout the Village.** The variation to allow the chain link type fence in the B-3 district does little to conserve the value of land and buildings because a chain link is deemed an inferior material choice for the subject district.
2. The plight of the owner is due to unique circumstances, and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

**Analysis.** The UDO states that in making a determination whether there are unique circumstances, practical difficulties, or particular hardships in a variation petition, the Planning and Zoning Commission shall take into consideration the factors listed in UDO §17.04.150.D.2.

- **Particular physical surroundings, shape or topographical conditions results in a particular hardship upon the owner as distinguished from a mere inconvenience.** The chain link fence is nonconforming in the B-3 district. Because portions of the fence will be removed for redevelopment, the fence is not allowed to be reestablished. The applicant states that reestablishing the fence is needed to maintain security at the site and to allow visibility to the fields. An aluminum or wrought iron fence, which is permitted in B-3, would also provide the needed security and visibility and would be compliant.
- **The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district.** The conditions upon which this petition is based would be applicable to other properties in the B-3 district. As stated in §7.04.150.A of the UDO, a variation is not intended merely to remove an inconvenience or financial burden that the requirements of this ordinance may impose.
- **The alleged difficulty or hardship has not been created by any person presently having an interest in the property.** The desire to relocate and reestablish the fence is a result of redevelopment plans submitted by the current owner.
- **The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject project is located.** The granting of the variation would not be detrimental to the public welfare as it would provide a needed barrier to the playing fields. A chain link type fence may not currently impact other improvements in the neighborhood but may impact future improvements if inferior products are permitted to remain.
- **The variation will not impair an adequate supply of light and air to adjacent properties or substantially increase congestion in the public street or increase**

**the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.** A chain link type fence will not impair an adequate supply of light and air to adjacent properties, would not increase congestion or endanger public safety. The chain link fence currently exists, is located behind the primary structures and would not substantially impair property values if reestablished.

Because there is no demonstrated hardship and the variation request would be applicable to any commercial redevelopment in the B-3 district, the 2<sup>nd</sup> standard has not been met.

3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

**Analysis.** The character of the area is mixed in that it is a commercial use with an outdoor recreation component surrounded by residential, agricultural and industrial land uses. Reestablishing the chain link fence in the general location that it currently exists is not expected to be a substantial detriment to any adjacent property.

**2) 17.14.020 ILLUMINATION STANDARDS. (A) Glare. All open off-street parking lots shall be illuminated. Applicant is requesting a variation to allow illumination of the parking area to be below the 0.15 footcandles required.**

UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

**Analysis.** The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, four are not applicable to the variation request. The variation to allow reduced illumination in some areas of the proposed parking and no illumination in other areas is consistent with the remaining four components

- **Promoting and protecting the general health, safety and welfare.** The variation request will negatively impact the safety and general welfare of the public. Illumination standards are intended to ensure that parking lots are sufficiently illuminated for the safety of drivers utilizing the lots. Standards also protect adjacent property owner from excessive light and glare. The variation would permit the lighting as proposed. See Exhibit C, the photometric plan, which shows the addition of 2 light poles and illumination below the minimum required. Based on the photometric plan, certain areas of the proposed parking will not be illuminated.
- **Ensuring adequate natural light, air, privacy, and access to property.** The variation will have no impact on light, air or privacy for the property. The variation would allow below standard illumination for the proposed parking areas. Inadequate parking lot lighting may have negative impacts on access

in and out of the property during more intensive usage such as tournaments but is also dependent on the time of day events are to take place. The applicant has stated that after dark parking needs are minimal. However, there are currently no restrictions in place to ensure or require only daytime events and use.

- **Maintaining and promoting economically vibrant and attractive commercial areas.** The purpose of requiring parking lots to be illuminated to a certain standard is primarily for safety but also to maintain attractive commercial areas. While the use is not a typical commercial development, it will be utilized by the general public and is not just for club members. Other commercial developments that are available to the public would be held to the same expectations.
  - **Conserving the value of land and buildings throughout the Village.** The variation to allow substandard illumination in parking lots of commercial development does little to conserve the value of land and buildings throughout the Village.
2. The plight of the owner is due to unique circumstances, and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

**Analysis.** The UDO states that in making a determination whether there are unique circumstances, practical difficulties, or particular hardships in a variation petition, the Planning and Zoning Commission shall take into consideration the factors listed in UDO §17.04.150.D.2.

- **Particular physical surroundings, shape or topographical conditions results in a particular hardship upon the owner as distinguished from a mere inconvenience.** The applicant contends that the site and use is unique and does not want to have lighting that is obtrusive to the neighbors. The UDO protects adjacent lot owners from glare by restricting light levels to 2.0 footcandles at the lot line. The submitted photometric plan does not meet the minimum levels of required lighting. No hardship has been demonstrated that would inhibit the applicant from providing the minimum required lighting.
- **The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district.** The conditions upon which this petition is based would be applicable to other properties in the B-3 district. As stated in §7.04.150.A of the UDO, a variation is not intended merely to remove an inconvenience or financial burden that the requirements of this ordinance may impose.
- **The alleged difficulty or hardship has not been created by any person presently having an interest in the property.** The variation request for reduced lighting is a difficulty created by the applicant in redeveloping the site.

- **The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject project is located.** The granting of the variation may be detrimental to the public welfare as it would allow public parking with substandard lighting. The increased parking area is meant to provide parking facilities for larger tournament events. Accommodating large events and the associated traffic requires careful consideration to traffic flow and pedestrian access. Lighting that meets minimum standards is key to ensuring safety.
- **The variation will not impair an adequate supply of light and air to adjacent properties or substantially increase congestion in the public street or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.** A variation to allow reduced lighting in the parking lot will not impact adjacent properties or increase congestion or the danger of fire. It may however, endanger public safety as addressed in the previous section.

Because there is no demonstrated hardship and the variation request would be applicable to any commercial redevelopment in the B-3 district, the 2<sup>nd</sup> standard has not been met.

3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

**Analysis.** The character of the area is mixed in that it is a commercial use with an outdoor recreation component surrounded by residential, agricultural and industrial land uses. Permitting reduced lighting standards for the parking lot is not expected to be a substantial detriment to any adjacent property.

**3) 17.20.070 A LANDSCAPE STANDARDS FOR PARKING LOTS. Exterior parking lot landscaping required when there are 15+ new spaces. The exterior of parking lots shall be landscaped with at least three plant units per 100 feet of linear distance surrounding the parking area. Applicant is requesting a variation to allow reduced landscaping.**

UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

**Analysis.** The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, four are not applicable to the variation request. The variation to allow reduced perimeter landscaping around the proposed parking areas is consistent with the remaining four components

- **Promoting and protecting the general health, safety and welfare.** The variation request will not negatively impact the safety and general welfare of the public. Landscaping standards for parking lots are intended to increase the aesthetics of a property, provide shade and screening when needed.

Currently the site plan show minimal landscaping around the perimeter of the parking lots. Additionally, the proposed parking lot in front of the proposed building is designed to abut the lot line after dedication. The proposed landscaping is in the right-of-way. The UDO requires three plant units per 100 feet of linear distance surrounding the parking area. A plant unit is defined as 0.5 canopy trees, 1.0 evergreen trees, 1.5 understory/ornamental trees; and 6.0 shrubs or 6.0 minimum 18-inch containers or ornamental/native grasses. The total linear length of all the proposed parking areas was calculated to be 730 linear ft. The required landscaping and the deficiencies can be seen in the table below. The landscaping plan is attached for reference as Exhibit D.

	Required	Original Submission Fall 2013	Revised Submission Feb 2014
Canopy trees	11	10	10
Evergreen trees	22		
Ornamental trees	33		
Shrubs / grasses	132		21

- **Ensuring adequate natural light, air, privacy, and access to property.** The variation will have no impact on light, air or privacy or access to the property.
  - **Maintaining and promoting economically vibrant and attractive commercial areas.** The landscaping standards are in place to ensure the development of attractive commercial areas. Other commercial developments that are open to the public would be held to the same expectations.
  - **Conserving the value of land and buildings throughout the Village.** Landscaping that meets the Village standards would conserve of the value of land and buildings in general throughout the Village. The variation to allow reduced landscaping standards for the perimeter of the proposed parking lots would diminish the ability to maintain value.
2. The plight of the owner is due to unique circumstances, and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

**Analysis.** The UDO states that in making a determination whether there are unique circumstances, practical difficulties, or particular hardships in a variation petition, the Planning and Zoning Commission shall take into consideration the factors listed in UDO §17.04.150.D.2.

- **Particular physical surroundings, shape or topographical conditions results in a particular hardship upon the owner as distinguished from a mere inconvenience.** The applicant contends that due to their site location this requirement should not apply. While the site is situated in the periphery of the village limits, it is in an area that is still developing and is adjacent to existing and new residential subdivisions. What is currently characterized by the applicant as a remote area of Lemont will not remain that way in perpetuity and current commercial design standards should apply.



- **The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district.** The conditions upon which this petition is based would be applicable to other properties in the B-3 district. As stated in §7.04.150.A of the UDO, a variation is not intended merely to remove an inconvenience or financial burden that the requirements of this ordinance may impose.
- **The alleged difficulty or hardship has not been created by any person presently having an interest in the property.** The variation request for reduced landscaping in the perimeter of the proposed parking areas is a difficulty created by the applicant in redeveloping the site.
- **The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject project is located.** The granting of the variation is not expected to be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. The landscaping requirements are intended to add value and aesthetic appeal to properties in the Village.
- **The variation will not impair an adequate supply of light and air to adjacent properties or substantially increase congestion in the public street or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.** A variation to allow reduced landscaping in the perimeter of the parking areas will not impact adjacent properties or increase congestion or the danger of fire.

Because there is no demonstrated hardship and the variation request would be applicable to any commercial redevelopment in the B-3 district, the 2<sup>nd</sup> standard has not been met.

3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

**Analysis.** The character of the area is mixed in that it is a commercial use with an outdoor recreation component surrounded by residential, agricultural and industrial land uses. Permitting reduced landscaping for the perimeter of the parking areas is not expected to be a substantial detriment to any adjacent property. However, should the areas to the north or west be developed, the glare of vehicular lights may be of concern if perimeter landscaping is insufficient for providing adequate screening.

**4) 17.20.080 LANDSCAPE STANDARDS FOR DETENTION PONDS. Detention and/or retention basins and ponds shall be landscaped along the perimeter of the high water level of the basin or pond. Applicant is requesting for a variation to allow for no landscaping around the detention pond.**

UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

**Analysis.** The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, four are not applicable to the variation request. The variation to no landscaping around the proposed detention area is consistent with the remaining four components.

- **Promoting and protecting the general health, safety and welfare.** The variation request will not negatively impact the safety and general welfare of the public. Landscaping standards are intended to increase the aesthetics of a property, provide shade and screening when needed. Currently the landscaping plan shows no landscaping around the proposed detention area as required by code. See Exhibit D Landscape Plan.
- **Ensuring adequate natural light, air, privacy, and access to property.** The variation will have no impact on light, air or privacy or access to the property.
- **Maintaining and promoting economically vibrant and attractive commercial areas.** The landscaping standards are in place to ensure the development of attractive commercial areas. Other commercial developments would be held to the same expectations.

**Conserving the value of land and buildings throughout the Village.** Landscaping that meets the Village standards would conserve of the value of land and buildings in general throughout the Village. The variation to allow no landscaping around the detention facility would diminish the ability to maintain value.

2. The plight of the owner is due to unique circumstances, and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

**Analysis.** The UDO states that in making a determination whether there are unique circumstances, practical difficulties, or particular hardships in a variation petition, the Planning and Zoning Commission shall take into consideration the factors listed in UDO §17.04.150.D.2.

- **Particular physical surroundings, shape or topographical conditions results in a particular hardship upon the owner as distinguished from a mere inconvenience.** The applicant contends that due to their site location this requirement should not apply. The proposed detention facility is located in the southwestern corner of the property and is adjacent to the residential subdivision of Smith Farms. There is some existing vegetation along the southern property line. This could be used as credit for meeting the requirements for landscaping around a detention facility, but was not included in the landscaping plan. Additionally, there are no physical features that would prevent the installation of plant material around the proposed detention facility.

- **The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district.** The conditions upon which this petition is based would be applicable to other properties in the B-3 district. As stated in §7.04.150.A of the UDO, a variation is not intended merely to remove an inconvenience or financial burden that the requirements of this ordinance may impose.
- **The alleged difficulty or hardship has not been created by any person presently having an interest in the property.** The variation request for no landscaping around the detention facility is a difficulty created by the applicant in redeveloping the site.
- **The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject project is located.** The granting of the variation is not expected to be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. The landscaping requirements are intended to add value and aesthetic appeal to properties in the Village.
- **The variation will not impair an adequate supply of light and air to adjacent properties or substantially increase congestion in the public street or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.** A variation to allow no landscaping around the detention area may impact adjacent properties as the proposed detention area is adjacent to a residential subdivision. Residents adjacent to the site should be afforded a design that meets current Village standards.

Because there is no demonstrated hardship and the variation request would be applicable to any commercial redevelopment in the B-3 district, the 2<sup>nd</sup> standard has not been met.

3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

**Analysis.** The character of the area is mixed in that it is a commercial use with an outdoor recreation component surrounded by residential, agricultural and industrial land uses. Permitting no landscaping around the proposed detention facility is not expected to be a substantial detriment to any adjacent property. As a standard meant to increase the aesthetics of a property, the lack of landscaping around the detention area may negatively impact the aesthetic appeal of the area, with adjacent property owners most directly impacted.

- 5) **17.21.030 D(2) ROOFS.** Roof lines shall have a change in height every 100 linear feet in the building length. Applicant is requesting a variation to allow no change in height along the roof line.
- 6) **17.21.030 E(1) BUILDING ENTRANCES.** Building Entrances shall have clearly defined, highly visible customer entrances featuring at least 3 of items listed in the UDO.

**Applicant is providing 2 elements and requesting a variation from having to provide a third element.**

UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

**Analysis.** The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, four are not applicable to the variation request. The variation to allow no change in the roof line and to allow the reduced design elements for the building entrance is consistent with the remaining four components.

- **Promoting and protecting the general health, safety and welfare.** The variations to allow no change in the roof line and to allow the reduced design elements for the building entrance will not negatively impact the safety and general welfare of the public. Urban design standards for commercial developments are intended to foster aesthetically pleasing developments. See Exhibit E Building elevations.
- **Ensuring adequate natural light, air, privacy, and access to property.** The variations to allow no change in the roof line and to allow the reduced design elements for the building entrance will have no impact on light, air or privacy or access to the property.
- **Maintaining and promoting economically vibrant and attractive commercial areas.** The urban design requirements for commercial development are in place to ensure the development of attractive commercial areas. Other commercial developments would be held to the same expectations. The owner contends that the use is unique and not in an urban environment. The UDO, however, does not differentiate the design requirements by use.
- **Conserving the value of land and buildings throughout the Village.** Commercial developments that meet the Village standards for building design would conserve of the value of land and buildings in general throughout the Village. The variation to allow no change in the roof line and to allow the reduced design elements for the building would diminish the ability to maintain value and undermine the UDO.

2. The plight of the owner is due to unique circumstances, and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

**Analysis.** The UDO states that in making a determination whether there are unique circumstances, practical difficulties, or particular hardships in a variation

petition, the Planning and Zoning Commission shall take into consideration the factors listed in UDO §17.04.150.D.2.

- **Particular physical surroundings, shape or topographical conditions results in a particular hardship upon the owner as distinguished from a mere inconvenience.** The applicant contends that the site is not an urban site and the design requirements should not apply. The current design features 2 design elements at the entrance and the applicant feels that the addition of one more design element would take away from the building. The lack of an elevation change along the roof line is also described by the applicant as more appropriate for downtown commercial design and not something appropriate for a remote part of town. The commercial design standards were written for areas outside of the downtown district and are applicable to the subject site. Sites located in the downtown have different design guidelines and are addressed in §17.09.070.

The applicant also states that being in close proximity to residential uses, the current design fits in with the neighboring residential uses. The 2002 Comprehensive Plan includes design guidelines for 127<sup>th</sup> St. and those guidelines recognize the desire for development to mimic residential design along 127<sup>th</sup> St. While the subject site is outside of the intended scope of the 127<sup>th</sup> St. guidelines, the document can serve as a guide if the intent of the applicant is to fit in with the residential character. The height, roof, and fenestration of the building can be constructed in a fashion that resembles residential design. With some revision, the current submission could meet the commercial design standards and fit in with the residential character of the area. The current submission is included for reference as Exhibit E Building Elevations.

- **The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district.** The conditions upon which this petition is based would be applicable to other properties in the B-3 district. As stated in §7.04.150.A of the UDO, a variation is not intended merely to remove an inconvenience or financial burden that the requirements of this ordinance may impose.
- **The alleged difficulty or hardship has not been created by any person presently having an interest in the property.** The variations to allow no change in the roof line and to allow the reduced design elements for the building entrance is a difficulty created by the applicant in designing the building as proposed.
- **The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject project is located.** The granting of the variations is not expected to be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. The urban design requirements are intended to add value and aesthetic appeal to properties in the Village.

- **The variation will not impair an adequate supply of light and air to adjacent properties or substantially increase congestion in the public street or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.** The variations to allow no change in the roof line and to allow the reduced design elements for the building entrance will not impair adequate supply of light and air to adjacent properties or substantially increase congestion, the danger of fire or negatively impact public safety. The commercial design standards are in place to ensure quality developments that bring value to the building and property. The requested variations address minor elements as the building roof length is just over 100 ft. which is the threshold for when a change in elevation is required. Similarly the building entrance is missing all but one of the required elements. The lack of these features is not expected to negatively impact property values.

Because there is no demonstrated hardship and the variation request would be applicable to any commercial redevelopment in the B-3 district, the 2<sup>nd</sup> standard has not been met.

3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

**Analysis.** The character of the area is mixed in that it is a commercial use with an outdoor recreation component surrounded by residential, agricultural and industrial land uses. Permitting no change in the roof line and reduced design elements for the building entrance are not expected to be a substantial detriment to any adjacent property.

**7) 17.21.030 F(2) SIDEWALKS. A sidewalk shall be provided from the perimeter public sidewalk to the principal customer entrance. Applicant is requesting a variation from having to provide a sidewalk from a public sidewalk to the entrance of the building.**

UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

**Analysis.** The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, four are not applicable to the variation request. The variation to allow no interior sidewalk to the building entrance is consistent with the following components.

- **Promoting and protecting the general health, safety and welfare.** The variation to no interior sidewalk from the public sidewalk to the customer entrance will negatively impact the safety and general welfare of the public. The applicant is also seeking a variation from having to provide a public sidewalk. The lack of interior sidewalks will force sports spectators to walk through the grassed areas and parking lots. Relying on the grass and parking area limits the ability to manage traffic flow and increases safety concerns related to pedestrian

and vehicle use. This is particularly of concern during high volume use such as tournaments. Additionally, the majority of the parking area is proposed to be gravel. Only the required ADA accessible parking is proposed to be paved. As such, the lack of striping and directional flow adds to the safety concerns.

- **Ensuring adequate natural light, air, privacy, and access to property.** The variation to allow no interior sidewalk will have no impact on light, air or privacy. It will negatively impact access to the property, as pedestrians will be forced to walk through the gravel parking lot and drive aisles to get to the entrance of the building or the sports fields.
- **Maintaining and promoting economically vibrant and attractive commercial areas.** The owner contends that due to their site location, the requirement should not apply. The requirement for providing an interior sidewalk is meant to increase the safety of pedestrians and to enhance pedestrian experience at commercial sites. Other commercial developments would be held to the same expectations.
- **Conserving the value of land and buildings throughout the Village.** Commercial developments that meet the Village standards for building design and site design would conserve of the value of land and buildings in general throughout the Village. The variation to allow no interior sidewalk to the entrance would diminish the ability to maintain value and undermine the UDO and its intent on creating pedestrian friendly developments throughout the Village.

2. The plight of the owner is due to unique circumstances, and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

**Analysis.** The UDO states that in making a determination whether there are unique circumstances, practical difficulties, or particular hardships in a variation petition, the Planning and Zoning Commission shall take into consideration the factors listed in UDO §17.04.150.D.2.

- **Particular physical surroundings, shape or topographical conditions results in a particular hardship upon the owner as distinguished from a mere inconvenience.** The applicant contends that due to the site location, the requirement should not apply. The site location, although on the periphery of the current village limits, should not be exempt from having to provide a basic amenity such as a sidewalk. An interior sidewalk would better direct pedestrian flow and create a safer environment especially during high volume events.
- **The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district.** The conditions upon which this petition is based would be applicable to other properties in the B-3 district. As stated in §7.04.150.A of the UDO, a variation is

not intended merely to remove an inconvenience or financial burden that the requirements of this ordinance may impose.

- **The alleged difficulty or hardship has not been created by any person presently having an interest in the property.** The variation to allow no interior sidewalk to the building entrance is a difficulty created by the applicant in designing the building and site plan as proposed.
- **The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject project is located.** The granting of the variation is may be detrimental to the public welfare as sidewalks are meant to provide a safe option for pedestrian travel. This is particularly important for high volume events.
- **The variation will not impair an adequate supply of light and air to adjacent properties or substantially increase congestion in the public street or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.** The variation to allow no interior sidewalk to the building entrance will not impair adequate supply of light and air to adjacent properties or substantially increase congestion or the danger of fire. Property values and public safety of other properties in the area are also not expected to be negatively impacted.

Because there is no demonstrated hardship and the variation request would be applicable to any commercial redevelopment in the B-3 district, the 2<sup>nd</sup> standard has not been met.

3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

**Analysis.** The character of the area is mixed in that it is a commercial use with an outdoor recreation component surrounded by residential, agricultural and industrial land uses. Permitting no interior sidewalk to the building entrance is not expected to be a substantial detriment to any adjacent property.

**8) 17.21.030 H WINDOWS. A minimum of 40% of the area between four feet and 10 feet in height on a building elevation facing the public street shall be comprised of clear, non-reflective windows that allow views of indoor commercial space. Applicant is requesting a variation from having to meet this requirement.**

UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

**Analysis.** The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, four are not applicable to the variation request. The variation to allow a reduced proportion of windows on the elevation facing the public street is consistent with the remaining four components.



- **Promoting and protecting the general health, safety and welfare.** The variation to allow a reduced proportion of windows on the elevation facing the public street will not negatively impact the safety and general welfare of the public. Urban design standards for commercial developments are intended to foster aesthetically pleasing developments. See *Exhibit E Building elevations*.
- **Ensuring adequate natural light, air, privacy, and access to property.** The variation to allow a reduced proportion of windows on the elevation facing the public street will have no impact on light, air or privacy or access to the property.
- **Maintaining and promoting economically vibrant and attractive commercial areas.** The urban design requirements for commercial development are in place to ensure the development of attractive commercial areas. The intent of this particular requirement is to ensure that commercial spaces have ample visibility from the outside and is also a design consideration. Commercial buildings by their nature are large and bulky. Providing ample fenestration allows for an opportunity to break up the building face and adds architectural features. The owner contends that the use is unique and not in a downtown commercial environment. The commercial design standards were written for areas outside of the downtown district and are applicable to the subject site. Sites located in the downtown have different design guidelines which are addressed in §17.09.070 of the UDO.
- **Conserving the value of land and buildings throughout the Village.** Commercial developments that meet the Village standards for building design would conserve of the value of land and buildings in general throughout the Village.

2. The plight of the owner is due to unique circumstances, and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

**Analysis.** The UDO states that in making a determination whether there are unique circumstances, practical difficulties, or particular hardships in a variation petition, the Planning and Zoning Commission shall take into consideration the factors listed in UDO §17.04.150.D.2.

- **Particular physical surroundings, shape or topographical conditions results in a particular hardship upon the owner as distinguished from a mere inconvenience.** The applicant contends that the building orientation is such that windows are needed in the rear of the building for viewing of the playing fields and not along the street. The locker rooms and storage areas face the public street and makes is difficult to provide windows in these areas. The UDO, however, does not differentiate the design requirements by building use, land use or surrounding land uses.

- **The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district.** The conditions upon which this petition is based would be applicable to other properties in the B-3 district. As stated in §7.04.150.A of the UDO, a variation is not intended merely to remove an inconvenience or financial burden that the requirements of this ordinance may impose.
- **The alleged difficulty or hardship has not been created by any person presently having an interest in the property.** The variation to allow a reduced proportion of windows on the elevation facing the public street is a difficulty created by the applicant in designing the building as proposed.
- **The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject project is located.** The granting of the variation is not expected to be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. The urban design requirements are intended to add value and aesthetic appeal to properties in the Village.
- **The variation will not impair an adequate supply of light and air to adjacent properties or substantially increase congestion in the public street or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.** The variation to allow a reduced proportion of windows on the elevation facing the public street will not impair adequate supply of light and air to adjacent properties or substantially increase congestion of the danger of fire. Property values and public safety are also not expected to be negatively impacted.

Because there is no demonstrated hardship and the variation request would be applicable to any commercial redevelopment in the B-3 district, the 2<sup>nd</sup> standard has not been met.

3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

**Analysis.** The character of the area is mixed in that it is a commercial use with an outdoor recreation component surrounded by residential, agricultural and industrial land uses. Permitting a reduction in the proportion of windows on the elevation facing the public street is not expected to be a substantial detriment to any adjacent property.

**9) 17.21.030 J PARKING. No use shall provide off-street parking in excess of 140% of the minimum standards expressed in Table 17-10-01. Applicant is requesting a variation to allow for parking in excess of what is permitted.**

UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

**Analysis.** The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, four are not applicable to the variation request. The variation to allow parking in excess of what is allowed by code is consistent with the remaining four components

- **Promoting and protecting the general health, safety and welfare.** The variation request is not expected to negatively impact the safety and general welfare of the public. Parking standards are meant to ensure that ample parking is provided for the use. In this particular case the property serves as a sports club and a site with outdoor recreation. The parking ratio for a sports club is 1 per 200 sq ft GFA (UDO). At 4,738 sq. ft. of gross floor area, 24 parking spots are required. Per the Handbook of Landscape Architectural Construction, 16 parking spaces are allotted per lacrosse/soccer field which have been deemed comparable in size. With 4 playing fields, 64 parking spaces are required for the athletic field use. Those 64 parking spaces in addition to the 24 spaces required for the clubhouse amounts to a total of 88 parking spaces required for the site at a minimum. Section 17.21.030.J of the UDO states that no off street parking shall be provided in excess of 140% of the required minimum, which amounts to 123 parking spaces. The proposed parking plan shows 185 parking spaces, which is in excess of the 140% threshold. While there may be more appropriate parking standards for this particular use based on historical use, no data has been provided. In the interest of time, the applicant did not want to delay the public hearing and the variation request was made with the information available at the time. Residents of neighboring Smith Farms have expressed concerns about the inadequate parking that currently is an issue. During high volume events, spectators park on Pasture Dr. and walk to the site. See *Exhibit B Site Plan*.
- **Ensuring adequate natural light, air, privacy, and access to property.** The variation will have no impact on light, air or privacy. The variation request does impact access to the property as inadequate parking forces cars to park along surrounding residential streets. Inadequate parking could also create congestion along Smith Rd as spectators maneuver in and out of the lot searching for a place to park. Parking in excess of what is allowed would not impact access to the property in a negative way.
- **Maintaining and promoting economically vibrant and attractive commercial areas.** The minimum parking standards are in place to ensure the development of attractive commercial areas. Other commercial developments that are open to the public would be held to the same expectations.
- **Conserving the value of land and buildings throughout the Village.** Parking that meets the Village standards would conserve of the value of land and buildings in general throughout the Village.

2. The plight of the owner is due to unique circumstances, and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

**Analysis.** The UDO states that in making a determination whether there are unique circumstances, practical difficulties, or particular hardships in a variation petition, the Planning and Zoning Commission shall take into consideration the factors listed in UDO §17.04.150.D.2.

- **Particular physical surroundings, shape or topographical conditions results in a particular hardship upon the owner as distinguished from a mere inconvenience.** The applicant contends that due to their isolated location and desire to keep cars from having to park on streets, the amount of proposed parking is needed. Staff agrees that adequate parking is needed on site to maintain the integrity of the surrounding residential neighborhoods and to increase safety during high volume events. The applicant has not provided any evidence that the proposed parking is was is needed based on historical use data or industry standards. While the site is situated in the periphery of the village limits it is in an area that is still developing and is adjacent to existing and new residential subdivisions. What is currently defined by the applicant as an isolated area of Lemont, will not remain that way in perpetuity and parking standards should apply.
- **The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district.** The conditions upon which this petition is based would be applicable to other properties in the B-3 district. As stated in §7.04.150.A of the UDO, a variation is not intended merely to remove an inconvenience or financial burden that the requirements of this ordinance may impose.
- **The alleged difficulty or hardship has not been created by any person presently having an interest in the property.** The variation request to allow parking in excess of what is allowed by code is a difficulty created by the applicant in redeveloping the site.
- **The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject project is located.** The granting of the variation is not expected to be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.
- **The variation will not impair an adequate supply of light and air to adjacent properties or substantially increase congestion in the public street or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.** The granting of the variation will not impair adequate supply of light and air to adjacent properties, increase the danger of fire or diminish property values. If it is determined that parking in excess of what is allowed by code is needed to ensure public safety

during high volume events, the variation would positively impact the welfare of the public and reduce congestion on Smith Rd. as spectators seek parking availability.

3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

**Analysis.** The character of the area is mixed in that it is a commercial use with an outdoor recreation component surrounded by residential, agricultural and industrial land uses. Permitting parking in excess of what is allowed by code is not expected to be a substantial detriment to any adjacent property. Inadequate parking currently causes spectators to park along streets in adjacent residential neighborhoods. Residents have stated that spectators parking along Pasture Dr. then cut across vacant lots to get to the site. The installation of public and interior sidewalks will help alleviate some of what currently occurs. Determining what is adequate is necessary to ensure no future detriment to adjacent property. Consideration must also be given to the fact that the high volume events are special events that only take place a limited number of times during the year.

**10) 17.26.110 D (1) PUBLIC SIDEWALKS. Sidewalks shall be installed in all residential and commercial subdivisions and commercial developments. Applicant is requesting a variation from having to provide a public sidewalk.**

UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

**Analysis.** The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, four are not applicable to the variation request. The variation to allow for no public sidewalk is consistent with the remaining four components.

- **Promoting and protecting the general health, safety and welfare.** The variation to allow for no public sidewalk will negatively impact the safety and general welfare of the public. Residents have stated that currently spectators that park along Pasture Dr. cut through vacant lots to get to the subject site or walk in the grassed area along Smith Rd. Providing a public sidewalk would increase the safety of any pedestrians trying to access the site. A public sidewalk along Smith Rd. has been provided for the Smith Farms residential subdivision and should continue along the subject site.
- **Ensuring adequate natural light, air, privacy, and access to property.** The variation to allow no public sidewalk will have no impact on light, air or privacy. It will negatively impact access to the property, as pedestrians will be forced to walk through grassed areas and drive aisles to get to the entrance of the building or the sports fields.

- **Maintaining and promoting economically vibrant and attractive commercial areas.** The owner contends that due to their site location, the requirement should not apply. The requirement for providing a public sidewalk is meant to increase the safety of pedestrians and to promote a pedestrian friendly environment for Lemont residents and visitors. Other commercial developments would be held to the same expectations. Smith Farms, the residential neighborhood to the south was required to provide a public sidewalk and complied.
- **Conserving the value of land and buildings throughout the Village.** Commercial developments that meet the Village standards for building design and site design would conserve of the value of land and buildings in general throughout the Village. The variation to allow no public sidewalk would diminish the ability to maintain value and undermine the UDO and its intent on creating pedestrian friendly developments throughout the Village.

2. The plight of the owner is due to unique circumstances, and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

**Analysis.** The UDO states that in making a determination whether there are unique circumstances, practical difficulties, or particular hardships in a variation petition, the Planning and Zoning Commission shall take into consideration the factors listed in UDO §17.04.150.D.2.

- **Particular physical surroundings, shape or topographical conditions results in a particular hardship upon the owner as distinguished from a mere inconvenience.** The applicant contends that due to the site location, the requirement should not apply. The site location, although on the periphery of the current village limits, should not be exempt from having to provide a basic amenity such as a sidewalk. A sidewalk would better direct pedestrian flow and create a safer environment especially during high volume events. It would also make a connection to the sidewalk that was installed for the Smith Farms subdivision, and further extend the Village's sidewalk network for, in anticipation of the continued growth of the community.
- **The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district.** The conditions upon which this petition is based would be applicable to other properties in the B-3 district.
- **The alleged difficulty or hardship has not been created by any person presently having an interest in the property.** The variation to allow no public sidewalk is a difficulty created by the applicant in designing the site as proposed.
- **The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject project is located.** The granting of the variation is may be detrimental

to the public welfare as sidewalks are meant to provide a safe option for pedestrian travel. This is particularly important for high volume events.

- **The variation will not impair an adequate supply of light and air to adjacent properties or substantially increase congestion in the public street or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.** The variation to allow no public sidewalk will not impair adequate supply of light and air to adjacent properties or substantially increase congestion of the danger of fire. Property values and public safety are also not expected to be negatively impacted.

3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

**Analysis.** The character of the area is mixed in that it is a commercial use with an outdoor recreation component surrounded by residential, agricultural and industrial land uses. The lack of a public sidewalk is currently causing detriment to adjacent property. Spectators that currently park along Pasture Dr. cut through the yards of Smith Farm property owners to access the subject site. If a sidewalk was provided, these pedestrians would have a safe option for accesses the site and may be less inclined to cut through private property. Allowing the property to redevelop without providing a public sidewalk is therefore expected to continue to be a detriment to adjacent owners. Additionally it would detract from the overall intent of promoting a pedestrian friendly community and is contrary to the Active Transportation Plan and the complete street policy the Village has adopted.

**Engineers Comments.** The Village engineer has provided comments pertaining to the site development application. The comments are included for reference.

**Fire Marshal Comments.** The fire marshal has provided comments related to the accessibility of the site in the case of an emergency. The comments are included for reference.

## **RECOMMENDATIONS**

Staff has recommended that the applicant consider pursuing this redevelopment as a planned unit development and has provided direction on what would be required and what would result in a favorable recommendation. The applicant has stated that the use is unique. Staff is agreeable to that interpretation and finds that a planned unit development would be beneficial for addressing some of the unique aspects of the site and use. The applicant has stated that certain requirements cause financial hardship and would prevent the project from moving forward. Although financial hardship is a concern, it is not one that is recognized in the variation standards. The site location has been described by the applicant as remote and isolated and therefore a site that should be exempt from some of the Village requirements. The site, although currently located in the periphery of the Village limits, it is an area of the Village that is currently developing.

Based on the above and the analysis of the variations, staff recommends denial of all variation requests. The UDO requires that the applicant demonstrate consistency with all three of the variation standards contained within §17.04.150.D. and staff finds that in

evaluating each variation request individually, all three standards were not substantially met for each variation requested. Additionally, when evaluated individually, the variations were generally found to not be a substantial detriment to any adjacent property. Collectively the variations requested are considerable and could be of substantial detriment to adjacent properties.

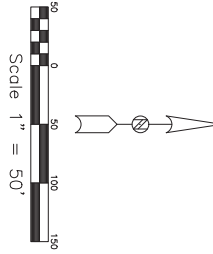
## **ATTACHMENTS**

1. Exhibit A – Existing conditions
2. Exhibit B – Proposed site plan
3. Exhibit C – Photometric plan
4. Exhibit D – Landscape plan
5. Exhibit E - Building elevations
6. Exhibit F – Engineers comments
7. Exhibit G – Fire Marshall's comments
8. Applicant submissions
9. Site Photos



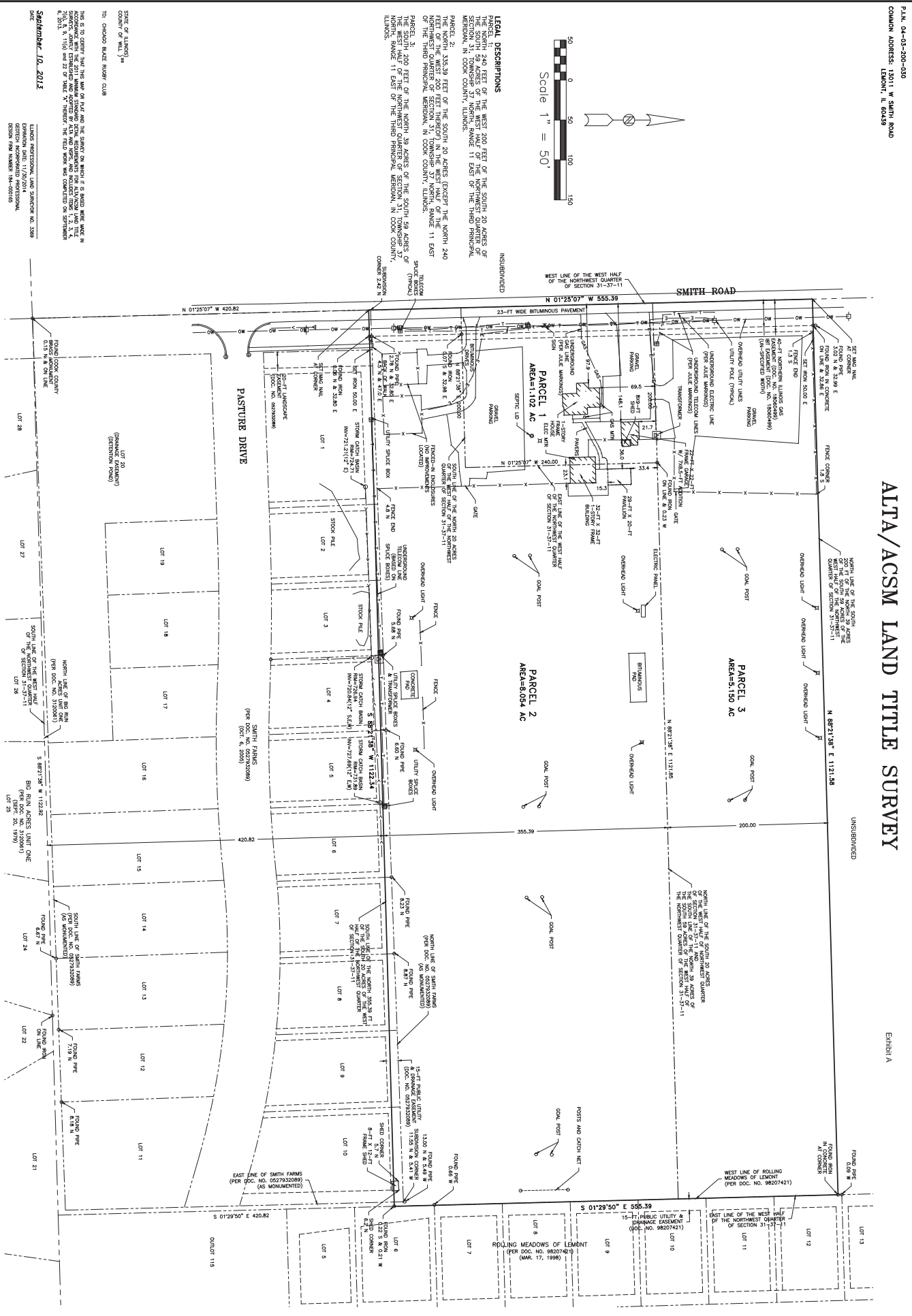
# ALTA/ACSM LAND TITLE SURVEY

Exhibit A



### LEGAL DESCRIPTIONS

THE NORTH 240 FEET OF THE WEST 200 FEET OF THE SOUTH 20 ACRES OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.  
 PARCEL 2, 314.39 FEET OF THE SOUTH 20 ACRES (EXCEPT THE NORTH 240 FEET OF THE WEST 200 FEET HEREON) IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.  
 PARCEL 3, 150.00 FEET OF THE SOUTH 20 ACRES OF THE SOUTH 200 FEET OF THE NORTH 39 ACRES OF THE SOUTH 20 ACRES OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

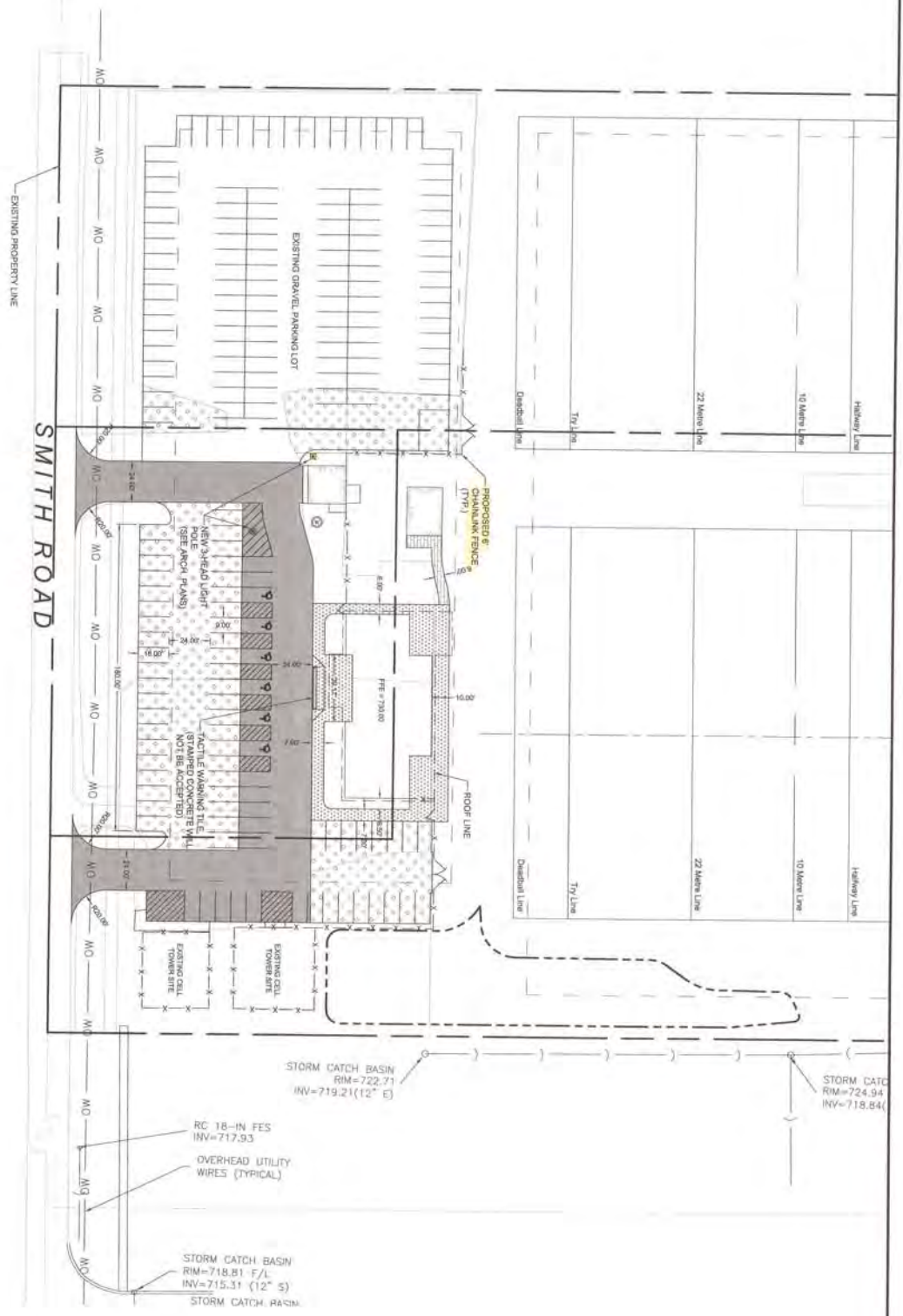


STATE OF ILLINOIS  
 COUNTY OF WELLS  
 TO: CHICAGO BAKER RUBBER CLUB

THIS IS TO CERTIFY THAT THE MAP OR PLAN AND THE SURVEY THEREON WHICH IS BEING MADE HEREIN WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED SURVEYOR IN THE STATE OF ILLINOIS, AND THAT I AM A MEMBER IN GOOD STANDING OF THE NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS, INC., AND THAT I AM A MEMBER IN GOOD STANDING OF THE ILLINOIS SURVEYORS ASSOCIATION, INC., AND THAT I AM A MEMBER IN GOOD STANDING OF THE ILLINOIS SURVEYORS ASSOCIATION, INC., AND THAT I AM A MEMBER IN GOOD STANDING OF THE ILLINOIS SURVEYORS ASSOCIATION, INC.

DATE: **September 10, 2013**

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3369  
 EXPIRATION DATE: 11/03/2014  
 OFFICE: 1207 CEDARWOOD DRIVE, CREST HILL, ILLINOIS 60403  
 PHONE: 815-730-1010



0 Copyright 2013 C. M. Layton & Associates, Inc.  
 This drawing is a professional record drawing prepared by the Licensed Professional Engineer and Surveyor, C. M. Layton & Associates, Inc. It is the property of C. M. Layton & Associates, Inc. and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of C. M. Layton & Associates, Inc. The contractor, licensee, and the owner, shall be responsible for the accuracy of the information shown on this drawing. The contractor shall be responsible for the accuracy of the information shown on this drawing.

**GENERAL NOTES:**

- CONCRETE FINISHES BY BRICK PAVING PRODUCTS BY DESIGN, UNLESS NOTED OTHERWISE.
- GRAVEL FINISHES BY DESIGN.



**DEVELOPMENT SUMMARY**

TOTAL SITE AREA = 14.3 AC  
 TOTAL COVERED AREA = 10,000 SQ FT  
 TOTAL UNCOVERED AREA = 4,300 SQ FT  
 TOTAL PAVED AREA = 2,000 SQ FT  
 TOTAL UNPAVED AREA = 2,300 SQ FT  
 TOTAL IMPROVED AREA = 4,300 SQ FT  
 TOTAL UNIMPROVED AREA = 0 SQ FT

**PARKING SUMMARY**

REQUIRED PARKING SPACES: 24 (RESIDENTIAL & LOCAL SPACES)  
 PROVIDED PARKING SPACES: 24 (RESIDENTIAL & LOCAL SPACES)  
 SEE PLAN FOR PARKING LAYOUT

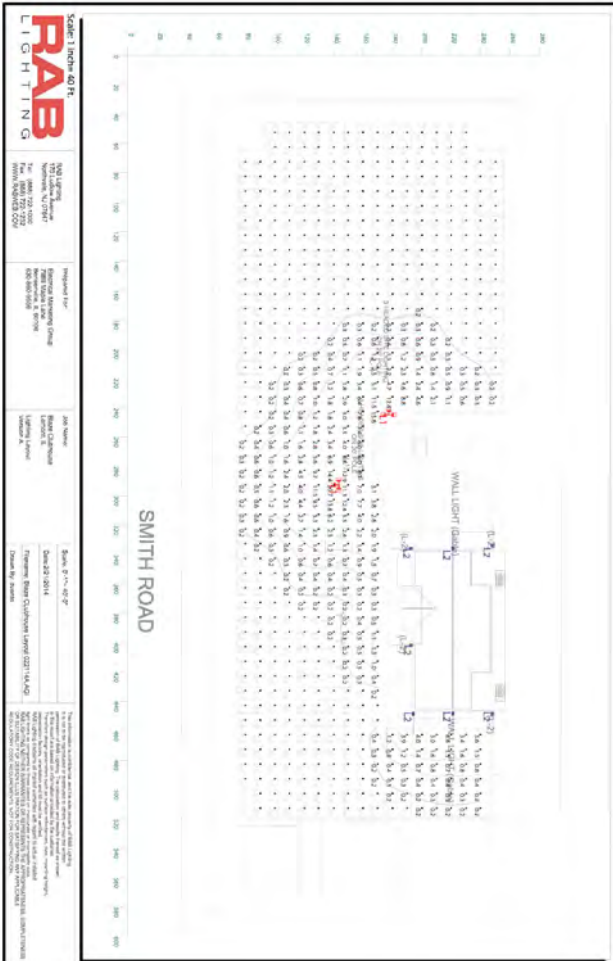
**NOTES:**

1. SEE ADJACENT SHEETS FOR DETAILS AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
4. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
5. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
6. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
7. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
8. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
9. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
10. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
11. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

**NEW CLUBHOUSE**

DATE:	12/10/13
SCALE:	1"=20'
SHEET NUMBER:	CS-10
PROJECT NUMBER:	13-100
DATE:	12/10/13
SCALE:	1"=20'
SHEET NUMBER:	CS-10
PROJECT NUMBER:	13-100

**C.M. Layton & Associates, Inc.**  
 Consulting Civil Engineering  
 1000 West 10th Street, Suite 100  
 Lincoln, NE 68508  
 Phone: (402) 441-1111  
 Fax: (402) 441-1112  
 www.cmlayton.com



Calculation Summary		Quantity	Unit	Rate	Subtotal	Material	Quantity	Unit	Rate	Subtotal
L1	ALH250PSO x 3 @ 90°	15	ft	150.00	2250.00	2000	15	ft	150.00	2250.00
L2	PS4-11-2002	15	ft	150.00	2250.00	2000	15	ft	150.00	2250.00
<b>Total</b>		<b>30</b>	<b>ft</b>	<b>300.00</b>	<b>4500.00</b>	<b>2000</b>	<b>30</b>	<b>ft</b>	<b>300.00</b>	<b>4500.00</b>

Luminaire Location Summary	X	Y	Height	Quantity
L1: ALH250PSO x 3 @ 90°	314.70	146.07	20	15
L2: PS4-11-2002	314.70	146.07	20	15

Item	Quantity	Unit	Rate	Subtotal
L1: ALH250PSO x 3 @ 90°	15	ft	150.00	2250.00
L2: PS4-11-2002	15	ft	150.00	2250.00

Exhibit C

**Scale: 1 inch = 40 ft**

**RAB LIGHTING**

1000 West 15th Street  
Chicago, IL 60604  
Tel: 773.888.2232  
Fax: 773.888.2233  
Email: info@rablighting.com

Project Name: Smith Road  
Project Location: Lemont, IL 60443  
Project Number: 2023-0001

Client: Chicago Blaze Building Corporation, Inc.  
Contact: [Name Redacted]  
Phone: [Phone Redacted]  
Email: [Email Redacted]

Prepared by: [Name Redacted]  
Checked by: [Name Redacted]  
Date: 08/15/2023

**RAB LIGHTING**

1000 West 15th Street  
Chicago, IL 60604  
Tel: 773.888.2232  
Fax: 773.888.2233  
Email: info@rablighting.com

Project Name: Smith Road  
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Contact: [Name Redacted]  
Phone: [Phone Redacted]  
Email: [Email Redacted]

Prepared by: [Name Redacted]  
Checked by: [Name Redacted]  
Date: 08/15/2023

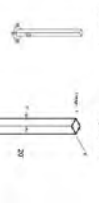
**ALH250PSO**

Technical Specifications:  
 - Mounting: Surface mount for recessed installation  
 - Dimensions: 12.5" H x 12.5" W  
 - Weight: 15.0 lbs  
 - Material: Die-cast aluminum  
 - Finish: Powder coat  
 - Beam Spread: 90°  
 - Luminaire Type: Floodlight  
 - Mounting Height: 20' to 30'



**PS4-11-2002**

Technical Specifications:  
 - Mounting: Surface mount for recessed installation  
 - Dimensions: 12.5" H x 12.5" W  
 - Weight: 15.0 lbs  
 - Material: Die-cast aluminum  
 - Finish: Powder coat  
 - Beam Spread: 90°  
 - Luminaire Type: Floodlight  
 - Mounting Height: 20' to 30'



**FXH150PSO**

Technical Specifications:  
 - Mounting: Surface mount for recessed installation  
 - Dimensions: 12.5" H x 12.5" W  
 - Weight: 15.0 lbs  
 - Material: Die-cast aluminum  
 - Finish: Powder coat  
 - Beam Spread: 90°  
 - Luminaire Type: Floodlight  
 - Mounting Height: 20' to 30'



**RAB LIGHTING**

1000 West 15th Street  
Chicago, IL 60604  
Tel: 773.888.2232  
Fax: 773.888.2233  
Email: info@rablighting.com

Project Name: Smith Road  
Project Location: Lemont, IL 60443  
Project Number: 2023-0001

Client: Chicago Blaze Building Corporation, Inc.  
Contact: [Name Redacted]  
Phone: [Phone Redacted]  
Email: [Email Redacted]

Prepared by: [Name Redacted]  
Checked by: [Name Redacted]  
Date: 08/15/2023

**RAB LIGHTING**

1000 West 15th Street  
Chicago, IL 60604  
Tel: 773.888.2232  
Fax: 773.888.2233  
Email: info@rablighting.com

Project Name: Smith Road  
Project Location: Lemont, IL 60443  
Project Number: 2023-0001

Client: Chicago Blaze Building Corporation, Inc.  
Contact: [Name Redacted]  
Phone: [Phone Redacted]  
Email: [Email Redacted]

Prepared by: [Name Redacted]  
Checked by: [Name Redacted]  
Date: 08/15/2023



Chicago Blaze Building Corporation, Inc.  
 13011 W. Smith Road  
 Lemont, Illinois 60439

**schmidt DESIGN inc.**  
 Architecture  
 Planning  
 Interior Design

707 CLINTON AVENUE  
 CHICAGO, IL 60604  
 TELEPHONE: 773.334.4444  
 FAX: 773.334.4420

REV	DESCRIPTION	DATE	APPROVED
1	SUBMITTED PER QTY	2/23/24	

PH-1  
 PHOTOMETRICS/  
 PARKING LOT  
 LIGHTING

08/15/2023



Exhibit E



## West Elevation



# Chicago Blaze Clubhouse - Lemont, Illinois

*Frank Novotny & Associates, Inc.*

825 Midway Drive ♦ Willowbrook, IL ♦ 60527 ♦ Telephone: (630) 887-8640 ♦ Fax: (630) 887-0132



*Civil Engineers/  
Municipal Consultants*

February 18, 2014

Ms. Martha Glas  
Planner  
Village of Lemont  
418 Main Street  
Lemont, Illinois 60439

RE **Chicago Blaze New Clubhouse  
Engineering Plan Review No. 2**

Dear Martha:

I have reviewed the revised Engineering Plans for the above-captioned project, dated January 15, 2014 as prepared by C.M. Lavoie, and have the following comments **addressed to the Permittee**.

1. The following permits are needed:

<b>Agency</b>	<b>For</b>	<b>Status</b>
MWRDGC	Sanitary Sewer	Submitted for signatures
IEPA DWPC	Sanitary Sewer	Submitted for signatures
IEPA DPWS	Water Main	Not Submitted
IEPA NOI	Earthwork	Copy of Application Received. (Please confirm it is sent for Permit.)
Cook County DOT	Smith Farms Utility Work and Access	Copy of Application Received. (Please confirm it is sent for Permit.)

2. The ALTA Survey indicates significant gaps and overlaps with the Smith Farms Subdivision. What is the net result of these property line discrepancies? Does it affect the project?
3. Please use the new Tree Planting detail (enclosed) dated 10/10/13.
4. Please update topo on Smith Road to show the newly planted trees. Indicate type of pavement patching on Pasture Drive.
5. Please provide sidewalk extension on Smith Road.
6. On Sheet C5.0 –
- Specify PVC Sanitary Sewer ASTM 2241 with ASTM 3139 Joints.
  - Lower the invert at San MH #2 to elevation 721.50, so that the water main future extension to the north will have the necessary 18-inch minimum vertical clearance over the sanitary sewer.

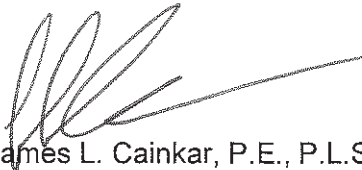
Ms. Martha Glas  
Village of Lemont  
February 18, 2014  
Page Two

7. On Sheet C5.1, indicate an invert of 713.59 at the point of connection so you don't need a drop manhole.
8. Is a dedication to be provided on Smith Road? If not, we will need easements for the sanitary sewer and water main extensions across the full front width of the property, which will allow for future extension to the north.
9. Lemont Code requires separate water services for fire and domestic services, unless a variance is granted.
10. On the MWRDGC Permit, how was the project area of 2.49 acres determined? You will probably also need a Schedule K and/or Schedule L.
11. Please also figure the stormwater detention using the Village of Lemont Method, 0.15 cfs/acre release, Bulletin 70 rainfall, 125% detention required of calculated value, Modified Retention Method.
12. The Village Plumber's comments are enclosed, dated October 28, 2013.
13. Per UDO, please extend sidewalk across the Smith Road lot frontage.
14. I am returning the signed IEPA / MWRDGC permit forms; however, they need revisions to comply with any plan revisions proposed. Please modify accordingly and resubmit back to my attention.

Please revise accordingly and provide letter of disposition when making the resubmittal. Should you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

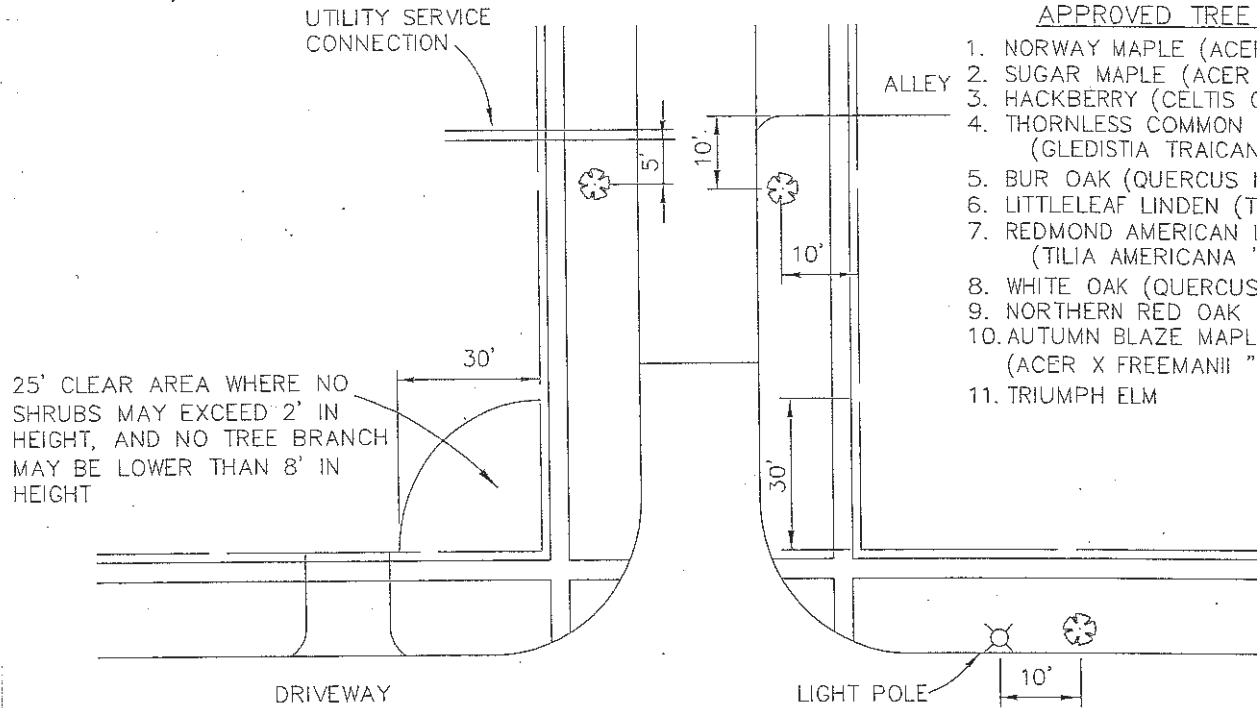
**FRANK NOVOTNY & ASSOCIATES, INC.**



James L. Cainkar, P.E., P.L.S.

JLC/dn

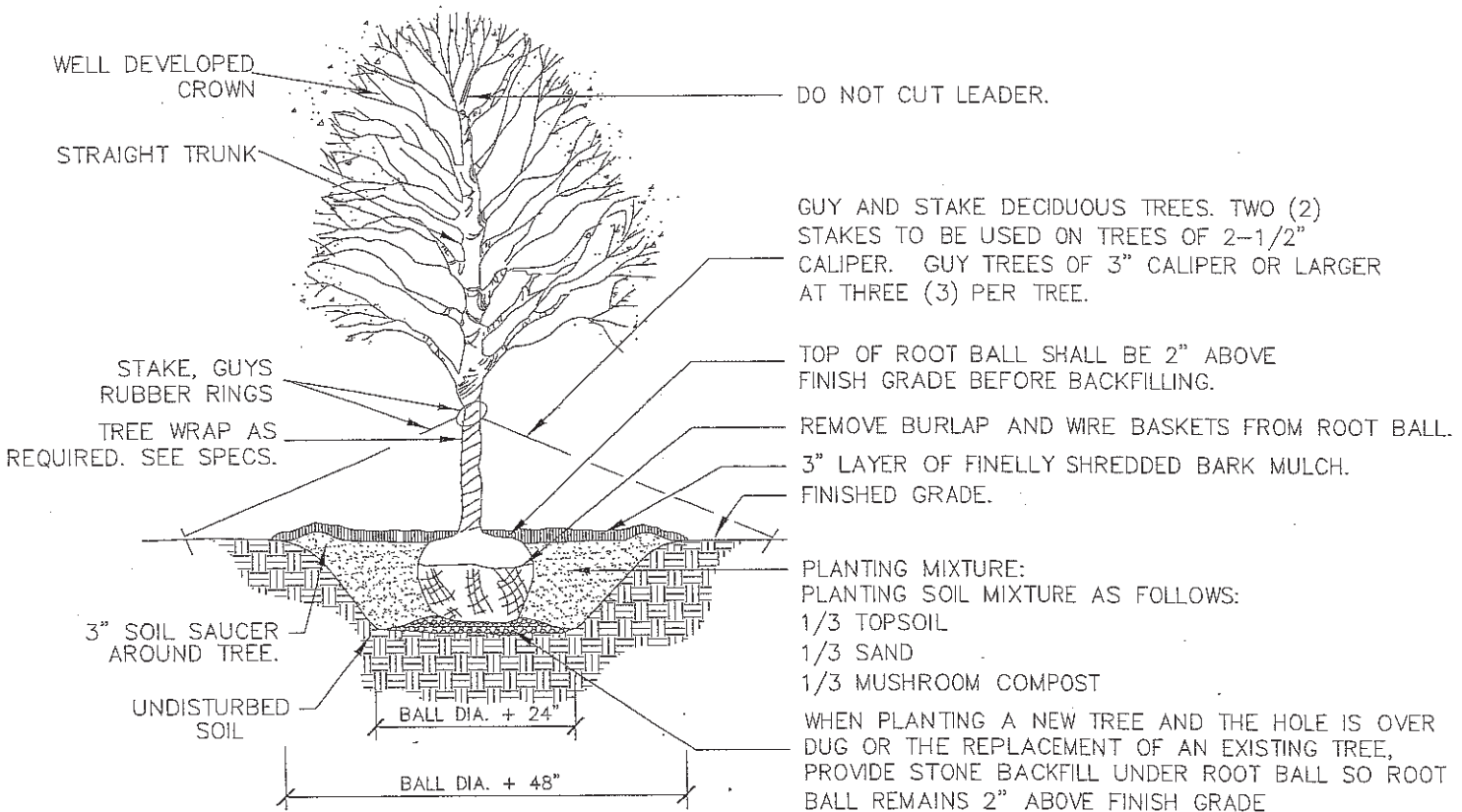
cc: Ms. Charity Jones, Planning & Econ. Devel. Director  
Mr. Ralph Pukula, Director of Public Works  
Mr. Gerald Turrise, Water Department  
Mr. Paul Cureton, C.M. Lavoie (with CD)  
File No. 13286



APPROVED TREE PLANTING LIST

1. NORWAY MAPLE (ACER PLATANOIDES)
2. SUGAR MAPLE (ACER SACCHARUM)
3. HACKBERRY (CELTIS OCCIDENTALIS)
4. THORNLESS COMMON HONEYLOCUST (GLEDISTIA TRICANTHOS VAR. INERMIS)
5. BUR OAK (QUERCUS MACROCARPA)
6. LITTLELEAF LINDEN (TILIA CORDATA)
7. REDMOND AMERICAN LINDEN (TILIA AMERICANA "REDMOND")
8. WHITE OAK (QUERCUS ALBA)
9. NORTHERN RED OAK (QUERCUS RUBRA)
10. AUTUMN BLAZE MAPLE (ACER X FREEMANII "AUTUMN BLAZE")
11. TRIUMPH ELM

PERMITTED TREE LOCATIONS



TREE PLANTING DETAIL

NOTES:

1. TREES SHALL HAVE A MINIMUM TRUNK DIAMETER OF 2 1/2 INCHES. TREES UP TO AND INCLUDING 4 INCHES ARE MEASURED 6 INCHES ABOVE GROUND. TREES LARGER THAN 4 INCHES ARE MEASURED 12 INCHES ABOVE GROUND.
2. A MINIMUM OF 2 (TWO) TREES PER LOT; AT LEAST 1 (ONE) TREE EVERY 40 FEET SHALL BE REQUIRED IN ALL NEW SUBDIVISIONS.
3. PRUNING, IF NECESSARY, MUST BE DONE AFTER PLANTING AND ONLY IF TREES HAVE BROKEN BRANCHES.
4. PLANTINGS SHALL BE PER THE URBAN FORESTRY MANAGEMENT PLAN OF THE VILLAGE OF LEMONT.
5. TREE SPECIES PLACEMENT SHALL BE A STAGGERED PATTERN, SUCH THAT NO TREES OF THE SAME TYPE ARE NEXT TO EACH OTHER
6. TREES SHALL BE PLANTED AT LEAST 15 FEET AWAY FROM ALL TRAFFIC SIGNS.
7. SEE UDO APPENDIX F FOR APPROVED PARKWAY TREE SPECIES.

REV. 6/23/08  
 REV. 11/09/09  
 REV. 4/13/10  
 REV. 10/10/13

VILLAGE OF LEMONT		
TREE PLANTING		
12/10/01	NO. LS-90	REV. 4





**LEMONT FIRE PROTECTION DISTRICT**

**BUREAU OF FIRE PREVENTION**

15900 New Avenue  
Lemont, IL 60439  
Business: (630)257-0191  
Fax : (630) 257-5318  
[lemontfire.com](http://lemontfire.com)

March 13, 2014

Mr. Mark LaChappel  
Building Commissioner  
Village of Lemont  
418 Main Street  
Lemont, Illinois 60439

Re: Site and Building Plan Review  
Chicago Blaze Rugby Club-13011 South Smith Road

Dear Mr. LaChappel,

This Department is in receipt of the plans for the above mentioned project. The 2006 edition of the International Fire Code with local amendments were used for this review. These plans were also reviewed by TPI Consultants for the Village. As of this review, it is recommended that these plans are **NOT APPROVED** pending additional or revised plans and/or documents addressing the following comments.

- 1) The address for the property shall be permanently displayed, either on a sign or on the building. The type and size of the address a minimum four inches (4") - shall be in compliance with Lemont Fire Protection District Ordinance #11-03, and International Fire Code, 2006 Edition (Section 505).
- 2) The proposed WM2-107LF of 6" water main shall be increased to 8" as indicated on the October 16, 2013 utility plan.
- 3) Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm) per International Fire Code, 2006 Edition (Section 503.2.1 - Dimensions).

- 4) Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities per International Fire code, 2006 Edition (Section 503.2.3 Surface).
- 5) Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 and shall be maintained at all times per International Fire Code, 2006 Edition (Section 503.4 - Obstruction of fire apparatus access roads).
- 6) The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times per International Fire Code, 2006 Edition (Section 503.6 - Security gates).
- 7) An approved automatic sprinkler system shall be installed throughout this occupancy. This system shall be designed and installed in accordance with N.F.P.A. Standard #13, 2007 Edition. A complete set of sprinkler shop/working drawings, and the appropriate equipment specification sheets, shall be submitted to the Bureau of Fire Prevention for review and approval prior to installation in accordance with Lemont Fire Protection District Ordinance #11-03 (Section 903), and International Fire Code, 2006 Edition (Section 903). Note: This system shall be designed to protect the underside of all attached canopies, decks and stairways.
- 8) An approved fire alarm system shall be installed throughout this occupancy. The fire alarm system shall be designed and installed in accordance with N.F.P.A. Standard #72, 2007 Edition and Lemont Fire Protection District Ordinance #11-03 (Section 907). A complete set of fire alarm shop/working drawings, and the appropriate equipment specification sheets, shall be submitted to the Bureau of Fire Prevention for review and approval prior to installation and in accordance with the Lemont Fire Protection District Ordinance #11-03 (Section 907), and International Fire Prevention Code, 2006 Edition, (Section 907.1.1).
- 9) Exit doors shall be Egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort in accordance with Lemont Fire Protection District Ordinance #11-03. (Section 1003.3.1.8).

**Exceptions:**

1. Places of detention or restraint.

2. Where approved by the code official, a readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED. This sign shall be in letters 1 inch (25 mm) high on a contrasting background.

3. Where egress doors are used in pairs, approved automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts has no doorknob or surface mounted hardware. The unlatching of any leaf shall not require more than one operation.

4. Doors from individual dwelling units and guestrooms of Group R occupancies having an occupant load of 10 or less are permitted to be equipped with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or tool.

Note: All exit doors shall be equipped with panic hardware.

- 10) Portable Fire Extinguishers shall be installed in all occupancy groups and have a minimum of one fire extinguisher located within 5 feet of each exterior door. All other areas shall have extinguishers installed in accordance with this section, NFPA 10, or where required by the code official. The minimum size fire extinguisher for use in all occupancy groups shall be 4A60BC. All other applications shall be accordance with the provisions of NFPA 10. (Lemont Fire Protection District, Ordinance #11-03. Section 906).
- 11) An approved fixed fire suppression system shall be properly installed above all grills and similar cooking equipment. Complete plans for such installation shall be submitted to the Bureau of Fire Prevention for review and approval prior to installation in accordance with Lemont Fire Protection District Ordinance #11-03, International Fire Code, 2006 Edition (Sections 904.11-904.11.6.5). This system shall be further designed and installed in accordance with N.F.P.A. Standard 17-A, 2002 Edition, and U.L. #300. This system shall be interconnected into the building's fire alarm system in an approved manner in accordance with Lemont Fire Protection District Ordinance #11-03, International Fire Code, 2006 Edition (Section 907.14)).
- 12) An approved compliment of Class K portable fire extinguisher(s) shall be installed throughout the kitchen area of this occupancy in accordance with N.F.P.A. Standard #10, 2007 Edition. Exact size, quantity, and placement of these fire extinguishers shall be determined by the Bureau of Fire Prevention in accordance with International Fire Code, 2006 Edition (Section 904.11.5.2).

- 13) Approved exit lighting shall be installed in all means of egress in accordance with International Fire Code, 2006 Edition (Section 1011) and N.F.P.A. #101 Life Safety Code, 2006 Edition (Section 7-8). Note: This installation shall also apply to the deck and the exterior stairways.
- 14) Approved emergency lighting shall be installed in all means of egress in accordance with International Fire Code, 2006 Edition (Section 1006) and N.F.P.A. #101 Life Safety Code, 2006 Edition (Section 7-9). Note: This installation shall also apply to the washrooms, locker rooms, prep area, deck and the exterior stairways.
- 15) All newly constructed buildings or tenant spaces are required to install an approved key box in an accessible location approved by the code official in accordance with Lemont Fire Protection District Ordinance #11-03 (Section 506.1).

**Exception:** Key boxes are not required for attached residential dwellings under four units or on single-family detached dwellings.

**TYPE OF KEY BOX:** The type of key box approved for use by the Lemont Fire Protection District is the Knox box brand key vault/rapid entry system. The Lemont Fire Protection District shall be in complete control of key box and rapid entry system authorization and operation. The Lemont Fire Protection District shall not be required to purchase or sell any key box or rapid entry system products in accordance with Lemont Fire Protection District Ordinance #11-03 (Section 506.1.2).

**LOCATION AND NUMBER:** The location of the Knox box shall be approved by the code official. The Knox box shall be mounted at a maximum height of six (6) feet above grade in which a person can stand on without any assistance. The total number of Knox boxes required shall be determined by the code official in accordance with Lemont Fire Protection District Ordinance #11-03 (Section 506.1.3).

**KEYS:** Key boxes shall contain such keys and other items necessary to provide to the fire district access to the building at locked points of ingress and egress whether on the interior or exterior of such building, to building systems, controls and devices, such as but not limited to: Fire alarm systems, automatic sprinkler systems, elevator controls, electrical rooms and mechanical rooms and other areas designated by the Code Official.

Each key shall be identified in an approved manner for quick use in case of an emergency. Where possible, a single master key shall be provided in accordance with Lemont Fire Protection District Ordinance #11-03 (Section 506.1.4).

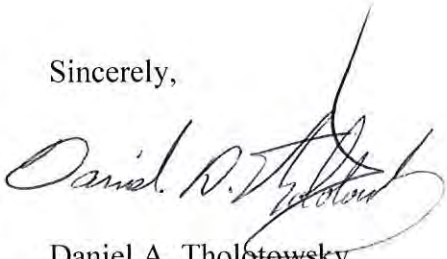
Page 5 (cont'd)  
Plan Review  
Chicago Blaze Rugby

16) An electronic copy (PDF format) of all as-built drawings shall be submitted through e-mail to [fpb@lemontfire.com](mailto:fpb@lemontfire.com). The file(s) shall be named for ease of identification and retrieval. Electronic copies of as-built plans and related drawings shall be to exact engineering scale matching the scale of the approved construction plans (including the original construction plan set and any subsequent plan sheets).

If size constraints prohibit the use of e-mail then CD ROM/ DVD formats are acceptable and shall be submitted to the Lemont Fire Prevention Bureau. Both sleeve and disc are to be labeled. Drawings made in AutoCAD of dxf or dwg format are also acceptable.

The review of these drawings does not relieve the contractor or building owner from designing and installing and completing this project per all code and standard requirements. Fire code and standard requirements not necessarily noted on these plans, in the plan review letter, or noted during inspections are still required to be provided and installed in full compliance with all adopted codes standards and ordinances. I **cannot** recommend approval until all of the appropriate information has been provided to the building official and this office. If you should have any further questions please don't hesitate to contact me.

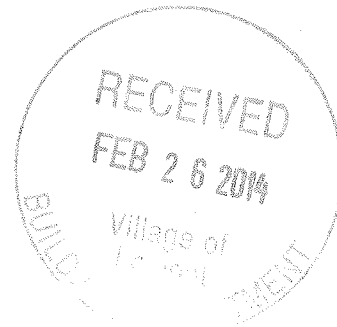
Sincerely,

A handwritten signature in black ink, appearing to read "Daniel A. Tholotowsky". The signature is fluid and cursive, with a large initial "D" and "T".

Daniel A. Tholotowsky  
Fire Inspector

cc: file  
cc: TPI  
cc: Schmidt Design, Inc.

February 26, 2014



Martha M. Glas | Village Planner  
LEED Green Associate  
Village of Lemont  
Lemont, IL | 60439

Re: Variance Application  
Chicago Blaze Building Corporation  
13011 W. Smith Road  
Lemont, Illinois

Martha-

Below is a listing of the ten variances we will be applying for regarding the new facility for the Chicago Blaze.

#### VARIANCE A

17.21.030 D (2) ROOFS. (2). Roof lines shall have a change in height every 100 linear feet in the building length.

#### VARIANCE B

17.21.030 E BUILDING ENTRANCES. Building entrances shall be clearly defined, highly visible customer entrances featuring at least 3 of the items listed in the UDO. Current plans show 2 features (c & e)

#### VARIANCE C

17.21.030 H WINDOWS. A minimum of 40% of the area between four feet and 10 feet in height on a building elevation facing the public street shall be comprised of clear, non-reflective windows that allow views of indoor commercial space.

#### VARIANCE D

17.12.040 FENCES IN THE B AND INT DISTRICTS. Use of a chain link fence not allowed. Currently existing but some areas would be relocated.

#### VARIANCE E

17.14.020 ILLUMINATION STANDARDS. All open off-street parking lots shall be illuminated. Site lighting and photometrics plan light levels inadequate.

## VARIANCE F

12.21.030 J PARKING. The proposed parking shows 185 parking spaces, which is in excess of the 140% threshold.

## VARIANCE G

17.26.110 D PUBLIC SIDEWALKS. Sidewalks shall be installed in all residential and commercial subdivisions and commercial developments.

## VARIANCE H

17.21.030 F SIDEWALKS. A sidewalk shall be provided from the perimeter public sidewalk to the principal customer entrance. This internal walkway must feature landscaping for at least 50% of its length.

## VARIANCE I


17.20.070 A LANDSCAPE STANDARDS FOR PARKING LOTS. Exterior parking lot landscaping required when there are 15+ new spaces. The exterior of parking lots shall be landscaped with at least three plant units per 100 feet of linear distance surrounding the parking area.

## VARIANCE J

17.20.080 LANDSCAPE STANDARDS FOR DETENTION PONDS. Detention and/or retention basins and ponds shall be landscaped along the perimeter of the high water level of the basin or pond.

Martha, I understand you have all other required information for us to proceed for our public hearing on March 24, 2014. Please let me know if you have any questions or need anything else.

Sincerely,



Walt Rebenson

Chicago Blaze Building Corporation  
13011 W. Smith Road  
Lemont, IL 60439

# Variation Application Form

### APPLICANT INFORMATION

Applicant Name: WALT REBENSON

Company/Organization: CHICAGO BLAZE BUILDING CORPORATION

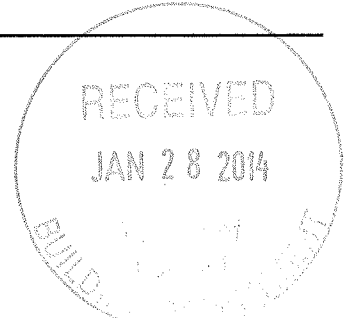
Applicant Address: 13011 W. SMITH ROAD, LEMONT, IL

Telephone & Fax: 312-252-9222 (F) 312-563-1919

E-mail: wrebenson@areglic

### CHECK ONE OF THE FOLLOWING:

- Applicant is the owner of the subject property and is the signer of this application.
- Applicant is the contract purchaser of the subject property.
- Applicant is acting on behalf of the beneficiary of a trust.
- Applicant is acting on behalf of the owner.



### PROPERTY INFORMATION

Address of Subject Property/Properties: 13011 W. SMITH ROAD

Parcel Identification Number of Subject Property/Properties: 22-31-100-004

Size of Subject Property/Properties: 14.31 Ac.

### DESCRIPTION OF REQUEST

Brief description of the proposed variation: (3) VARIANCES FOR APPEARANCE RE: 1) ROOF LINE  
2) DESIGN ELEMENTS & 3) GLASS, (2) FOR CHAIN LINK FENCE USE  
& SITE LIGHTING

### REQUIRED DOCUMENTS

See Form 500-A, Variation Application Checklist of Required Materials, for items that must accompany this application.

### FOR OFFICE USE ONLY

Application received on: 1/28/24 By: \_\_\_\_\_

Application deemed complete on: 2/24/24 *photo metric plan emailed* By: mmg

Current Zoning: \_\_\_\_\_

Fee Amount Enclosed: 250<sup>00</sup> Escrow Amount Enclosed: 500<sup>00</sup>



# Variation Application Form

Village of Lemont

## APPLICATION FEE & ESCROW

### Application Fee = \$250 (per zoning lot)

Fee is non-refundable. A zoning lot is defined as "a single tract of land located within a single block that (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon, under single ownership or control" (Unified Development Ordinance Chapter 17.02).

### Required Escrow = \$500

At the time of application, the applicant shall submit a check for the establishment of an escrow account. The escrow money shall be used to defray costs of public notice, consultants, or other direct costs incurred by the Village in association with the variation application. Additionally, should the applicant fail to remove the required public notice sign in a timely manner, the escrow account may be used to defray the costs of the sign's removal. After completion of the variation review process, any unused portion of the escrow account will be refunded upon request.

## AFFIRMATION

I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. I permit Village representatives to make all reasonable inspections and investigations of the subject property during the period of processing of this application. I understand that as part of this application I am required to establish an escrow account to pay for direct costs associated with the approval of this application, such as the fulfillment of public notice requirements, removal of the public notice sign, taking of minutes at the public hearing and fees for consultants hired by the Village to evaluate this application. I understand that the submitted fee is non-refundable and that any escrow amount leftover upon project completion will be refunded upon request. I understand that I am responsible for the posting of a public hearing sign and for the mailing of legal notice to all surrounding property owners as required by Village ordinances and state law.

Signature of Applicant

Walter Roberson

Date

1-31-2014

State

County

I, the undersigned, a Notary Public in and for the aforesaid County and State, do hereby certify that

Walter Roberson is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and that said person signed, sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

Notary Signature

Martha M. Glas

Given under my hand and notary seal this 31 day of January A.D. 20 2014.

My commission expires this 31 day of March A.D. 20 17.



# Variation Criteria Worksheet

Unified Development Ordinance (UDO) Section 17.04.150.D.1 establishes the criteria that all applications for variations must meet. In addition, Section 17.04.150.D.2 of the Unified Development Ordinance requires that the Planning & Zoning Commission or Zoning Hearing Officer take the following conditions into consideration when determining whether a request qualifies for a variation. You may want to consider the following in your variation request:

- The particular physical surroundings, shape, or topographical condition of the specific property involved results in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations of the Unified Development Ordinance were fulfilled;
- The conditions upon which the petition for variation is based would not be applicable, generally, to other property within the same zoning classification;
- The alleged difficulty or hardship has not been created by any person presently having an interest in the property;
- The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject property is located; and
- The variation will not impair an adequate supply of light and air to adjacent properties, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Please describe below how your variation request meets the criteria of UDO Section 17.04.150.D.1. Attach additional sheets if necessary.

**UDO Section 17.04.150.D.1.a**

The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

SEE ATTACHMENT B

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**UDO Section 17.04.150.D.1.b**

The plight of the owner is due to unique circumstances and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unusual conditions that are not generally found on other properties in the same zoning district; and

SEE ATTACHMENT B

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**UDO Section 17.04.150.D.1.c**

The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

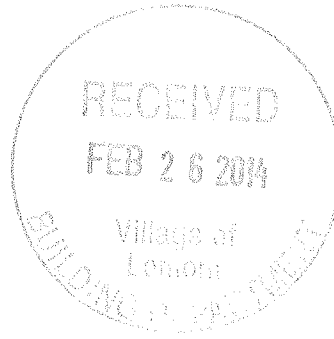
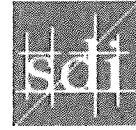
SEE ATTACHMENT B

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# ATTACHMENT B

February 26, 2014

## VARIANCE A

17.21.030 D (2) ROOFS. (2). Roof lines shall have a change in height every 100 linear feet in the building length.

### 150.D.1.a

***Response: Adjacent residential zoning is to the south and east. We believe that the UDO typically addresses more "downtown" commercial development. Our proposed building has more of a residential look with fits in more with the surrounding development. Building roof is broken up at with a gable approximately 40 liner feet from the north end breaking up the roof line. We believe that our proposed design should be acceptable to the code.***

### 150.D.1.b

***Response: Our site is located in a remote area of Lemont on the edge of the village boundary in a Zoning classification site of Arterial Commercial District. Building length is 112 linear feet. Adjacent residential zoning is to the south and east. We believe that the UDO typically addresses more "downtown" commercial development.***

### 150.D.1.c

***Response: See above***

## VARIANCE B

17.21.030 E (1) BUILDING ENTRANCES. Building entrances shall be clearly defined, highly visible customer entrances featuring at least 3 of the items listed in the UDO. Current plans show 2 features (c & e)

### 150.D.1.a

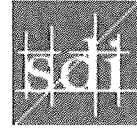
***Response: See above for consideration to the UDO code. As noted the proposed building meets 2 of the requirements of the referenced article under 17.21.030 Urban Design Requirements. Requirement C), articulation of the front facade and E) Peaked Roof forms over the entry. We believe that this building is not an urban site and the use of any more design "elements" would take away form the building. We believe that our proposed design should be acceptable to the code.***

### 150.D.1.b

***Response: See above***

### 150.D.1.c

***Response: See above***



## VARIANCE C

17.21.030 H WINDOWS. A minimum of 40% of the area between four feet and 10 feet in height on a building elevation facing the public street shall be comprised of clear, non-reflective windows that allow views of indoor commercial space.

***Response: See above for consideration to the UDO code. Our building IS LOCATED +/-150' from the street and is oriented towards viewing to the rear of the site where the rugby fields are located. The functions of the building (toilet rooms, storage, locker rooms, bar, etc.) are on the street side. Those functions make the use of windows extremely difficult. We believe that our proposed design should be acceptable to the code. 150.D.1.b***

***Response: See above***

***Response: See above***

## VARIANCE D

17.12.040 FENCES IN THE BAND AND INT DISTRICTS. Use of a chain link fence. Currently existing but some areas would be relocated.

***Response: As noted above our location and use is unique to Lemont. We have an extensive use of existing chain link fence for many years. We are relocating a small length to maintain security for the site.***

***Response: Our location and use is unique to Lemont. Security is critical for liability.***

***Response: As noted above this site and use is unique to Lemont***

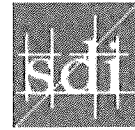
## VARIANCE E

17.14.020 ILLUMINATION STANDARDS. Site lighting and photometrics plan

***Response: We are providing site lighting off of the building and at two locations in the parking lot with low height poles with 3 heads. We don't want or need obtrusive lighting to affect our neighbors. We have minimum after dark time parking***

***Response: As noted above this site and use is unique to Lemont***

***Response: As noted above we don't want or need lighting that would be obtrusive to our neighbors. We have minimum after dark time parking.***



## VARIANCE F

12.21.030 J PARKING. The proposed parking shows 185 parking spaces, which is in excess of the 140% threshold.

***Response: We are a total of 185 car parking to avoid any need to parking on the street in a worse case scenario. Do to our isolated location we believe this in the best interests of our facility.***

***Response: See above***

***Response: See above***

## VARIANCE G

17.26.110 D (1) PUBLIC SIDEWALKS. Sidewalks shall be installed in all residential and commercial subdivisions and commercial developments.

***Response: Do to our site location we believe this ordinance should not apply to our site.***

***Response: See above***

***Response: See above***

## VARIANCE H

17.21.030 F (2) SIDEWALKS. A sidewalk shall be provided from the perimeter public sidewalk to the principal customer entrance. This internal walkway must feature landscaping for at least 50% of its length.

***Response: Do to our site location we believe this ordinance should not apply to our site.***

***Response: See above***

***Response: See above***

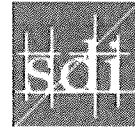
## VARIANCE I

17.20.070 A LANDSCAPE STANDARDS FOR PARKING LOTS. Exterior parking lot landscaping required when there are 15+ new spaces. The exterior of parking lots shall be landscaped with at least three plant units per 100 feet of linear distance surrounding the parking area.

***Response: Do to our site location we believe this ordinance should not apply to our site.***

***Response: See above***

***Response: See above***



## VARIANCE J

17.20.080 LANDSCAPE STANDARDS FOR DETENTION PONDS. Detention and/or retention basins and ponds shall be landscaped along the perimeter of the high water level of the basin or pond.

***Response: Do to the fact that the detention is existing and the site location we believe this ordinance should not apply to our site.***

***Response: See above***

***Response: See above***

# EXHIBIT A

Chicago Blaze Clubhouse  
13011 Smith Road

## LEGAL DESCRIPTIONS

### PARCEL 1:

THE NORTH 240 FEET OF THE WEST 200 FEET OF THE SOUTH 20 ACRES OF THE SOUTH 59 ACRES OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

### PARCEL 2:

THE NORTH 335.39 FEET OF THE SOUTH 20 ACRES (EXCEPT THE NORTH 240 FEET OF THE WEST 200 FEET THEREOF) IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

### PARCEL 3:

THE SOUTH 200 FEET OF THE NORTH 39 ACRES OF THE SOUTH 59 ACRES OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

## BENCHMARK

SPIKE IN THE EAST FACE OF THE UTILITY POLE LOCATED ON THE EAST SIDE OF SMITH ROAD NORTH OF THE SOUTH BITUMINOUS DRIVEWAY ON PARCEL 1. ELEVATION = 733.59 (PER PLAT OF TOPOGRAPHY BY MC CLURE ENGINEERING, DEC 6, 2010)

AREA TABLE		
PARCEL 1	=	1.102 ACRES
PARCEL 2	=	8.054 ACRES
PARCEL 3	=	5.150 ACRES
TOTAL	=	14.306 ACRES

Chicago Blaze Clubhouse  
13011 Smith Road



**WARRANTY DEED**

Statutory (Illinois)  
(Individual to Corporation)

MAIL TO: \_\_\_\_\_

NAME & ADDRESS OF TAXPAYER:

Chicago Blaze Building Corporation  
Inc.  
1021 Edgewood Court

Lemont, Illinois 60439

THE GRANTOR(S) Joseph Rogus, married to Amy Rogus, Donald Rogus, married to Lisa Rogus,  
and Margaret Rogus-Miller, married to Tom Miller,

of the Village of Glen Ellyn County of DuPage State of Illinois

for and in consideration of Ten (\$10.00) DOLLARS  
and other good and valuable considerations in hand paid,

CONVEY AND WARRANT to CHICAGO BLAZE BUILDING CORPORATION, INC.

A corporation created and existing under and by virtue of the Laws of the State of Illinois having its  
principal office at the following address: 1021 Edgewood Court, Lemont, Illinois 60439

all interest in the following described Real Estate situated in the County of Cook, in the State of  
Illinois, to wit:

The South 200 feet of the North 39 acres of the South 59 acres of the West 1/2 of the  
Northwest 1/4 of Section 31, Township 37 North, Range 11, East of the Third Principal  
Meridian, in Cook County, Illinois.

THIS IS NOT HOMESTEAD PROPERTY

Subject to: general real estate taxes for 1997 and subsequent years; building,  
building line and use or occupancy restrictions; conditions and covenants of record;  
zoning laws and ordinances; easements for public utilities; public roads and  
highways and easements pertaining thereto;

NOTE: If additional space is required for legal - attach on separate 8-1/2 x 11 sheet.

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Index Number(s): 22-31-100-023

Property Address: 1205 Smith Road, Lemont, Illinois 60439

DATED this 27th day of July 19 98

x Joseph M Rogus (SEAL)  
Joseph Rogus

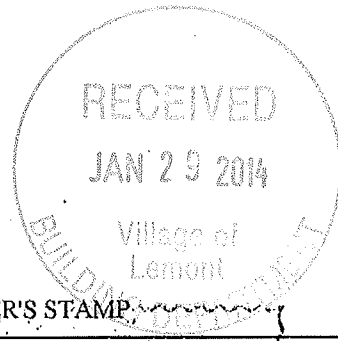
x Donald Rogus (SEAL)  
Donald Rogus

Margaret Rogus-Miller (SEAL)  
Margaret Rogus-Miller

\_\_\_\_\_  
\_\_\_\_\_  
(SEAL)

NOTE: PLEASE TYPE OR PRINT NAME BELOW ALL SIGNATURES

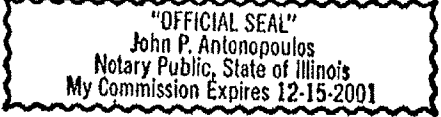
T33.11/94



STATE OF ILLINOIS }  
County of } ss

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Joseph Rogus, married to Amy Rogus, Donald Rogus, married to Lisa Rogus and Margaret Rogus-Miller, married to Tom Miller personally known to me to be the same person(s) whose name is /are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal, this 27th day of July, 19 98



*John P. Antonopoulos*  
Notary Public  
My commission expires on \_\_\_\_\_, 19\_\_\_\_

IMPRESS SEAL HERE

COUNTY - ILLINOIS TRANSFER STAMPS

EXEMPT UNDER PROVISIONS OF PARAGRAPH \_\_\_\_\_ SECTION 4, REAL ESTATE TRANSFER ACT  
DATE: \_\_\_\_\_

NAME AND ADDRESS OF PREPARER :  
Antonopoulos & Virtel, P.C.  
15419 127th Street, Suite 100  
Lemont, Illinois 60439

Buyer, Seller or Representative

\*\* This conveyance must contain the name and address of the Grantee for tax billing purposes : (Chap. 55 ILCS 5/3-5020) and name and address of the person preparing the instrument: (Chap. 55 ILCS 5/3-5022).

TO REORDER PLEASE CALL  
MID AMERICA TITLE COMPANY  
(708) 249-4041

WARRANTY DEED  
Statutory (Illinois)  
(Individual to Corporation)  
FROM  
TO

WWW.CYBERDRIVEILLINOIS.COM

JESSE WHITE  
SECRETARY OF STATE



### CORPORATION FILE DETAIL REPORT

Entity Name	CHICAGO BLAZE BUILDING CORPORATION, INC.	File Number	53537014
Status	ACTIVE		
Entity Type	CORPORATION	Type of Corp	DOMESTIC BCA
Incorporation Date (Domestic)	07/25/1984	State	ILLINOIS
Agent Name	WALTER ANTHONY REBENSON	Agent Change Date	07/01/2010
Agent Street Address	1021 EDGEWOOD COURT	President Name & Address	WALTER A REBENSON 1021 EDGEWOOD COURT LEMONT 60439
Agent City	LEMONT	Secretary Name & Address	MICHAEL W. KANZLER 6387 NEW ALBANY RD LISLE IL 60532
Agent Zip	60439	Duration Date	PERPETUAL
Annual Report Filing Date	06/26/2013	For Year	2013

[Return to the Search Screen](#)

[Purchase Certificate of Good Standing](#)

(One Certificate per Transaction)

[BACK TO CYBERDRIVEILLINOIS.COM HOME PAGE](#)

98142276

# COPY

## SPECIAL WARRANTY DEED

FEB 28 1998

THIS SPECIAL WARRANTY DEED is made and entered into this 10th day of February 1998, by and between (i) Peter G. Thornley and Sheila Thornley, his wife, having an address at 1113 East Gartner Road, Naperville, DuPage County, Illinois, ("Grantors"), and (ii) Chicago Blaze Building Corp., an Illinois Corporation, having an address at 13011 Smith Road, Lemont, Cook County, Illinois ("Grantee").



WITNESSETH, that for nominal consideration, the receipt and sufficiency of which is hereby acknowledged, Grantors do hereby bargain, sell, grant and convey unto Grantee, its successors and assigns, forever, in fee simple, certain real property, together with all improvements located thereon and all appurtenances thereunto belonging, situated in Cook County, Illinois (the "Property"), more fully described as follows:

**PARCEL 1:**

The North 240 Feet of the West 200 Feet of the South 20 Acres of the South 59 Acres of the West 1/2 of the Northwest 1/4 of Section 31, Township 37 North, Range 11 East of the Third Principal Meridian in Cook County Illinois.

**PARCEL 2:**

The North 355.39 Feet of the South 20 Acres (Except the North 240 Feet of the West 200 Feet thereof) in the West 1/2 of the Northwest 1/4 of Section 31, Township 37 North, Range 11 East of the Third Principal Meridian in Cook County, Illinois.

PERMANENT INDEX NUMBER: 22-31-100-004-0000

PERMANENT INDEX NUMBER: 22-31-100-006-0000

Common Address: 13011 Smith Road, Cook County, Lemont, Illinois.

## SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and entered into this 10th day of February 1998, by and between (i) Peter G. Thornley and Sheila Thornley, his wife, having an address at 1113 East Gartner Road, Naperville, DuPage County, Illinois, ("Grantors"), and (ii) Chicago Blaze Building Corp., an Illinois Corporation, having an address at 13011 Smith Road, Lemont, Cook County, Illinois ("Grantee").

WITNESSETH, that for nominal consideration, the receipt and sufficiency of which is hereby acknowledged, Grantors do hereby bargain, sell, grant and convey unto Grantee, its successors and assigns, forever, in fee simple, certain real property, together with all improvements located thereon and all appurtenances thereunto belonging, situated in Cook County, Illinois (the "Property"), more fully described as follows:

### PARCEL 1:

The North 240 Feet of the West 200 Feet of the South 20 Acres of the South 59 Acres of the West 1/2 of the Northwest 1/4 of Section 31, Township 37 North, Range 11 East of the Third Principal Meridian in Cook County Illinois.

### PARCEL 2:

The North 355.39 Feet of the South 20 Acres (Except the North 240 Feet of the West 200 Feet thereof) in the West 1/2 of the Northwest 1/4 of Section 31, Township 37 North, Range 11 East of the Third Principal Meridian in Cook County, Illinois.

PERMANENT INDEX NUMBER: 22-31-100-004-0000

PERMANENT INDEX NUMBER: 22-31-100-006-0000

Common Address: 13011 Smith Road, Cook County, Lemont, Illinois.

TO HAVE AND TO HOLD, with covenant of WARRANTY, all of the Property, in fee simple, together with all the rights, privileges, appurtenances and improvements thereunto belonging, unto the Grantee, its successors and assigns, forever.

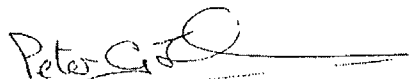
Grantors hereby specially covenant with Grantee, its successors and assigns, that Grantor is lawfully seized of the Property; has full right, power and authority to convey the Property; and that Grantor will forever warrant and defend all of the Property so granted to Grantee, its successors and assigns, against every person lawfully claiming the same or any part thereof by, through or under Grantor, but not otherwise.

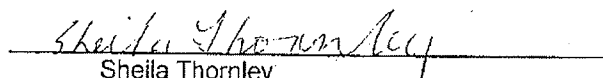
This special warranty deed is hereby made expressly subject to (a) zoning laws, rules and regulations affecting the Property, if any, (b) the lien of current ad valorem taxes not yet due and payable, which taxes shall be prorated as of the date of this deed and are hereby assumed by Grantee, and the lien of all future ad valorem taxes, which taxes Grantee hereby assumes and agrees to pay, and (c) all restrictions, covenants, easements and stipulations of record affecting the Property.

IN TESTIMONY WHEREOF, witness the signature of the Grantors on the day, month and year first above written.

Grantors

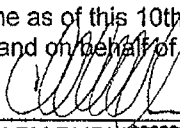
PETER G. THORNLEY and SHEILA THORNLEY, his wife

  
\_\_\_\_\_  
Peter G. Thornley

  
\_\_\_\_\_  
Sheila Thornley

STATE OF ILLINOIS )  
 ) SS:  
COUNTY OF DU PAGE )

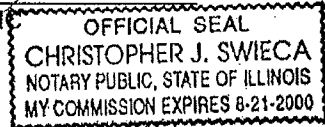
The foregoing instrument was acknowledged before me as of this 10th day of February 1998, by Peter G. Thornley and Shiela Thornley, his wife, Grantors, for and on behalf of themselves.



NOTARY PUBLIC

My commission expires

(SEAL)



The foregoing instrument was prepared by:  
Robert G. Higgins  
150 S. Wacker Dr., #2900  
Chicago, Illinois 60606

**SITE PHOTOS**



Subject property facing east, existing clubhouse



Subject property facing east, area of proposed gravel parking



Subject property facing east, playing fields



## SITE PHOTOS



Facing west from Pasture Dr. at Smith Farms



Facing west from the subject property towards vacant land south of the CITGO property