



Village of Lemont

418 Main Street • Lemont, Illinois 60439

Village of Faith

Mayor

Brian K. Reaves

Village Clerk

Charlene M. Smollen

Trustees

Debby Blatzer
Paul Chialdikas
Clifford Miklos
Rick Sniegowski
Ronald Stapleton
Jeanette Virgilio

Administrator

Benjamin P. Wehmeier

Administration

phone (630) 257-1590
fax (630) 243-0958

Building Department

phone (630) 257-1580
fax (630) 257-1598

Planning & Economic Development

phone (630) 257-1595
fax (630) 257-1598

Engineering Department

phone (630) 257-2532
fax (630) 257-3068

Finance Department

phone (630) 257-1550
fax (630) 257-1598

Police Department

14600 127th Street
phone (630) 257-2229
fax (630) 257-5087

Public Works

16680 New Avenue
phone (630) 257-2532
fax (630) 257-3068

www.lemont.il.us

VILLAGE BOARD COMMITTEE OF THE WHOLE MEETING

AUGUST 15, 7:00 P.M.

I. CALL TO ORDER.

II. ROLL CALL.

III. DISCUSSION ITEMS.

A. KEEPATAW DAYS PRESENTATION.

(KEEPATAW DAYS FESTIVAL COMMITTEE)

B. COUNTRY LANE VARIATION.

(PLANNING & ED)(STAPLETON)(BROWN/JONES)

C. POOL VARIATION - WALTER STREET.

(PLANNING & ED)(STAPLETON)(BROWN/JONES)

D. ST. MATTHEW'S REZONING.

(PLANNING & ED)(STAPLETON)(BROWN/JONES)

E. FACADE GRANT APPLICATIONS:

114 STEPHEN, 110 STEPHEN STREET, 218-220 MAIN STREET.

(PLANNING & ED)(STAPLETON)(BROWN/JONES)

F. VILLAGE FINANCIAL POLICIES.

(ADMINISTRATION/FINANCE)(REAVES/SNIEGOWSKI)(WEHMEIER/SCHAFFER /FRIEDLEY)

G. FIRST QUARTER FY 2012 BUDGET REVIEW

(ADMINISTRATION/FINANCE)(REAVES/SNIEGOWSKI)(WEHMEIER/SCHAFFER /FRIEDLEY)

IV. UNFINISHED BUSINESS.

V. NEW BUSINESS.

VI. AUDIENCE PARTICIPATION.

VII. ADJOURN.

KEEPATAW DAYS
Festival Inc.

Dear Village Board Members,

Keepataw Days Festival Inc. (KDFI) is requesting the support of the Lemont Village Board to hold the 2011 Keepataw Days Festival. The following dates & times relate to the Festival.

Set-up	Wed. Aug. 31st	Starting @ 6:30 PM through
	Fri. Sept. 2nd	Completing by 12:00 PM for inspection
Festival	Fri. Sept. 2nd	5:00 PM - 12:00 AM
	Sat. Sept. 3rd	12:00 PM - 12:00 AM
	Sun. Sept. 4th	12:00 PM - 12:00 AM
	Mon. Sept. 5th	12:00 PM - 10:00 PM *
Clean-up	Mon. Sept. 5th	Starting @ 9:00 PM **

*Beer Garden will close @ 9:00 PM on Monday

** All materials are scheduled to be picked up after closing Monday evening. The main parking lot will be clear for the Village crews to get ready for the morning Metra parking.

The Main points of the Festival are as follows:

- The Festival site will begin at Peterson's Hardware parking lot on Canal St. and continue around the corner on Bossert Dr. to Front St.. This will include the Metra parking lots on both sides of Bossert Dr.
- Alpine Amusements Inc. will set their carnival rides, games and other equipment in these parking lots.
- The Beer Garden will be in the parking lot on the north side of the main parking lot. The beer will be served from the west side of this area and the stage on the east side. The family viewing area will be located on the west side of Bossert Dr.
- Food vendors will be set up along the south side of the Beer Garden area to be able to serve both the Beer Garden and the Midway. Any gaps will be blocked by food vendor tents, fence or other means to contain the area.

KEEPATAW DAYS

Festival Inc.

- Entertainment will be set up on the East side of the Beer Garden. Any of the Entertainment's specific equipment will be unloaded at the end of the parking lot on Bossert Dr. The vehicles will be moved before setting up. There will also be a trailer for the bands next to the stage in the N/E corner of the lot. This will block the canal and beer garden area from all patrons at the fest.
- The South side of Canal St. will begin with the "professional booths" and then open to the children's stage at the east end of the lot.
- Fencing will be placed along the railroad tracks to stop patrons from crossing in the wrong area.
- The streets will be blocked on Bossert Dr. at the entrance of Front St. from Wed. evening. We would like to close Canal St. at Lemont St. on Saturday at the close of Peterson's Hardware business day.
- KDFI and Alpine Amusements will provide the Village with proof of liability insurance and KDFI will also provide proof of Dram Shop insurance.
- There will be NO admittance to the Beer Garden by anyone under the age of 21 after 6:00 PM each night.
- The parade will begin at 1:00 PM on Monday and will start on Stephen St. north of Main. The parade will proceed East on Main St. to Illinois St. It will then proceed along Illinois to Lemont St. The parade traffic will be diverted at Lemont St. either North on Lemont or straight to State St. as needed.

The following items we are asking the Village for your support and assistance to complete for a successful and safe Keepataw Days Festival.

- * We ask that the commuter's using the parking lots on the North side of the tracks be relocated from 6:00 PM on Wednesday through Tuesday aprox. 4:00 AM . This allows Alpine Amusements, KDFI, the Village of Lemont's crew and any others involved ample time for set-up and clean-up for the Festival.
- * We ask that the Metra commuters be notified that parking will not be permitted after the last train on Wednesday evening and their vehicles will have to be moved from the parking lot.
- * We ask that there is a "slow down order" for any trains through this area. This would include the time for set-up (Thursday AM) through clean-up on Monday (Midnight).
- * We ask that Main St., Stephen St., and Illinois Streets be closed as needed Monday for the Parade. This will be from the beginning to the end of the parade.

KEEPATAW DAYS

Festival Inc.

- * We ask for your assistance in any conflicts with the local businesses. We will do our best to accommodate their needs and apologize for any parking inconveniences.
- * We ask for the use of the Village's garbage cans for the festival. These will be placed along the midway, by the food vendors and in the beer garden.
- * We ask for the use of any barricades and/or cones the Village may have available for the Festival.
- * We are asking for assistance from the Lemont police Department in the checking of I.D.'s at the entrance of the Beer Garden.
- * We would like a contact person to direct questions, needs and problems that may occur during the planning, during and following the event.
- * We ask for your assistance to contact the mosquito abatement to spray the area prior to the event for the comfort of the community attending this year's Festival.

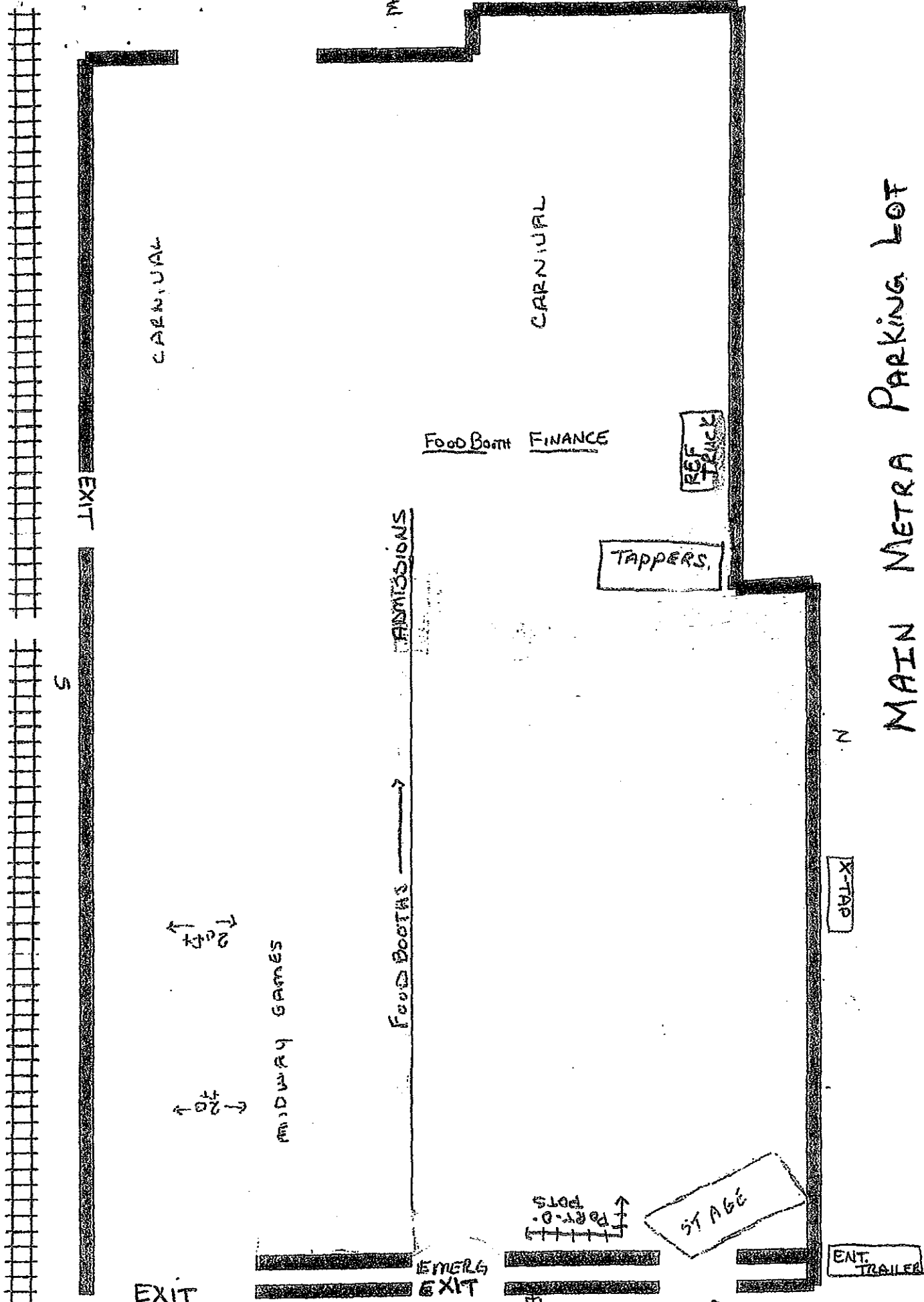
On behalf of Keepataw Days Festival Inc., we would like to thank you for your support and assistance with this year's Festival. We hope to continue this event for many years to come. With every year's success we will be able to give back to the community and it's needs.

Sincerely

Keepataw Days Festival Inc. (NFP)

Mike Carey – President

Wendy Peebles – Vice-President



MAIN METRA PARKING LOT

* Small metra lot now carnival.



**Rockford Mutual
INSURANCE COMPANY**

527 Colman Center Drive
Rockford, Illinois 61125
Phone 815-229-1500
www.rockfordmutual.com

**SUMMARY PAGE
RENEWAL DECLARATION
EFFECTIVE 08/23/2011
Policy Number: GLIL003193**

Policy Period 08/23/2011 to 08/23/2012 12:01 A.M. Standard Time at the address of the Named Insured stated below.

NAMED INSURED AND ADDRESS

KEEPATAW DAYS INC
PO BOX 162
LEMONT, IL 60439

PRODUCER NAME AND ADDRESS

HOMETOWN INSURANCE
112 EAST MAIN STREET
P.O. BOX 495
PRINCEVILLE, IL 61559

1488

Agent Bill

PHONE: (309) 385-4777

THIS POLICY IS CONTINUOUS UNTIL CANCELLED OR LAPSED.

===== **ADDITIONAL INTERESTS** =====

Additional Insured 1

VILLAGE OF LEMONT
418 MAIN ST
LEMONT, IL 60439

Additional Insured 2

COGHILL
12294 ARCHER AVE
LEMONT, IL 60439

Additional Insured 3

SATELLITE SHELTERS
14835 NEW AVE
LOCKPORT, IL 60441

===== **COMMENTS** =====

SPECIAL EVENT: SEPTEMBER 3, 4, 5, 6
ADDITIONAL INSURED'S ONLY APPLY TO THIS
EVENT

===== **END OF SUMMARY DECLARATIONS** =====

AGENCY AT PRINCEVILLE, IL

Authorized Representative

DATE 06/19/2011

Special Interest Copy

PAGE 2



**Rockford Mutual
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Phone 815-229-1500
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===== COVERAGE SUMMARY =====

THIS POLICY CONSISTS OF THE FOLLOWING COVERAGE PARTS/POLICIES FOR WHICH A PREMIUM IS INDICATED.
THIS PREMIUM MAY BE SUBJECT TO ADJUSTMENT.

COVERAGE PART/POLICY ATTACHED	PREMIUM
COMMERCIAL GENERAL LIABILITY COVERAGE	\$506.00
TOTAL ADVANCE PREMIUM	<u>\$506.00</u>

===== POLICY FORMS AND ENDORSEMENTS =====

Common Forms That Apply To All Coverage Parts

NUMBER	EDITION	DESCRIPTION
CG-0001	12-07	Commercial General Liability Coverage Form
CG-0068	05-09	Recording-Distr Material-Info Violation Exclu
CG-0200	12-07	Illinois Changes-Cancellation And Nonrenewal
CG-2155	09-99	Total Pollution Exclusion-Hostile Fire Except
CG-2167	12-04	Fungi or Bacteria Exclusion
CG-2187	01-07	Conditional Exclusion Of Terrorism
CG-2196	03-05	Silica Exclusion
CG-2402	12-04	Binding Arbitration
CG-2426	07-04	Amendment Of Insured Contract Definition
CG2176	01-08	Excl-Punitive Damages-Cert Acts Terrorism
IL-0017	11-85	Common Policy Condition
IL-0021	07-02	Nuclear Energy Liability
IL0162	04-06	Illinois Changes - Defense Costs
IL0985	01-08	Disclosure - Terrorism Risk Insurance Act
98-204	06-93	Lead Liability Exclusion
99-022	05-09	Notice To Policyholders
99-050	07-98	Notification of Insurance Information Practic
99-1018	07-01	Consumer Privacy Policy
99-7010	03-02	Illinois Notice - Terrorism Related Exclusion
99-7028	01-03	Advisory Notice - Fungi or Bacteria
99-7038	01-08	Appl/PH Notice-Certified Acts Of Terrorism
99-7066	01-08	Notice To Policyholders-liability/Umbrella



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GENERAL LIABILITY

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112 EAST MAIN STREET
P.O. BOX 495
PRINCEVILLE, IL 61559-0495

1488

Agent Bill

PHONE: (309) 385-4777

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===== **PREMIUM SUMMARY** =====

BASIC PREMIUM	ENDORSEMENT PREMIUM	TOTAL PREMIUM
\$336.00	\$170.00	\$506.00

===== **LOCATION ADDRESS(ES)** =====

LOCATION: 1
PO BOX 162
LEMONT, IL 60439

===== **LOCATION 1** =====

ITEM	CLASSIFICATION DESCRIPTION	CLASS	EXPOSURE	TERR
1	Clubs-no premises owned or leased For Profit	41669	6	14

===== **COMMENTS** =====

SPECIAL EVENT: SEPTEMBER 3, 4, 5, 6
ADDITIONAL INSURED'S ONLY APPLY TO THIS
EVENT

===== **COVERAGES** =====

COVERAGE	LIMIT	PREMIUM
GENERAL AGGREGATE	\$1,000,000	\$336.00
PRODUCTS AGGREGATE	\$1,000,000	Included
PER OCCURRENCE	\$1,000,000	Included
PERSONAL INJURY	\$1,000,000	Included
FIRE LEGAL	\$100,000	Included
MEDICAL PAYMENTS	\$5,000	Included

===== **POLICY FORMS AND ENDORSEMENTS** =====

Forms and Endorsements Applicable To This Coverage Part

NUMBER	DATE	DESCRIPTION	LOC	ITEM	DED	LIMIT	PREMIUM
CG-2002	11-85	Add'l Insured-Club Member	1	1			Included
*CG2171	06-08	Excl Other Acts Terr	All	All			\$20.00
97-7079	04-06	Add'l Ins-Desig Person Org	1	1			\$150.00
		VILLAGE OF LEMONT COGHILL SATELLITE SHELTERS					



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TOTAL ADVANCE PREMIUM

\$506.00



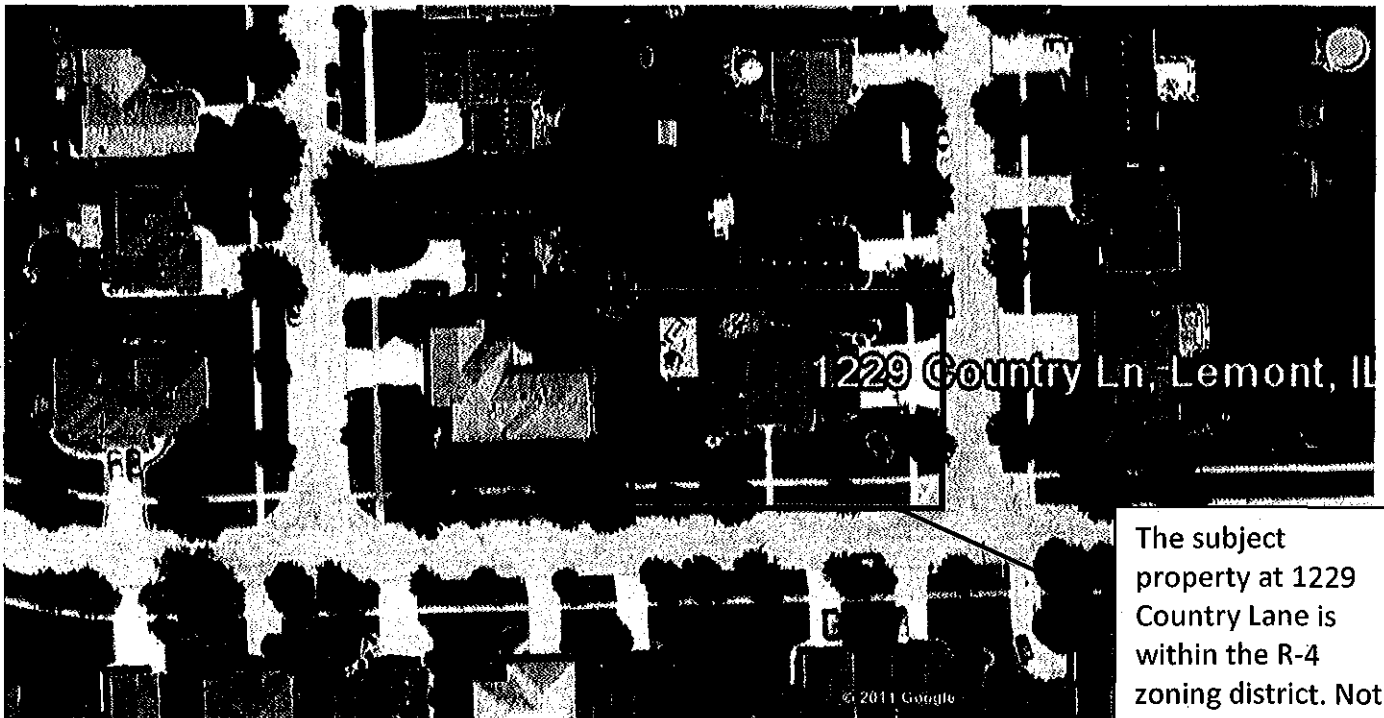
Village of Lemont
Planning & Economic Development Department

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

TO: Committee of the Whole #82-11
FROM: James A. Brown, Planning & Economic Development Director
SUBJECT: Case 11-09 – 1229 Country Lane Variation
DATE: August 4, 2011

SUMMARY

Mark Mikrut, owner of the subject property, has requested a variation to the Village's rear yard setback requirements in order to construct a sunroom and replace the existing deck. The Planning & Zoning Commission recommends approval of the requested variation.



The subject property at 1229 Country Lane is within the R-4 zoning district. Note that the lot at 1229 Country is a corner lot with the front entrance facing South.

CASE HISTORY

PZC Public Hearing. The Planning & Zoning Commission held a public hearing on the requested variation on July 20, 2011. No members of the public spoke at the hearing. The only comment from the Commission was in question to where the door from the house to the sunroom would be located. Once clarified there were no further questions or concerns. The Commission voted 4-0 to recommend approval of the requested variation.

PROPOSAL INFORMATION

Case No. 11.09
Project Name 1229 Country Lane Variation

General Information	
Applicant	Mark Mikrut
Status of Applicant	Property Owner
Requested Actions:	Variation from rear yard setback in order to construct a sunroom within 10.25 feet of the property line.
Site Location	1229 Country Lane (PIN 22-28-210-022)
Existing Zoning	Lemont R-4 Single-Family Detached Residential District
Size	90.0 ft x 132.3 ft = 11,907 sq ft
Existing Land Use	Residential
Surrounding Land Use/Zoning	Single-Family Detached Residential use and zoning on all sides
Comprehensive Plan 2002	The Comprehensive Plan calls for this site to be residential.
Zoning History	N/A
Special Information	
Public Utilities	The site is serviced by Village water and sewer.
Transportation	N/A
Physical Characteristics	

ZONING REQUIREMENTS AND THE APPLICATION

The table in Section 17.07.010 of the UDO establishes the minimum rear yard setback for residential properties in the R-4 zoning district to be 30 feet. The applicant is requesting a variance to construct a sunroom which would be 10.25 from the property line.

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 this variation request. The variation request is generally consistent with the remaining four components.

- **Promoting and protecting the general health, safety and welfare.** The variation request will not injure the public health, safety and general welfare.
- **Ensuring adequate natural light, air, privacy, and access to property.** The applicant requested the variation in order to replace an existing deck that is not in compliance with zoning regulations. The existing deck does not adversely affect the natural light or air to the site nor will the new sunroom due to the fact that the construction of the structure will be primarily glass and windows.

The variation would allow the sunroom to be placed 10.25 feet from the lot line; this proximity to the rear lot line could infringe on the privacy of the adjacent property owner at 920 Woodcrest Lane. However, the deck currently is 6.51 feet from the property line where as the proposed sunroom will be 10.25 feet away. In addition the sunroom will be much less invasive to the adjacent property due to the fact that the sunroom will be enclosed whereas the existing deck is open air.

The location of the sunroom is limited due to the placement of utilities (gas and electric meter and phone service) in the side yard, front entrance at the south end of the house, and driveway at the east side. The location of the sunroom in the rear yard will be easily accessed through the house by the already constructed doorway (previously used for access to the deck).

- **Protecting the character of established residential neighborhoods.** The subject site is in an established residential area. It is located within the R-4 zoning district. The replacement of the existing deck with a sunroom of smaller dimensions will not adversely affect the character of this established neighborhood.
- **Conserving the value of land and buildings throughout the Village.** The proposed rear yard setback variation will not have an impact on the value of land and buildings throughout the Village. Replacing the old deck with the sunroom will only add value to the property as well as be visually appealing to the lot.

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 applicant suggests that the unique circumstance in this case is that the existing wood deck is currently not in compliance with the UDO. The deck has boards that are rotting and need to be replaced. Under the UDO the deck would not be able to be replaced as it was built. Section 17.13.030 B states, Intentional Destruction of a Nonconforming Structure: If a nonconforming structure is intentionally removed or destroyed by the owner, the building may be

reconstructed, provided that all nonconformities, to include yard setback requirements, are eliminated. However, the UDO does allow the existing deck to be repaired and maintained in its current location in perpetuity. Instead of continuing to repair and maintain the existing deck, the applicant proposes to construct a sunroom.

Another factor that makes this property unique is the unusually small rear yard. According to UDO table 17-07-01, for properties zoned R-4 the minimum rear yard setback is 30 feet. This particular lot does not meet that requirement and only has a 23.5 foot rear yard. The rear yards of the R-4 corner lots directly east and west of the property are over 45 feet deep.

According to the applicant, the only feasible location for the sunroom is the current deck location. The other three sides of the lot are restricted by (east) driveway, (south) front entrance and (west) basement window wells, gas meter, electric meter and phone service. I agree that from a practical and aesthetic standpoint the sunroom would be best placed in the rear yard. Compared to the current deck the sunroom will only take up a fraction of space that the deck now occupies.

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

Analysis. The requested variation will have no impact on the essential character of Lemont. If no concerns are expressed at the public hearing, it would be obvious that the sunroom is not viewed as a detriment by the nearby property owners.

Engineering Comments. The Village Engineer stated that as long as the sunroom is constructed to meet the existing grade, he does not anticipate any negative engineering impacts.

RECOMMENDATIONS

Normally we should seek to eliminate nonconforming structures—such as the existing deck on site—and bring properties into compliance with the Unified Development Ordinance. In this instance, however, staff believes construction of a new sunroom at the same location as the current nonconforming deck is justified. The Planning & Zoning Commission recommends approval of the requested variation.

FINDINGS OF FACT

If the Planning and Zoning Commission recommends approval of the variation, the following findings-of-fact might be considered among those appropriate, that:

- a. The requested variation will have no impact to the Village as a whole and the impact to the adjacent properties will be negligible, since the new sunroom will be of smaller dimensions and placement as the existing deck.

- b. The variation request will not injure the public health, safety and general welfare.
- c. The current deck does not abide by the rear yard setback and has existed as such since the construction of the house by the previous owner. The proposed sunroom will be 10.25 feet from the rear yard property line opposed to the current deck which is currently 6.5 feet away.
- d. Due to the parcel being a corner lot, practical placement of the sunroom is the rear yard and current location of the deck. The other three sides of the lot are restricted by (east) driveway, (south) front entrance and (west) basement window wells, gas meter, electric meter and phone service.

ATTACHMENTS

- 1. PZC 07-20-11 Draft Minutes
- 2. Applicant Submissions
- 3. Site Photos – Attached to the Applicants Application

Commissioner Spinelli stated that in response to the letter and needing the peace and quiet, these homeowners are entitled to the use of their property just like that gentleman is. He said that if noise becomes an issue he has recourse of calling the police department for a noise violation. Commissioner Spinelli stated that whether the pool is on the side or if the neighbor behind him puts a pool in, you are going to get the same noise.

Chairman Schubert asked if anyone else wanted to come up and speak in regards to this case. None responded.

Commissioner Maher made a motion, seconded by Commissioner Murphy to close the public hearing for Case #11-11. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Chairman Schubert then read the Findings of Fact:

1. The variation is consistent with the general purpose and intent of the Unified Development Ordinance in that it will not have a negative impact on surrounding properties, or the Village in general.
2. Strict enforcement of the UDO would pose a difficulty for the homeowner, due to the character of the lot.
3. The conditions for the planning and installation of landscaping should help mitigate the adverse effects of placing the swimming pool in the side yard.

All Commissioners agreed.

Commissioner Maher made a motion, seconded by Commissioner Spinelli to recommend approval of Case #11-11 with the following conditions:

1. The installation of the landscape will take place prior to the installation of the pool as long as it does not obstruct the construction of the pool.

A roll call vote was taken:

Ayes: Maher, Murphy, Spinelli, Schubert

Nays: None

Motion passed

- C. Case #11-09: 1229 Country Lane Variation.** Public hearing requesting a variation to the Village's rear yard setback requirements in order to construct a sunroom and replace the existing deck.

Commissioner Maher made a motion, seconded by Commissioner Murphy to open the public hearing for Case #11-09. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Mr. Brown stated that the Mr. Mikrut has requested a variation to the Village's rear yard setback requirements in order to construct a sunroom. He stated that it will replace a deck that is currently there. He said that staff is recommending approval. Mr. Brown stated that the Village Engineer did not have any comments also.

Chairman Schubert asked if the applicant could please come up to speak.

Mark Mikrut, 1229 Country Lane, Lemont, stated that he had an updated sketch and submitted it to the Board. He stated that he had R-4 zoning which had a setback of 30 feet. He said that he was a licensed engineer and was in charge of the Construction Engineer Survey Department. He stated that he had a co-worker come out to establish a lot line. Mr. Mikrut then showed a sketch showing his property and the lot lines. He stated that the area in yellow was the proposed addition and there should be pictures in their packets. He said that the proposed contractor is present also. Mr. Mikrut stated that his neighbor's house was 10 feet from the lot line which is five over. That is consistent with their subdivision. He stated that the current deck is six and half feet from the lot line and was there when they bought the house 18 years ago. He said that they plan on staying there and have made many updates to the home. Mr. Mikrut said that the sunroom is substantially small and would be better than the deck.

Chairman Schubert asked about the sliding doors and the egress.

Mr. Mikrut showed him on the sketch where the doors and egress would be located.

Chairman Schubert asked if anyone else would like to come up and speak in regards to this case. None responded.

Commissioner Maher made a motion, seconded by Commissioner Murphy to close the public hearing for Case #11-09. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Chairman Schubert then read the Findings of Facts:

1. The requested variation will have no impact to the Village as a whole and the impact to the adjacent properties will be negligible, since the new sunroom will be of smaller dimensions and placement as the existing deck.
2. The variation request will not injure the public health, safety, and general welfare.
3. The current deck does not abide by the rear yard setback and has existed as such since the construction of the house by the previous owner. The proposed sunroom will be 10.25 feet from the rear yard property line opposed to the current deck which is currently 6.5 feet away.
4. Due to the parcel being a corner lot, practical placement of the sunroom is the rear yard and current location of the deck. The other three sides of the lot are restricted by (east) driveway, (south) front entrance and (west) basement window wells, gas meter, electric meter and phone service.

All Commissioners agreed.

Commissioner Murphy made a motion, seconded by Commissioner Spinelli to recommend approval for Case #11-09. A roll call vote was taken:

Ayes: Maher, Murphy, Spinelli, Schubert

Nays: None

Motion passed

IV. ADJOURNMENT

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

Ayes: All

Nays: None

Motion passed

Minutes prepared by Peggy Halper

Variation Application Form

APPLICANT INFORMATION

MARK A. MIKROT

Applicant Name

Company/Organization

1229 COUNTRY LANE, LEMONT, IL 60439

Applicant Address

(630) 257-0723

Telephone & Fax

mikrot@sbcglobal.net

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

1229 COUNTRY LANE, LEMONT, IL 60439

Address of Subject Property/Properties

22-28-210-022-0000

Parcel Identification Number of Subject Property/Properties

90.0 FT X 132.3 FT

Size of Subject Property/Properties

DESCRIPTION OF REQUEST

REQUEST VARIATION OF 15 FT SIDE YARD SETBACK AS LISTED IN TABLE 17-07-01

Brief description of the proposed variation

TO APPROXIMATELY 10.25 FT SO AS TO REPLACE EXISTING DECK WITH A SUNROOM.

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: _____

By: _____

Application deemed complete on: _____

By: _____

Current Zoning: _____

Fee Amount Enclosed: _____

Escrow Amount Enclosed: _____

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.

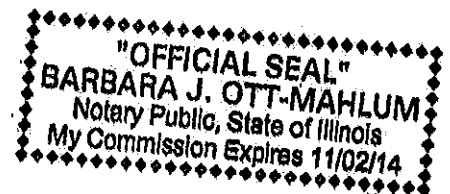
<i>Mark A. Mikrut</i>	5/25/11
Signature of Applicant	Date
ILLINOIS	COOK
State	County

I, the undersigned, a Notary Public in and for the aforesaid County and State, do hereby certify that *Mark A. Mikrut* 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.

Barbara J. Ott-Mahlum
Notary Signature

Given under my hand and notary seal this 25th day of May A.D. 20 11.

My commission expires this 3rd day of Nov. A.D. 20 14.



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;

PLEASE SEE THE FOLLOWING PAGE FOR ATTACHMENT 1

Attachment 1

17.01.050. - PURPOSES.

This ordinance is adopted for the purpose of:

- A. Promoting and protecting the public health, safety, and general welfare;
- B. Ensuring adequate natural light, air, privacy, and access to property;
- C. Avoiding or mitigating the hazards to persons and property resulting from accumulation of runoff or floodwaters;
- D. Protecting the character of established residential neighborhoods;
- E. Maintaining and promoting economically vibrant and attractive commercial areas;
- F. Establishing clear and efficient development review and approval procedures; and
- G. Conserving the value of land and buildings throughout the Village;
- H. Accommodating development and growth that is consistent with the preceding stated purposes.

(UDO 2008, § 17.01.050)

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

- A: Because the variation request will not injure the public health, safety and general welfare.
- B: The proposed sunroom will ensure adequate natural light because it is made primarily of glass. It will not interfere with access to the property because it will extend to the north of the house 3.8 feet less than the existing raised deck. (Exhibit 1, page 3)
- D: The proposed setback of 10.25 feet over 47 sq ft (2.4% of the effected side yard setback area) is consistent with the character of the neighborhood. The entire length of the adjacent residence is 10.0 ft from the common property line. (Exhibit 1, page 2)
- G: The proposed sunroom will increase the value of the parcel.

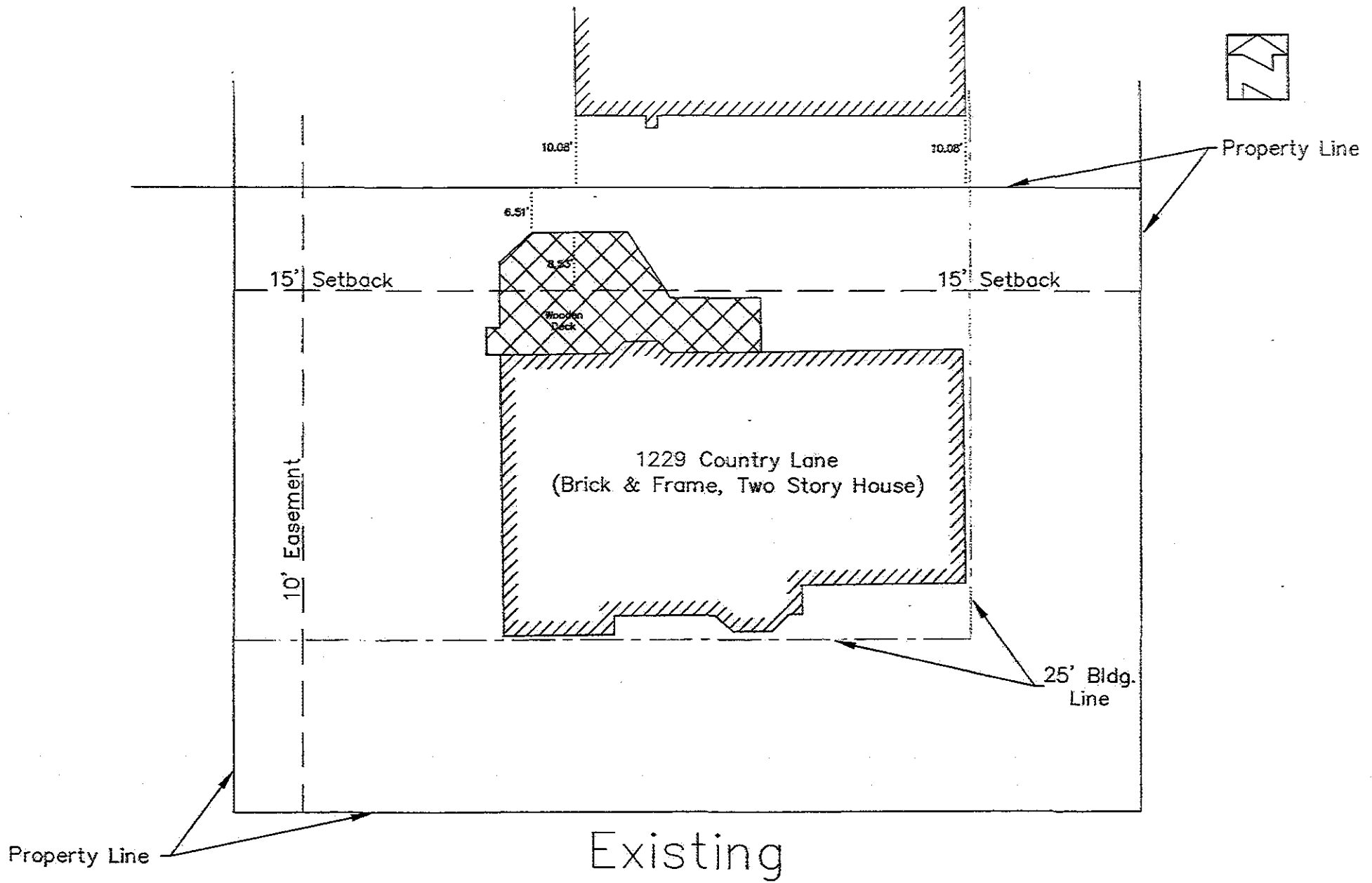


EXHIBIT 1
 PAGE 1 OF 3

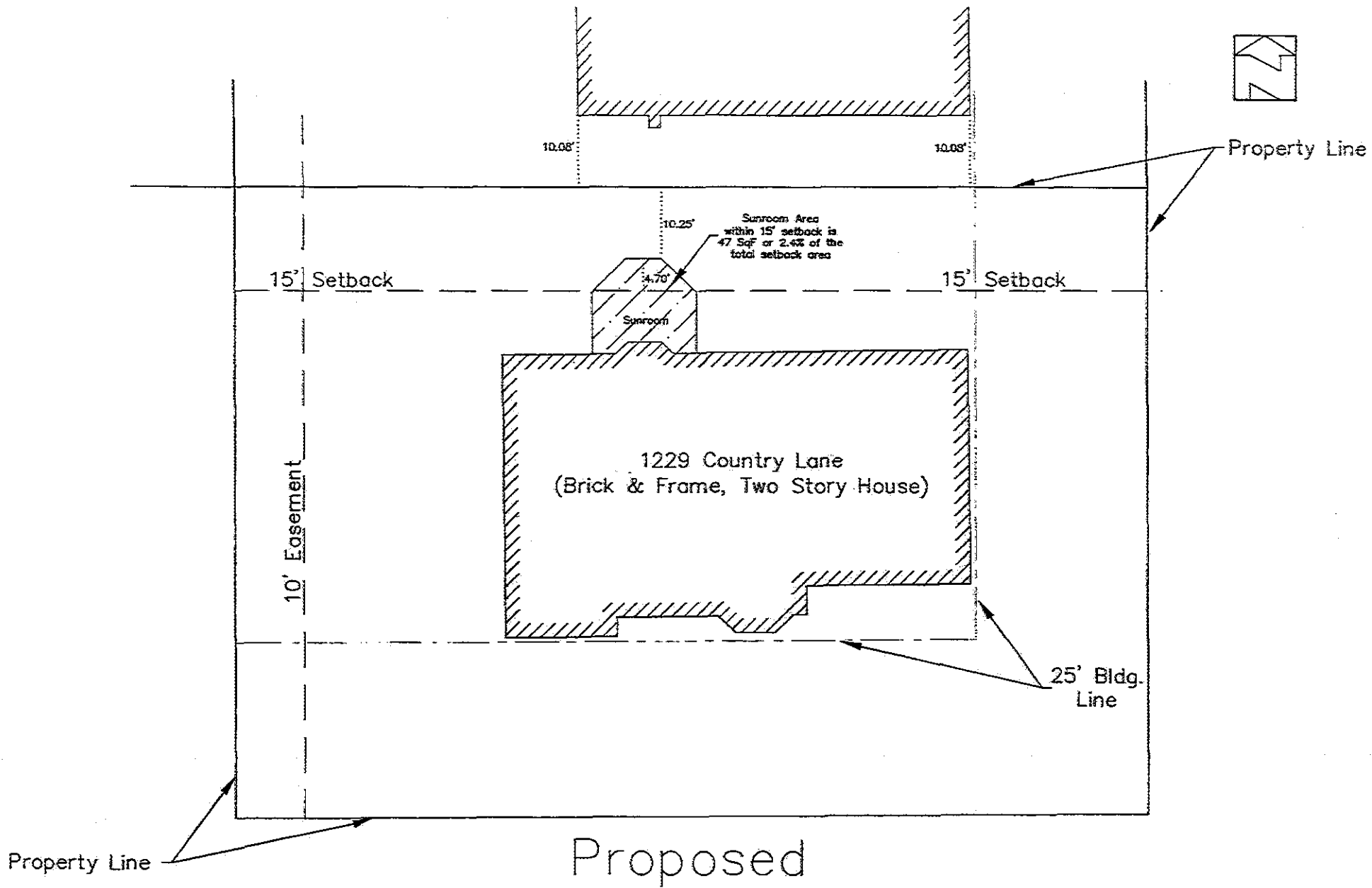
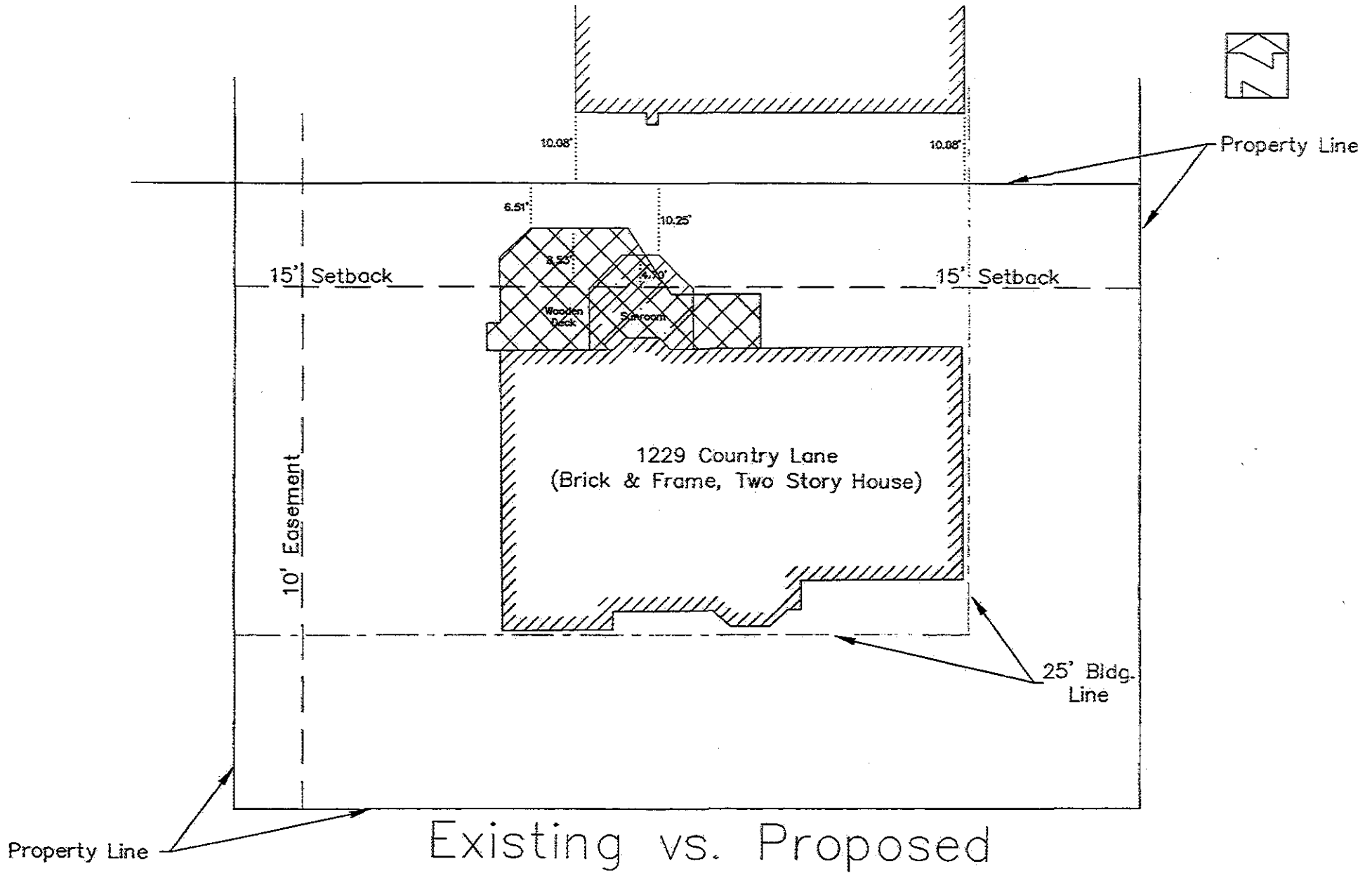


EXHIBIT 1

PAGE 2 OF 3



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

THE EXISTING WOOD DECK HAS BOARDS THAT ARE ROTTING AND NEED TO BE REPLACED.
INSTEAD OF REPLACING THE DECK IN KIND WE PROPOSE TO CONSTRUCT A SUNROOM. THE PARCEL
IS A CORNER LOT WITH 23.5 FT SIDE YARD TO THE NORTH. THE ONLY LOCATION FOR THE SUNROOM
IS THE CURRENT DECK LOCATION. THE OTHER THREE SIDES OF THE LOT ARE RESTRICTED BY:
(EAST) DRIVEWAY, (SOUTH) FRONT ENTRANCE BUILT TO SETBACK AND (WEST) BASEMENT
WINDOW WELLS, GAS METER, ELECTRIC METER AND PHONE SERVICES.

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.

EXHIBIT 1 SHOWS THAT THE ENTIRE LENGTH OF THE ADJACENT RESIDENCE IS
10 FT. FROM THE COMMON PROPERTY LINE. THE PROPOSED SUNROOM WILL BE
APPROXIMATELY 10.25 FT FROM THE COMMON PROPERTY LINE AND WILL ONLY EFFECT
47 SQ FT OR 2.4% OF THE TOTAL SETBACK AREA WITHIN THIS PARCEL ALONG
THIS COMMON PROPERTY LINE. THE VARIATION WILL RESULT IN A BETTERMENT
TO THE ADJACENT PROPERTY BECAUSE IT WILL NOT EXTEND AS FAR AS THE
EXISTING RAISED DECK.

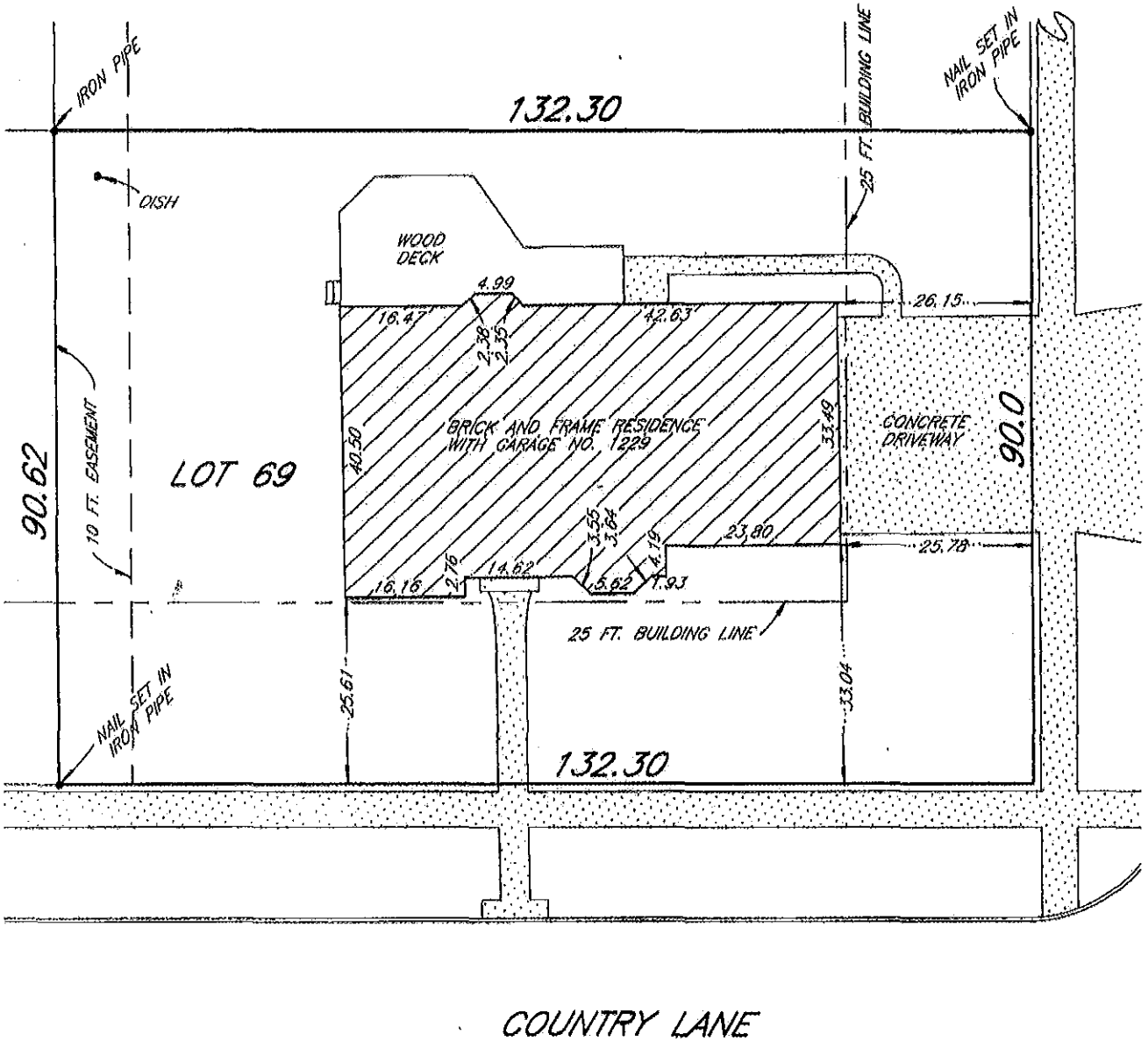
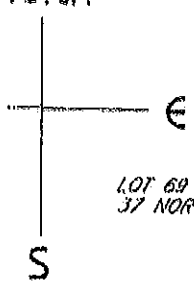
PLAN OF SURVEY

of

Property located at: 1229 COUNTRY LANE

legally described as:

LOT 69 IN OLD DERBY ESTATES, BEING A SUBDIVISION IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 26 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF LEMONT, COOK COUNTY, ILLINOIS



of Illinois)
of Cook) ss.
Michael J. Emmert Surveys, Inc., does hereby certify that we have surveyed the above
described property and prepared the plat hereon drawn. The legal description shown
is provided by others. Refer to deed or title policy for building setbacks,
setbacks or other restrictions which may exist. Dimensions not noted hereon shall not
be determined by scaling or otherwise. This office shall not be responsible for future
action unless all property corners are established by this office.
this AUGUST day of JRD 199 3

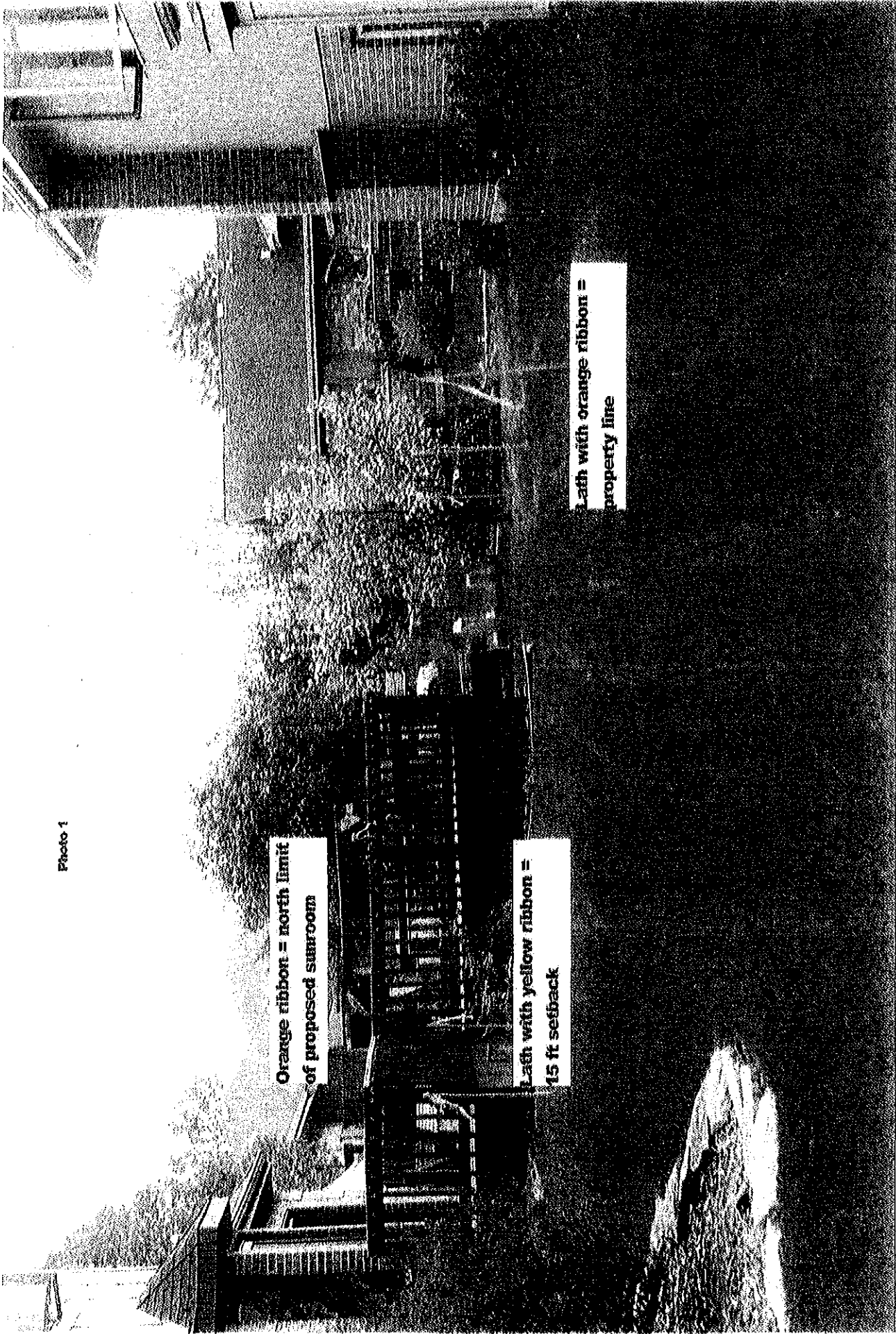
Michael J. Emmert

President



Michael J. Emmert S
115 West Palatine
Palatine, Illinois 60

Photo 1

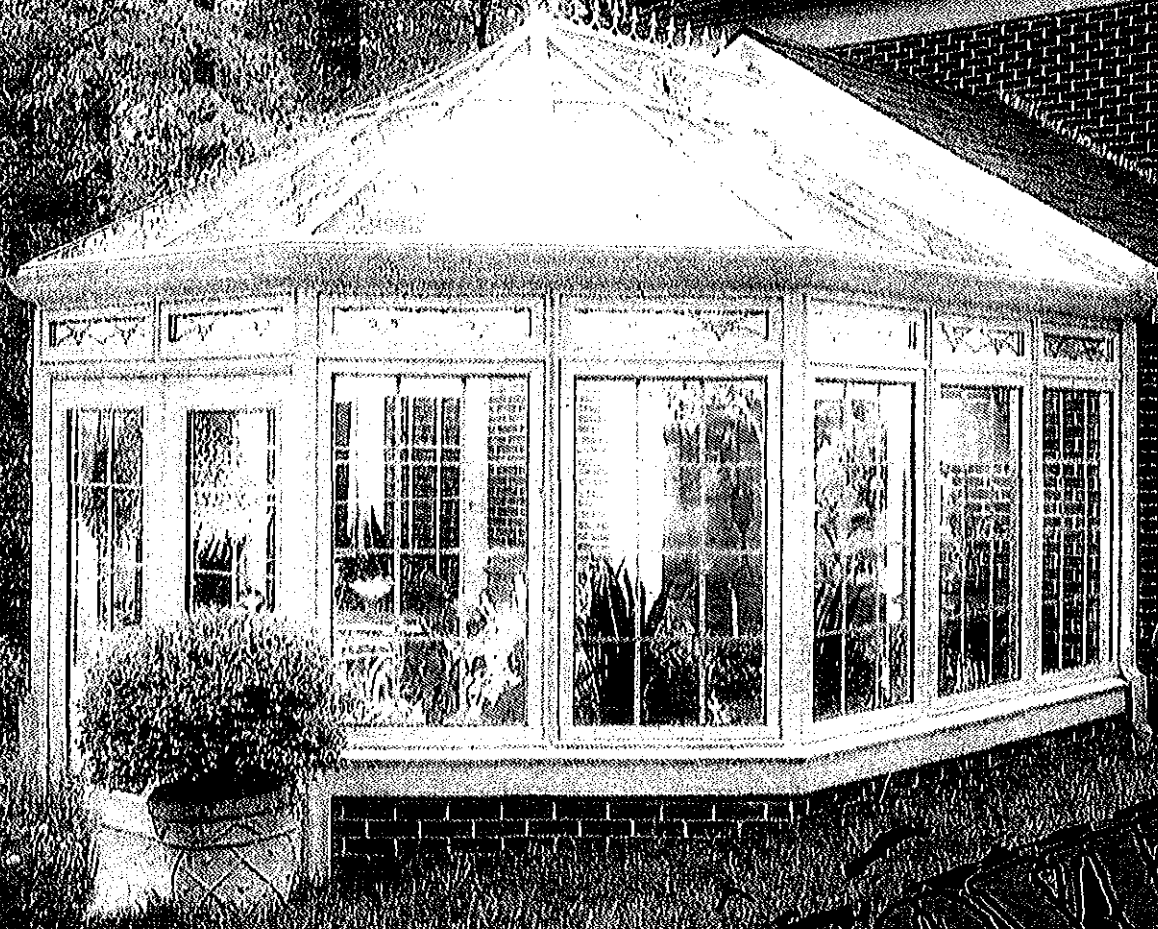


Orange ribbon = north limit
of proposed sunroom

Path with yellow ribbon =
15 ft setback

Path with orange ribbon =
property line

LIGHTLY 1001
Comfort, Safety & Peace of Mind



MADE IN N. AMERICA for OVER 30 YEARS



BUILD the BEST

urn to an Age of Refined Style...

Elegant Living
Collection

orian Elegance

Four Seasons has recreated a work of art in its Style Victorian Conservatory. Finely crafted using energy-efficient and maintenance-free materials, in addition is an exquisite example of the best of the World using modern materials and methods. The real facets of the Four Seasons Sunrooms Victorian conservatory catch and radiate sunlight like an exquisite diamond. Visitors are returned to a romantic age when construction was the norm, not the exception. The architectural style of this new sunroom is at once elegant and refined, befitting architectural styles from the most Victorian homes to the most humble suburban



Basewall Models – 5' [1.5m] Sections 45°

STD ROOF PITCHES
7 IN 12
5 3/4 IN 12
3 1/2 IN 12

STD ROOF PITCHES
6 1/4 IN 12 - Only

12'-8 5/8"
[3.89m]

14'-4 3/8"
[5.90m]

12'-8 6/8"
[3.86m]

ADDITIONAL
SECTIONS
(Add To Projection)
2'-6 5/8" [0.76m]

ADDITIONAL
SECTIONS
(Add To Projection)
2'-6 5/8" [0.79m]

13'-4 3/8"
[4.90m]

6'-6"
[1.98m]

9'-9 13/16"
[2.99m]

Basewall Models – 6' [1.8m] Sections 45°

STD ROOF PITCHES
7 IN 12 - SHOWN
5 3/4 IN 12
3 1/2 IN 12

STD ROOF PITCHES
6 1/4 IN 12 - Only

15'-1 5/8"
[4.61m]

23'-1 1/16"
[7.04m]

16'-1 6/8"
[4.91m]

ADDITIONAL
SECTIONS
(Add To Projection)
3'-0 5/8" [0.93m]

ADDITIONAL
SECTIONS
(Add To Projection)
3'-0 5/8" [0.93m]

20'-1 1/16"
[7.04m]

7'-8 1/2"
[2.35m]

11'-8 3/16"
[3.56m]

An Expression of Continental Charm!

SYSTEM 8 VICTORIAN
CONSERVATORY
(Vaulted Faceted Roof)

IF PAID LATE 04/02/11 - 05/01/11
\$ 3,776.76

IF PAID LATE 05/02/11 - 08/01/11
\$ 3,832.57

IF PAID LATE 06/02/11 - 07/01/11
\$ 3,888.38

TAX CALCULATOR

PAY THIS BILL AT COOKCOUNTYTREASURER.COM OR AT ANY CHICAGOLAND CHASE BANK.

LATE PENALTY
IS 1.5% PER MONTH,
BY STATE LAW.

1229 COUNTRY LN

LEMONT IL 60439

Property Classification 2-78

2009 TOTAL TAX
2010 ESTIMATE 6,765.36
X 55%
2010 1ST INSTALLMENT
= 3,720.95

DUE DATE APRIL 1, 2011

Dear Fellow Taxpayer,

The 2010 First Installment Tax Bill is due Friday, April 1, 2011.

A law recently passed by the Illinois Legislature changes the First Installment due date for Tax Year 2010 property taxes (payable in 2011) to April 1, 2011. This is a one-time change to the First Installment due date, which will revert back to March 1 for future First Installment collections. The Tax Year 2011 First Installment tax bill will be due March 1, 2012.

Sincerely,

Marla Pappas
Marla Pappas
Cook County Treasurer

*Pd.
CK # 2665
2/28/11*

Cook County Treasurer
cookcountytreasurer.com
312.443.5100

MARK A MIKRUT
1229 COUNTRY LN
LEMONT IL 60439-6101



February 23, 2011

Mark Mikrut
Pamela Mikrut
1229 Country Ln
Lemont IL 60439 0000

RE: Loan Number: 0029697513
Property Address: 1229 Country Ln
Lemont IL 60439

Dear Customer:

This letter will serve as an acknowledgment that your loan has been paid in full. Any funds remaining in your escrow account, or funds received in excess of the payoff amount, will be returned to you under separate cover.

For escrowed loans only: Effective with the date of this letter, your escrow account has been closed and you are now responsible for payment of taxes and insurance as they come due. For future billing information, please contact your taxing authority and/or insurance company at the following addresses:

Cook County Treasurer
Tax Collector
P.O. Box 4468
Carol Stream IL 60197
(312)443-5100

State Farm Insurance Co
2702 Ireland Grove Road
*
Bloomington IL 61709
(309)622-5345

If you have any questions, please contact our Customer Service Department.

Sincerely,

Payoff Department
P0003 062 IXR FG

WHEN RECORDED MAIL TO:
RYLAND FUNDING GROUP
1420 KENSINGTON ROAD, STE. 302
OAK BROOK, IL 60521

[Space Above This Line For Recording Data]
PURCHASE MONEY

MORTGAGE

Case ID: 143063

THIS MORTGAGE ("Security Instrument") is given on **AUGUST 5, 1993** . The mortgagor is
MARK A. MIKRUT, A Married Man and PAMELA J. MIKRUT, His Wife

("Borrower"). This Security Instrument is given to
RYLAND MORTGAGE COMPANY , AN OHIO CORPORATION

which is organized and existing under the laws of **THE STATE OF OHIO** , and whose
address is **11000 BROKEN LAND PARKWAY** , **COLUMBIA, MARYLAND 21044**
("Lender"). Borrower owes Lender the principal sum of

ONE HUNDRED NINETY THOUSAND AND NO/100 Dollars (U.S. \$ **190,000.00**).

This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for
monthly payments, with the full debt, if not paid earlier, due and payable on **SEPTEMBER 1, 2023**

This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals,
extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to
protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this
Security Instrument and the Note. For this purpose, Borrower does hereby mortgage, grant and convey to Lender the following
described property located in **Cook** County, Illinois:

**LOT 69 IN OLD DERBY ESTATES, BEING A SUBDIVISION OF THE WEST 1/2 OF THE
NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD
PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.**

Item # **22-28-210-022**
which has the address of **1229 COUNTRY LANE** **LEMONT** (Street, City),
Illinois **60439** ("Property Address");
(Zip Code)

Kap 7307



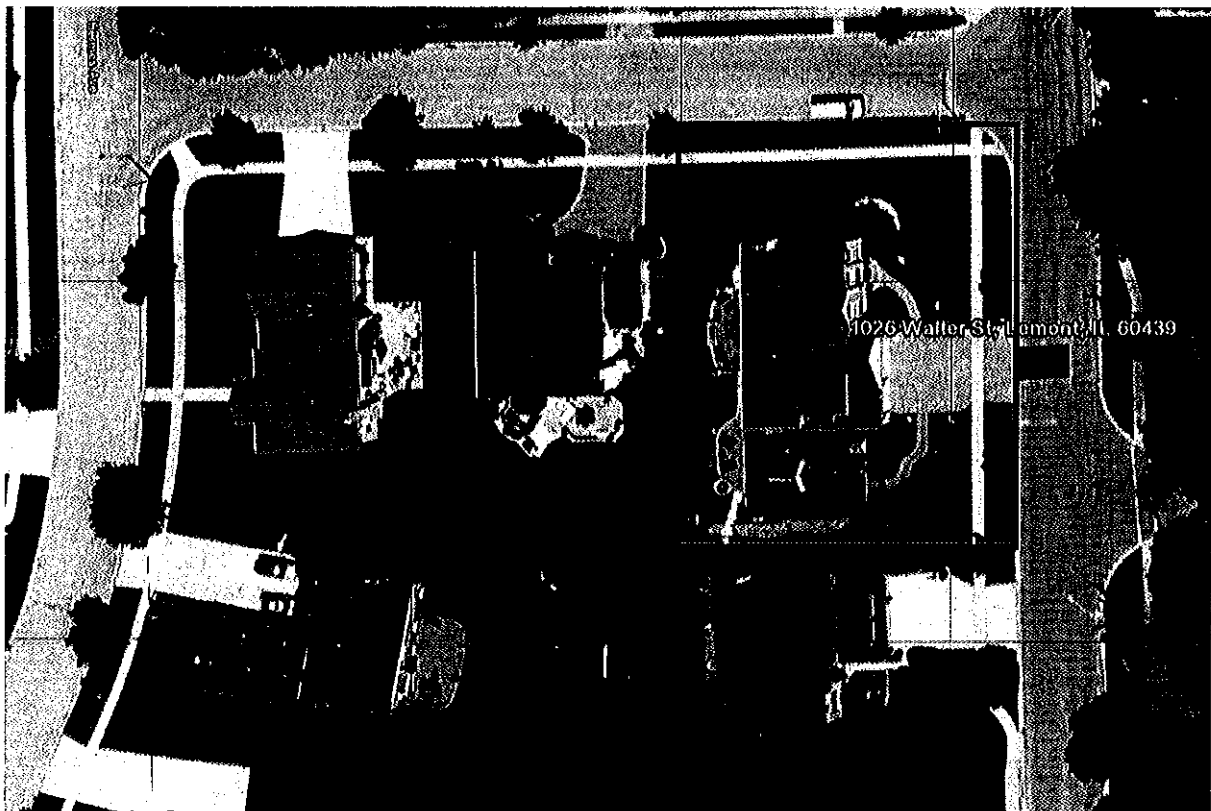
Village of Lemont
Planning & Economic Development Department

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

TO: Committee of the Whole #83-11
FROM: James A. Brown, Director of Planning & Economic Development
SUBJECT: Case 11-11 1026 Walter Street Pool Variation
DATE: August 4, 2011

SUMMARY

Gina DiFoggio, owner of the subject property, is requesting a variation to allow for construction of a swimming pool in the side yard. The Planning & Zoning Commission recommends approval of the requested variation with conditions.



CASE HISTORY

PZC Public Hearing. The Planning & Zoning Commission held a public hearing on the requested variation on July 20, 2011. There was one member from the public who came up and spoke and asked for clarification about the fence and size of the pool. A letter from a neighbor that is in opposition to the request was read; he could not be present at the meeting. The Commission voted 4 – 0 to recommend approval of the requested variation with the conditions that:

- Landscaping is installed along the south and east property lines to screen the pool.
- The installation of the landscaping will take place prior to the installation of the pool as long as it does not obstruct the construction of the pool.

PROPOSAL INFORMATION

Case No. 11.11
Project Name 1026 Walter Street Pool Variation

General Information	
Applicant	Gina DiFoggio
Status of Applicant	Property Owner
Requested Actions:	Variation to allow a swimming pool to be built in the side yard and to exceed the maximum 30% impervious surface permitted in any required yard.
Site Location	1026 Walter Street (PIN 22-29-325-006)
Existing Zoning	Lemont R-4, Single-Family Residential
Size	125 x 92 = 11,500 sf
Existing Land Use	Residential
Surrounding Land Use/Zoning	North: Residential, Lemont R-4 A South: Residential, Lemont R-4 East: Residential, Lemont R-4 A West: Residential, Lemont R-4
Comprehensive Plan 2002	The Comp Plan calls for this site to be residential.
Zoning History	N/A
Special Information	
Public Utilities	The site is serviced by Village water and sewer.
Transportation	Traffic impact study not required.

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, three are clearly not applicable to this variation request.

- *Promoting and protecting the general health, safety and welfare.* The variation request will not injure the general public health, safety and general welfare.
- *Ensuring adequate natural light, air, privacy, and access to property.* The proposed pool variation does not adversely affect light or air to the site. The variation would allow the pool to be placed approximately 8 feet from the south lot line; this proximity to the side lot line could infringe on the privacy of the adjacent property owner at 1036 Walter Street and attached are concerns from that property owner. I note that our standards for the placement of pools and attendant structures (e.g. decks around the pool) allow placement 7.5 feet from rear and side lot lines. This 7.5-ft standard applies only when the pool is in the rear yard, however.
- *Protecting the character of established residential neighborhoods.* The proposed variation would allow the swimming pool to be constructed in the side yard of the property which is not permitted by the UDO. The table in section 17-06-02 states that swimming pools are to only be built in the rear yard. Because of the nature of the lot, the rear yard is unusually small compared to the adjacent properties. Practical placement of the swimming pool would be the side yard. This variation certainly could have an impact on immediately adjacent property owners. It could also have an impact on the broader neighborhood, since the view down Weimar Street will look directly to the pool. One of the reasons that pools are restricted to the rear yards is to limit their visibility.
- *Avoiding or mitigating the hazards to persons and property resulting from accumulation of runoff or flood waters.* It is unknown at this time whether the proposed variation will have a negative effect on stormwater runoff. Section 17.06.030.H of the UDO limits accessory structures and other impervious surfaces to 30% of any required yard. With the requested addition of the swimming pool in the side yard, approximately 48.7% of the side yard would be covered with impervious surface. It should be noted, however, that under most circumstances the pool itself will tend to collect and store rainfall.

Approximately 35% of the rear yard is currently covered with impervious surfaces (a paver patio, fire pit, and walkways). These improvements were discovered by staff upon a July 13, 2011 site visit and appear to total approximately 800 sf, based on rough measurements taken that day. The site plan submitted by the applicant does not show these improvements; only an approximately 264 sf patio is depicted on the plan. The Village has no record of an approved permit for the construction of these improvements and the patio area is partially located within a public utility and drainage easement.

The Village Engineer reviewed the requested variation and had no objections. However, as noted, the plan submitted by the applicant and reviewed by the Village Engineer did not include the nearly 800 sf patio area discovered by staff upon a site visit. Staff has requested that the

applicant submit an accurate site plan depicting all improvements, so the Village Engineer can conduct another review. Hopefully that review will be completed prior to the public hearing.

- *Conserving the value of land and buildings throughout the Village.* The proposed swimming pool variation will not have a significant impact on 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 applicant claims that the requested variation is necessary because of the unusually small rear yard where normally the swimming pool would be placed. The rear yard has insufficient space for the 14 x 28 swimming pool to be constructed in that location. This is true—the rear yard does indeed lack the depth.

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

Analysis. **See comments on neighborhood character above.** The adjacent property owner has expressed his concerns and is unable to be present at the meeting; his comments are attached to this report.

Engineering Comments. The Village Engineer had no objections to the requested variation. However, the plan submitted by the applicant and reviewed by the Village Engineer depicted an approximately 264 sf patio in the rear yard; it did not include the nearly 800 sf patio area discovered by staff upon a site visit.

Side Yard vs. Rear Yard. In 2001, at the time the home was approved by the Village, then Community Development Director Tim Teddy approved the grading plan for the home with the following note: "For the purpose of enforcement of future improvements to this lot, the rear and side yards have been labeled in order to determine any and all yard requirements (setbacks) by the Village of Lemont Zoning Ordinance." The south yard was noted as the rear yard and the west yard was noted as the side yard. Staff does not consider this note to be binding on the property, as the Unified Development Ordinance was adopted in 2008 and wholly replaced the prior Zoning Ordinance in effect when Mr. Teddy made the yard determination. Under the Unified Development Ordinance, the south yard is considered the side yard and the west yard is considered the rear yard.

There UDO contains various definitions that are pertinent to this case: yard, yard line, front yard, rear yard, side yard, façade, elevation. I will briefly attempt to summarize my interpretation of these definition and how they relate to this case. A yard is simply the open space between the building and a particular property boundary. A front yard is the space between the "façade" and the "front lot line." The façade of building is its face, i.e. the side of the building that faces, or is oriented to, the street. In the case of

1026 Walter, the side of the house parallel to Walter is obviously the front: the house is addressed to Walter, the front door is on Walter, the garage is on Walter, and all of the architectural details point to this being the front, or façade, of the house and the yard along Walter as being the front yard. The rear yard is the yard on the opposite side of the house. Thus I consider the rear yard to be what Mr. Teddy had determined to be the side yard, and the side yard to be what he had labeled rear yard.

Homeowners Association. Staff received a call from Mr. Henry Simmons on behalf of the Firerock Farm Homeowners Association. Within the covenants and restrictions for the Firerock Farm subdivision, fences are generally prohibited, although exceptions are made for pools. Mr. Simmons indicated that any fence must be a wrought iron-style fence.

CONCLUSIONS& RECOMMENDATIONS

Staff concurs with the applicant's assertion that the site has limited options for placement of the swimming pool and unable to be constructed in the rear yard due to the size and already existing patio and walkway. Zoning decisions should seek to balance the right of property owners to enjoy their property with the broader community and neighbor concerns such as privacy, aesthetics, and noise or other adverse effects on neighboring properties.

Staff therefore feels that the approval of this variation request should be conditioned with the requirement for the applicants to adequately screen the pool from the adjacent property to the south and to screen it from views looking down Weimar Street. This screening should be accomplished by the installation of dense landscaping to the south and east of the pool. This landscaping should not hinder the applicants' access to or view of the pool, and will help to mitigate some of the privacy, aesthetic and noise concerns.

In the past the Village has had difficulty with such conditions: the applicant installs the desired accessory use prior to fulfilling the conditions. Then the Village is left with few alternatives other than requiring the accessory use be removed. Therefore, a landscaping plan should be submitted to the Planning & Economic Development Department for review and approval, and installation of the landscaping should proceed prior to any work commencing on the swimming pool. The Planning & Zoning Commission recommends approval of the requested variation with the conditions that:

- Landscaping is installed along the south and east property lines to screen the pool.
- The installation of the landscaping will take place prior to the installation of the pool as long as it does not obstruct the construction of the pool.

FINDINGS OF FACT

If the Planning and Zoning Commission recommends approval of the variation, the following findings-of-fact might be considered among those appropriate, that:

- a. The variation is consistent with general purpose and intent of the Unified Development Ordinance in that it will not have a negative impact on surrounding properties, or the Village in general.

- b. Strict enforcement of the UDO would pose a difficulty for the homeowner, due to the character of the lot.
- c. The conditions for the planning and installation of landscaping should help mitigate the adverse effects of placing the swimming pool in the side yard.

ATTACHMENTS

- 1. PZC 07-20-11 Draft Minutes
- 2. Applicant Submittals
- 3. Correspondence from Neighboring Property Owner
- 4. Site Photos

Nays: None
Motion passed

Commissioner Spinelli made a motion, seconded by Commissioner Maher to recommend approval of Case #11-10. A roll call vote was taken:

Ayes: Maher, Spinelli
Nays: Murphy, Schubert
Motion denied

B. Case #11-11: 1026 Walter Street Pool Variation. Public hearing requesting a variation to allow for construction of a swimming pool in the side yard.

Commissioner Maher made a motion, seconded by Commissioner Murphy to open the public hearing for Case #11-11. A voice vote was taken:

Ayes: All
Nays: None
Motion passed

Mr. Brown stated that the request is for a pool to be built on a side yard and to exceed the maximum 30% impervious surface that is required on a yard. He stated that there are photos included in the packet and a map showing the layout of their yard. He said that there is currently a swing set in the area where the pool will be going. Mr. Brown stated that the plan they received is difficult to scale out, so it is hard to determine what percentage they would be at for the impervious surface. He stated that chances are they would be over based on past experience. Mr. Brown said that staff is recommending approval with conditions. He said that they would recommend installing landscaping along the side property line and the side facing Weimer Avenue. He said that if the Board does recommend the conditions he would like it stated that the landscaping plan must be submitted and approved. Also, that the landscaping would be installed, to the fullest content possible that it doesn't interfere with the construction of the pool, prior to the approval of the construction. Mr. Brown stated that during the public comments he has a letter from one of the adjacent homeowners. He said that the applicant is present if the Board had any questions.

J Nicholas Parish, attorney from Faloon & Kenney, Ltd, 5 6th Avenue, La Grange, stated that he has spoken with Village staff and his clients in regards to the conditions. He said that they have no objections to those conditions. He stated that they would like to have a safe and fully compliant pool that is not a problem with any of the neighbors.

Chairman Schubert asked the owners if the swing set was going to be removed.

Mr. Difoggio stated that it would be removed and the landscaping around it would be removed. He said along the side of the easement a retaining wall would be put in with landscaping in front of the wall. He stated that he had landscaped into the easement because it was swampy and he did this with the approval of the neighbor.

Chairman Schubert asked if he paid for the fence along east side of the property that goes from his home to the home next to it.

Mr. Difoggio stated that he did pay for it.

Chairman Schubert asked if he was still going to put a wrought iron fence around the pool

Mr. Difoggio stated that it is going to continue on the retaining wall around the rear gate. He said it would totally be enclosed. He stated that he was going to have a landscape architect submit drawings.

Chairman Schubert asked if the heater and filter would be enclosed to muffle the sound. He stated it would have to be landscaped due to the covenants of the subdivision.

Commissioner Spinelli stated that they might be able to put solid panels for the pool equipment because it is not a perimeter fence.

Mr. Difoggio stated that he has talked to the homeowners association and other neighbors have done the same thing with air conditioners.

Chairman Schubert stated that it would have to be approved by the homeowners association though.

Commissioner Spinelli asked if the retaining wall had to stay outside of the easement.

Mr. Brown stated that they have approved them on a case by case basis depending on what the grading technician states.

Chairman Schubert asked if anyone in the audience would like to come up and speak.

Ellen Pearson, 1031 Walter Street, Lemont, asked if there was going to be fence all around the pool and how high was the fence.

Chairman Schubert stated that there would be and it would be five feet.

Ms. Pearson asked if the fence would be locked and if the police ever had a problem with people climbing the fences.

Chairman Schubert stated that the fence would lock and did not know of any problems.

Ms. Pearson asked what the size of the pool was and would the landscaping be in the front.

Chairman Schubert stated that the pool was 14 feet by 28 feet and the landscaping would be in the front.

Mr. Brown stated that he had a letter that he would like to read from one of the neighbors.

It stated that as the homeowner of the property next door, 1036 Walter Street, he would like to cast a vote of opposition to this request for the following reasons. First, it is a violation of the covenants of the existing homeowners association. It stated that the reason why he chose his home was because of the aesthetics of larger lot separation between homes and especially, without the separation caused by fencing property lines. The installation of this pool will then give rights to all other households to have the same option, which will greatly change the existing look and feel of the subdivision. Secondly, the location of the pool would be located directly outside and within a very close proximity to two of the most important rooms to the house at 1036 Walter Street; these being the master bedroom and the downstairs office. Both of these rooms require an environment that is peaceful for sleep and quiet for concentration. Even with the limited activities that currently take place on the existing playground area it can get very disruptive. By adding a pool, it will encourage an even greater level of activity by both the children, as well as the adults, and only cause more disruption. Third, it can potentially cause further home devaluation. For reasons stated above, he does not think the addition of a pool would do anything to enhance the home values and will in fact hurt them. He states it comes from research performed by two separate professional real estate appraisal entities that perform market value assessments. He apologizes for not being able to attend the meeting this evening and hope that his expressions would be duly noted. The letter is signed Curt Montalto.

Chairman Schubert asked if it was inground or above ground.

Mr. Difoggio stated that it was inground.

Mr. Parish stated that he and his clients are sensitive to the items one and two that were mentioned. He said that he would like to object to item number three and stated that it was hearsay. Mr. Parish stated that there were not any brokers or agents present to question in this matter. He asked the Board to disregard item number three only.

Mr. Maher asked if the side yard setback was 15 feet.

Mr. Brown stated that for a swimming pool and deck area it was seven and half feet from lot line.

Mr. Difoggio stated that Mr. Montalto does not even live in the house and that it was going into foreclosure. He said that Mr. Montalto rented the house out with no lease or agreement given to the homeowners association. He stated that Mr. Montalto is going through a divorce and that he knows all this because his wife is friends with Mrs. Montalto. He said that he is not talking about the gentleman, but that he is just stating facts.

Commissioner Spinelli stated that in response to the letter and needing the peace and quiet, these homeowners are entitled to the use of their property just like that gentleman is. He said that if noise becomes an issue he has recourse of calling the police department for a noise violation. Commissioner Spinelli stated that whether the pool is on the side or if the neighbor behind him puts a pool in, you are going to get the same noise.

Chairman Schubert asked if anyone else wanted to come up and speak in regards to this case. None responded.

Commissioner Maher made a motion, seconded by Commissioner Murphy to close the public hearing for Case #11-11. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Chairman Schubert then read the Findings of Fact:

1. The variation is consistent with the general purpose and intent of the Unified Development Ordinance in that it will not have a negative impact on surrounding properties, or the Village in general.
2. Strict enforcement of the UDO would pose a difficulty for the homeowner, due to the character of the lot.
3. The conditions for the planning and installation of landscaping should help mitigate the adverse effects of placing the swimming pool in the side yard.

All Commissioners agreed.

Commissioner Maher made a motion, seconded by Commissioner Spinelli to recommend approval of Case #11-11 with the following conditions:

1. The installation of the landscape will take place prior to the installation of the pool as long as it does not obstruct the construction of the pool.

A roll call vote was taken:

Ayes: Maher, Murphy, Spinelli, Schubert

Nays: None

Motion passed

- C. Case #11-09: 1229 Country Lane Variation. Public hearing requesting a variation to the Village's rear yard setback requirements in order to construct a sunroom and replace the existing deck.

Commissioner Maher made a motion, seconded by Commissioner Murphy to open the public hearing for Case #11-09. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Dear Mr. Brown,

Thank you for your prompt reply and acceptance of this written letter of protest.

As the homeowner of the property located next door to the subject property (1036 Walter St.), I would like to cast a vote of opposition to this request for the following reasons:

1. Violation of the covenants of the existing home owner's association. One of the reasons I selected the 1036 Walter home location was the aesthetics of having larger lot separation between homes and especially without the separation caused by fencing property lines. The installation of this pool will then give rights to all other households to the same option which will greatly change the existing look and feel of the subdivision.
2. Location of the pool would be located directly outside and in very close proximity to 2 of the most important rooms of the house at 1036 Walter Street : the master bedroom and the downstairs office. Both of these rooms are require an environment that is peaceful for sleep and quiet for concentration. I can tell you from even the limited activities that currently take place in the existing playground area that it can get very disruptive. The addition of a pool will encourage an even greater level of activity with both the children as well as the adults and only cause more disruption.
3. Potential for further home devaluation. For reasons stated above i do not think that the addition of a pool will do anything to enhance the surrounding home values and will in fact hurt them. This comes from research performed by 2 separate professional real estate appraisal entities that perform market value assessments and broker price opinions (BPOs) for companies like Signorello Realty, GMAC Realy, and CB Richard Ellis Real Estate.

I apologize for the inability to attend the public hearing on 20 July 2011 and hope that my expressions will be duly noted.

Curt Montalto
708.372.6080

Site Photos



North View from Property



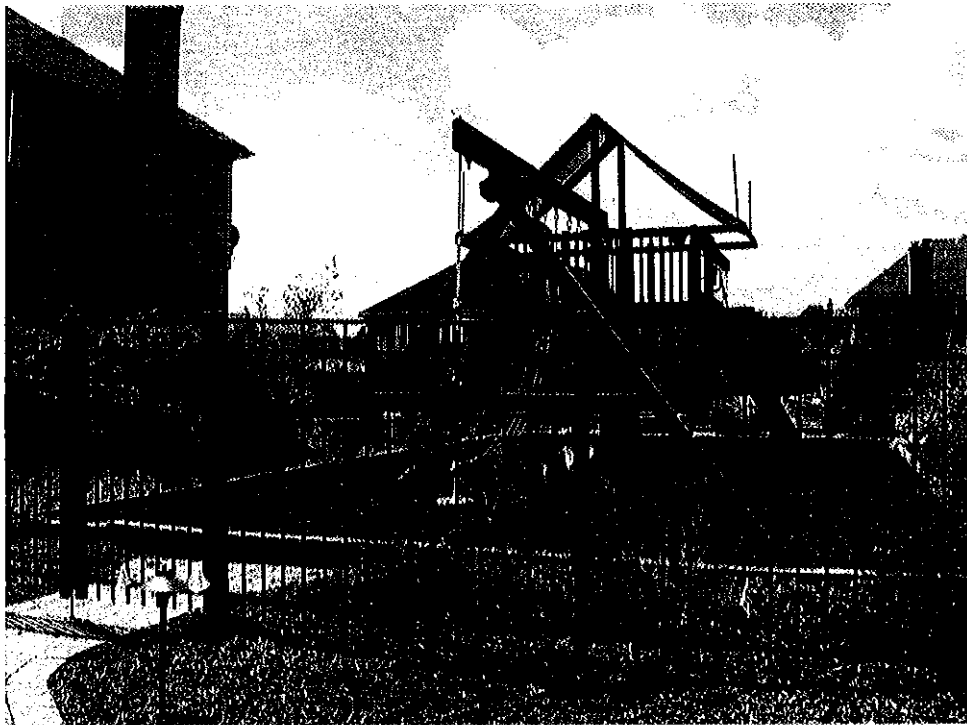
East View from Property



South View from Property



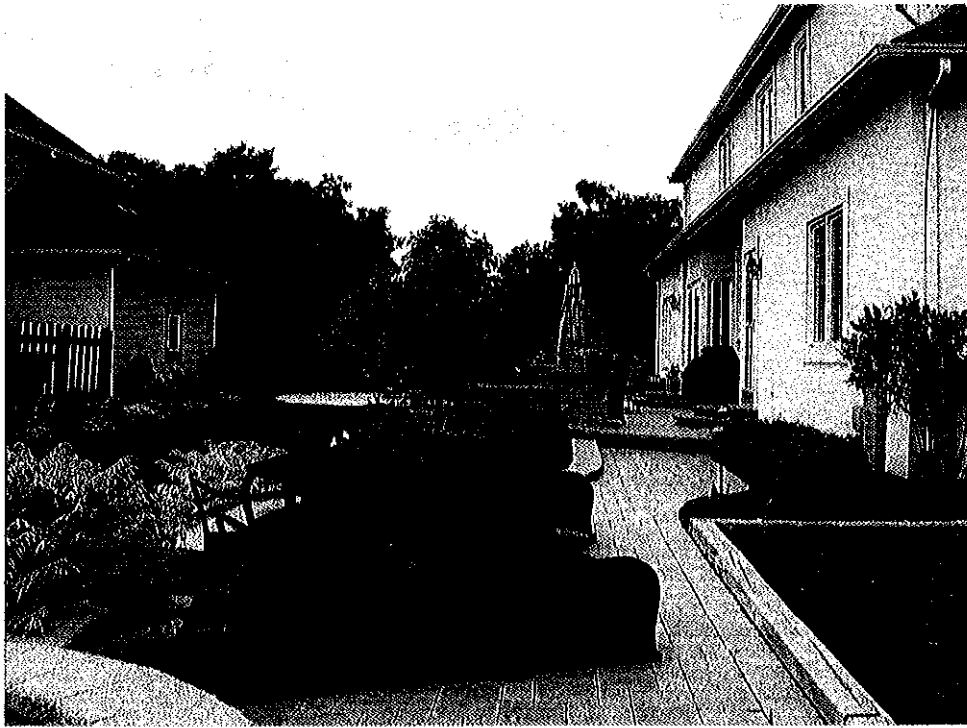
View of Side Yard from Front of Property



View of Side Yard from Rear of Property



View of Rear Yard facing North



View of Rear Yard facing South



Variation Application Form

APPLICANT INFORMATION

Applicant Name Gina DiFoggio

Company/Organization 1026 walter Street

Applicant Address 630/257-9156

Telephone & Fax g@us-plumbinginc.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

Address of Subject Property/Properties 1026 walter Street Lemont IL 60439

Parcel Identification Number of Subject Property/Properties 22-29-325-006-0000

Size of Subject Property/Properties

DESCRIPTION OF REQUEST

Brief description of the proposed variation install of pool, Pool variance

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: _____

By: _____

Application deemed complete on: _____

By: _____

Current Zoning: _____

Fee Amount Enclosed: _____

Escrow Amount Enclosed: _____



Doc#: 0706156106 Fee: \$26.50
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 03/02/2007 10:35 AM Pg: 1 of 2

[Space Above this Line for Recording Data]

Loan No. 540315285

RELEASE DEED

"FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHALL BE FILED WITH THE RECORDER OF DEEDS IN WHOSE OFFICE THE MORTGAGE OR DEED OF TRUST WAS FILED"

KNOW ALL MEN BY THESE PRESENTS, That MidAmerica Bank, fsb , A corporation existing under the laws of the United States, in consideration of one dollar, and other good and valuable considerations, the receipt whereof is hereby acknowledged, does hereby release, convey and quit-claim unto JOHN DIFOGGIO AND GINA DIFOGGIO HUSBAND AND WIFE all the right, title, interest, claim or demand whatsoever it may have acquired in, through or by a certain Mortgage Deed, recorded in the Recorders Office of COOK County, in the State of Illinois, as Document Number 0415326088 and Assignment of Mortgage, recorded in the Records Office of COOK County, in the State of Illinois, as Document Number , and Modification or Subordination, recorded in the Records Office of COOK County, in the state of Illinois, as Document Number, or to the premises therein described situated in the County of COOK , State of Illinois, as follows, to-wit:

LOT 11 IN FIREROCK FARM, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 29, OWNERSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1998 AS DOCUMENT NO. 98850724 IN THE VILLAGE OF LEMONT, ALL IN COOK COUNTY, ILLINOIS.

Property Street Address: 1026 WALTER ST, LEMONT IL 60439

PIN: 22293250060000

IN WITNESS WHEREOF, The said MidAmerica Bank, fsb , has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its Vice President and or Asst. Vice President, and attested by its Assistant Secretary, this 23RD day of JANUARY A.D., 2007.

(Seal)

BY: *Rosanne Klingelhofer*
MidAmerica Bank fsb
Rosanne Klingelhofer - Asst. Vice President

ATTEST: *Marcia Petricig*
Marcia Petricig - Asst. Secretary

STATE OF ILLINOIS


SS.

COUNTY OF DUPAGE

On, 23RD day of JANUARY A.D., 2007 I, the undersigned, a notary public in and for said County in the State aforesaid, **DO HEREBY CERTIFY THAT:** the persons whose names are subscribed to the foregoing instrument are personally known to me to be duly authorized officers of MidAmerica Bank, fsb *, and **THAT THEY** appeared before me this day in person and severally acknowledged that they signed and delivered the said instrument in writing as duly authorized officers of said corporation and caused the corporate seal of said corporation to be affixed thereto pursuant to authority given by the Board of Directors of said Corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, the day and year first above written. MB

MY COMMISSION EXPIRES: _____



Notary Public



This Instrument was prepared by:
Kenneth Koranda
2650 Warrenville Rd
Ste. 500
Downers Grove, Il. 60515

When Recorded Return to:
MidAmerica Bank, FSB.
Loan Servicing Dept.
2650 Warrenville Rd
Ste. 500
Downers Grove, Il. 60515

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;

Residential swimming pools are
generally allowed in the village

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

Due to the nature of our yard, our rear yard is on the side of the house. The pool would be on the side of the house.

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.

In the neighborhood that we live in there are a few of my neighbors that have pools.

LOT 11 in FIREROCK FARM, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 29,
OWNERSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDAIN, ACCORDING TO THE PLAT
THEREOF RECORD SEPTEMBER 23,1998 AS DOCUMENT NO. 98850724 IN THE VILLAGE OF LEMONT, ALL
IN COOK COUNTY, ILLINOIS



Village of Lemont
Community Development Department

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

TO: Planning & Zoning Commission #081-11

FROM: James A. Brown, Planning & Economic Development Director

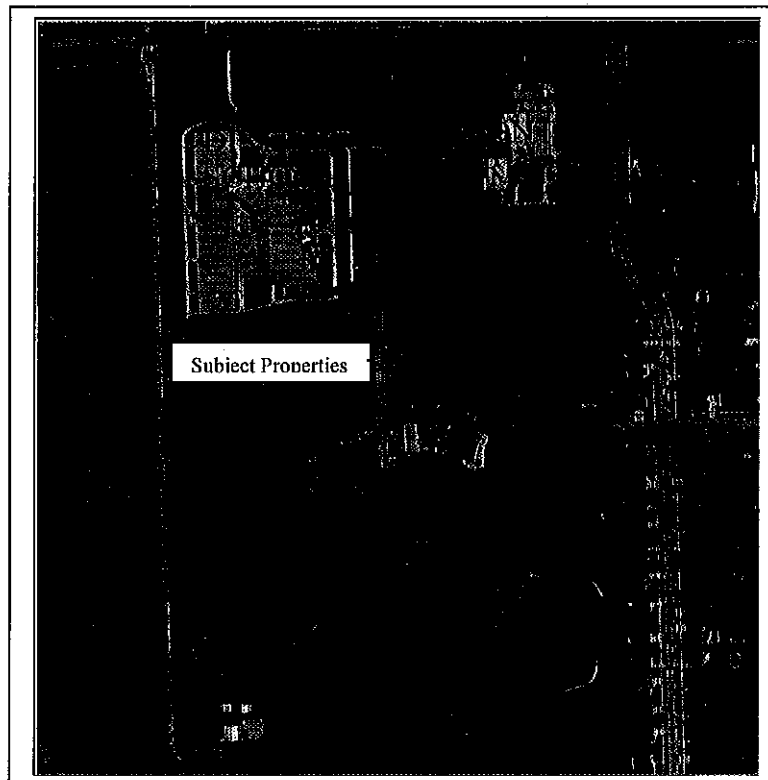
THRU:

SUBJECT: **CASE 11-10 — St. Matthew's Rezoning**

DATE 3 August 2011

SUMMARY

St. Matthew's Evangelical Lutheran Church seeks to change the zoning of its vacant property along 127th Street from residential to institutional. The site will be the home of the new church building and related religious activities. While I recommend approval of the request, the PZC voted 2-2 and thus does not forward a positive recommendation.



**PROPOSAL
INFORMATION**

Case No. #11-10
Project Name **St Matthew's Rezoning**

General Information	
Applicant	St. Matthew's Evangelical Lutheran Church
Status of Applicant	Owner
Requested Actions:	Rezoning to INT district
Purpose for Requests	Construction of a new church and related facilities
Site Location	12940 W. 127th Street (PIN 22-33-200-013-000)
Existing Zoning	Lemont R-4 Single-Family Detached Residential District
Size	8 acres
Existing Land Use	Vacant/agricultural
Surrounding Land Use/Zoning	North: Single-family residential/Lemont R-4
	South: Single-family residential Lemont R-4 and R-3
	East: Institutional uses and INT and B-3 zoning
	West: Single-family residential/Lemont R-3
Comprehensive Plan 2002	The Comp Plan of 2002 calls for this parcel to be public/private open space.
Zoning History	N/A
Applicable Regulations	The INT district provides an environment for government buildings and facilities. Government facilities are a permitted use in this district. It features a maximum building height of 35', FAR of 2.0, FY setback of 20', and SY and RY setbacks of 30'.
Special Information	
Public Utilities	Sewer and water are on-site. Electrical and telephone are provided to the site.
Transportation	127th serves as a collector street; Archer is an arterial
Physical Characteristics	The site is level and vacant. Few trees or shrubs are currently on site.
Other	N/A

PUBLIC HEARING

The Planning & Zoning Commission conducted a public hearing on the rezoning request at its July 20th meeting. On three day of the meeting Kathy Henrikson, the applicant acting on behalf of St. Matthew's church, forwarded a copy of an annexation agreement approved by the Village in 1995. This agreement had been previously unknown to both Ms Henrikson and me, and had come to light at a church meeting the night before. Upon further investigation on the afternoon of the public hearing, I found that the Village had approved the annexation and zoning of the property in 1995, and that the Village had at the same time granted special use approval for a church and a variety of attendant religious uses.

The question then became: should St. Mat's proceed with the rezoning request. I advised yes, since I felt Institutional zoning offered a bit more flexibility for the church, and could potentially avoid a variation request or two in the future.

The PZC, however, felt otherwise. Two of the members thought that since zoning approval for a church and other religious uses was already secured, there was no need to rezone the property from R-4 to INT. Since INT zoning allows all government uses, they were concerned that a rezoning of the property to INT and the lack of a definite timeframe for church construction could potentially open the Village up to some land uses that might be undesirable for the community, such as a prison. By a vote of 2-2, the PZC failed to forward a positive recommendation for the rezoning.

STAFF ANALYSIS

Differences Between R-4 and INT

See my letter to Kathy Hendrikson (attached) that explains the differences between R-4 and INT zoning.

Rezoning Evaluation. The purpose of the INT district is to "provide an environment for land uses of a civic, educational, governmental, recreational and religious nature." The property's proposed use meets the purpose of the INT district.

When considering challenges to the validity of rezonings, Illinois courts traditionally have use several factors (often referred to as "the La Salle factors") in their evaluation. It is therefore prudent for communities to consider these factors when considering rezoning requests. These factors and attendant analysis are listed below. (Note: I have omitted two of the factors since they pertain more to situations where the rezoning is being challenged in court.)

- *The existing uses and zoning of nearby property.* The Lemont Police station and the Lemont Township Highway Department's facility are both adjacent to the subject property. Both of these uses are institutional in nature. The police station was rezoned to INT a few years ago; the township's facility retains its B-3 zoning. Property to the west of the subject site is zoned for single-family residential. Some of these properties remain vacant.
- *The extent to which property values are diminished by the particular zoning restriction.* Within Lemont, many religious uses remain zoned for residential with little or no adverse effects on the site or adjacent properties, and the Lemont zoning provisions allow religious uses as a special use in residential zones. This factor is irrelevant.
- *The suitability of the subject property for the zoned purposes.* The property has been vacant/used for agriculture. The large, level site is needed to accommodate not only the buildings but in order to meet anticipated parking demands. Note that the church parking areas will also be shared, per agreement with the Village, with the Lemont Police Department. Both 127th

Street and Archer Ave already serve as a collector and arterial street respectively.

- *The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the subject property.* The property has been vacant or used for agriculture in recent years.
- *The care that the community has taken to plan its land use development.* The 2002 Comprehensive Plan does not address religious uses. The institutional zoning district was created, in part, to serve as an appropriate zoning designation for religious uses and religious institutions.
- *The community need for the proposed use.* Religious institutions have been an important part of the fabric of Lemont. The St. Matthew's congregation and ministries have outgrown the church's current location in the downtown. St. Matthew's acquired the subject property years ago; funding has prevented site improvements and construction of a new church up to this point, but St. Matthew's anticipates starting site work and construction either this fall or next spring, and thus the timing of this rezoning request.

RECOMMENDATION AND FINDINGS OF FACT

I recommend approval of the Petitioner's requests for the rezoning. If the Village Board would prefer to rezone the property, I suggest the following findings of fact be included with the rezoning ordinance:

1. The rezoning meets relevant standards as typically used by Illinois courts when evaluating the validity of rezoning.
2. The rezoning is consistent with surrounding land uses and zoning, and will not result in undue harm on surrounding and nearby properties.
3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property because the height variation blends with other buildings on the site and creates a use desired by residents.

ATTACHMENT

Planning & Development Department Ltr #080-11, RE: Rezoning of St. Matthew's Property on 127th St



Village of Faith

2 August 2011

#080-11

Mayor Kathy Henrikson
Brian K. Reaves St. Matthew's Evangelical Lutheran Church

Village Clerk RE: Rezoning of St. Matthew's Property on 127th Street
Charlene M. Smollen

Trustees
Debby Blatzer
Paul Chialdikas
Clifford Miklos
Rick Sniegowski
Ronald Stapleton
Jeanette Virgilio

Administrator
Benjamin P. Wehmeier

Administration
phone (630) 257-1590
fax (630) 243-0958

Building Department
phone (630) 257-1580
fax (630) 257-1598

**Planning & Economic
Development**
phone (630) 257-1595
fax (630) 257-1598

Engineering Department
phone (630) 257-2532
fax (630) 257-3068

Finance Department
phone (630) 257-1550
fax (630) 257-1598

Police Department
14600 127th Street
phone (630) 257-2229
fax (630) 257-5087

Public Works
16680 New Avenue
phone (630) 257-2532
fax (630) 257-3068

www.lemont.il.us

Kathy,

As you know, the Planning & Zoning Commission did not recommend approval of St. Matthew's application for rezoning of its property on 127th Street from R-4 to Institutional. And as we know now, the church received special use approval in the R-4 district for a church and attendant religious uses in 1995. The church should now decide whether it wants to pursue the rezoning. To assist in that decision, I have summarized the differences between the two zoning districts.

Purposes

R-4 Single-Family Detached Residential District. This district is intended to provide regulations for both some of the older established areas of the Village and the majority of newer areas annexed into the Village, and to provide areas for low- and medium-density, single-family detached dwellings on lot sizes 12,500 square feet or more.

INT Institutional District. The institutional district is designed to provide an environment for land uses of a civic, educational, governmental, recreational, and religious nature. It is also intended to provide an environment for institutional group living.

Permitted and Special Uses

See the enclosed table which compares the permitted and special uses in the R-4 and INT zoning districts.

Zoning Standards

See the enclosed table which compares the zoning standards such as yard setbacks and lot coverage for in the R-4 and INT zoning districts.

Signs

The differences in allowable signs are also indicated in the table below.

Comparison of Zoning Standards for R-4 and INT Districts

Standard	District	
	R-4	INT
Minimum front yard setback (ft)	25	20
Minimum side yard setback (ft)	15	20
Minimum corner side yard setback (ft)	25	30
Minimum rear yard setback (ft)	30	20
Maximum height (ft)	37	35
Maximum lot coverage (Institutional uses)	60%	None
Maximum wall sign area (in sq ft)	16	1 ft per lineal ft of bldg
Maximum monument sign area (in sq ft)	32	64
Awning sign allowed	No	Yes
Changeable copy sign allowed	Yes	Yes

Transition Yard and Landscaping

When an INT-zoned lot abuts a residentially zoned lot, a transition yard shall be maintained (UDO §17.07.030). The transition yard cannot be used for parking, loading, servicing, or storage. The entire length of the transition yard must be landscaped or screened in one of the following three ways:

Option 1: A wood fence with a minimum of 95% opacity and with a minimum height of six feet plus at least one plant unit per 100 linear feet; or

Option 2: A wood fence with a minimum of 95% opacity and with a minimum height of five feet plus at least two plant units per 100 linear feet; or


Option 3: All of the following:

- o An earthen berm at least three feet in height; and
- o A wood fence with a minimum of 95% opacity and at least four feet in height; and
- o At least one plant unit per 150 linear feet.

Additionally, there are landscaping requirements for parking lots and streets; these would be the same regardless of zoning district.

Please review this document and enclosures and advise me if the church wishes to proceed with the rezoning. Please call with questions or concerns in this matter.

VILLAGE OF LEMONT



JAMES A. BROWN
 Planning & Economic Development Director

Encl: Table, comparison of permitted and special uses in R-4 and INT

Comparison of Permitted and Special Uses in R-4 and INT

Use Category	Dist	
	INT	R-4
RESIDENTIAL	INT	R-4
Household Living	-	-
Single-family dwelling	-	P
Group Living		
Assisted living facility	S	-
Group home	S	-
Nursing home	S	-
Transition shelter	S	S
Group living not otherwise classified	S	S
COMMERCIAL	INT	R-4
Lodging		
Bed and breakfast (Ord O-54-09)	-	P
Entertainment Complex	S	
Hospital	S	-
INDUSTRIAL	INT	R-4
Industry and Manufacturing		
Outside display/storage not permitted under §17.06.120 of this ordinance	S	-
PUBLIC, CIVIC, EDUCATIONAL, OTHER	INT	R-4
Civic and civic-related		
Library, public	P	S
Lodge, fraternal and civic assembly	-	S
Government facilities	P	P
Parks and playgrounds	P	P
Postal service	P	S
Child care facilities		
Child care facilities other than day care home and foster home	-	S
Day care home	-	P
Foster home	-	S
Educational facilities		
College and university	S	-
School, K thru high school	P	S
Trade school	S	S
Religious use		
Religious assembly	P	S
Religious institution	P	S
Other		
Telecommunications tower	S	S
Cemetery	-	S
Heliport (O-54-09)	S	-
Planned unit development	S	S
Railroad rights-of-way, excluding classification yards, terminal facilities, and maintenance facilities	-	P
Utilities, as part of subdivision plat	P	P
Utilities, not as part of subdivision plat and not regulated more specifically by Ordinance O-94-07, Standards for the Construction of Facilities in the Public Right of Way.	S	S

Rose Yates

From: employerservices@discoverybenefits.com
Sent: Friday, August 05, 2011 11:39 AM
To: Rose Yates
Subject: ACH Notification

Dear Client,

Discovery Benefits, Inc. will be withdrawing the following from your bank account for payment of your administrative fee invoice.

Invoice # : 257823
ACH Date : 08/10/2011
Amount : \$55.00

Please feel free to contact us if you have any questions. Thank you.

Benefits Account Management
Discovery Benefits
3216 13th Ave S
Fargo, ND 58103
877.765.8810 Toll Free
888.451-3245 Fax
employerservices@discoverybenefits.com
www.discoverybenefits.com

CONFIDENTIALITY NOTICE: This message and any attached documents may contain confidential information from Discovery Benefits, Inc. The information is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or an employee or agent responsible for the delivery of this message to the intended recipient, the reader is hereby notified that any dissemination, distribution or copying of this message or of any attached documents, or the taking of any action or omission to take any action in reliance on the contents of this message or of any attached documents, is strictly prohibited. If you have received this communication in error, please notify the sender immediately by e-mail or telephone, at 866.451.3399, and delete the original message immediately. Thank you.



Village of Lemont
Planning & Economic Development Department

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

TO: Historic Preservation Commission #078-11
Trustee Stapleton
Trustee Virgilio

FROM: James A. Brown, Planning & Economic Development Director

THRU

SUBJECT: **Review of Façade Grant Applications**

DATE: 2 August 2011

The Village received three applications for the downtown façade, sign, and site improvement grant program: 110 Stephen Street (Tom's Place); 114 Stephen Street; and 220 Main Street (Martellen's Dress & Bridal Boutique)

I have reviewed the applications. In one instance proposed work is not eligible under the grant. See the attached worksheets.

Thirty thousand dollars are available for façade grants this fiscal year. The committee had previously reviewed the application for 114 Stephen, but I enclose it here as well, so comparisons could be made. The total maximum that could be given for all three applications would be \$11,801.25, well within the fiscal year's budget for the grants. Since this is the last round of applications for this fiscal year, I suggest the committee consider recommending maximum amounts for all three grant applications.

Attachments:

1. Façade grant Application and worksheet, 110 Stephen St
2. Façade grant Application and worksheet, 114 Stephen St
3. Façade grant application and worksheet, 220 Main St

Worksheet

Downtown Façade, Sign, and Site Improvement Grant Program

Application for: 110 Stephen St (Tom's Place)

Eligibility Requirements

Commercial establishment in downtown TIF	yes
Total project cost at least \$2,000	yes
Applicant is owner / tenant of property	yes
Work listed below deemed eligible	yes
Work has not started	yes

Proposed Work	Eligibility	Cost	Eligible Cost
Install custom canvas awnings	yes	\$6,202.00	\$6,202.00
Tuckpoint façade	yes	\$2,400.00	\$2,400.00

Totals		\$8,602.00	\$8,602.00
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MAXIMUM POSSIBLE AMOUNT OF GRANT: \$4,301.00

Grant cannot exceed \$15,000

Notes

Application for Downtown Façade, Sign, and Site Improvement Grant

APPLICANT INFORMATION

Applicant's Name MARK LAKETA

Applicant's Address 3407 LOCKNER BLVD, JOLIET, IL 60431

Applicant's Telephone # cell 630-531-4177

Applicant's E-mail Address TOMS_PLACE_LEMONT@COMCAST.NET

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 a tenant on the subject property.

PROPERTY INFORMATION

Address of Subject Property/Properties 110 STEPHEN ST.

Parcel Identification Number of Subject Property/Properties _____

PROJECT INFORMATION

Brief description of the proposed work (attach additional sheets if necessary)

TUCK POINTING
AWNINGS

↓ 8600.00

Estimated project costs

APPLICATION FEE AND SUPPORTING DOCUMENTS

- Application fee is \$30.00 for each application; ATTACH CHECK MADE OUT TO "VILLAGE OF LEMONT"
- Attach architectural elevations, plans, site plans, etc. as appropriate
- Attach contractor proposals, quotes

FOR VILLAGE STAFF USE ONLY

Application received on: _____ By: _____
 Fee amount received: _____

Eligibility requirements:

- Commercial establishment A13Project location within Downtown TIF
- Total project cost exceeds \$2,000
- Applicant is owner/tenant
- Project is for one or more of the following: exterior work, window, doors, lighting, roofing, signs, landscaping, parking lots, driveways, sidewalks, utility hook-up, fire suppression system/alarm

AFFIRMATION

I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information, exhibits, and documents 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 the submitted fee is non-refundable, and that prior to approval of grant reimbursement I will be expected to enter into an agreement with the Village of Lemont.

Mark Lakota

7-31-11

Signature of Applicant

Date

IL

Cook

State

County

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

Given under my hand and notary seal this _____ day of _____ A.D. 20 _____.

My commission expires this _____ day of _____ A.D. 20 _____.



Chesterfield Awning Co.

16999 Van Dam Road South Holland, IL 60473 Website: www.chesterfieldawning.com
Phone (708) 596-4434 Fax: (708) 596-9469

Tom's Place
110 Stephen St.
Lemont, IL 60439
Phone: 630-257-9875 Mark
Email: Toms_Place_lemont@comcast.net

July 30, 2011

CONTRACT / ESTIMATE

Two (2) custom canvas awnings made and installed

Style: Straight

Sizes: 2 at 224" wide x 36" projection x 36" drop

Fabric: Sunbrella #4631 – Burgundy

Border: 9" - Style to be determined

Binding: #18 - Linen

Frame: Welded aluminum square tubing frames

Graphics: TOM'S PLACE

6" painted on, Linen

Any font style

Centered on border of each awning

\$4196.00

*To make awnings with a 72" projection x 36" drop (Per Village ordinance)

\$8202.00

***Cost of permits will be added to total price**

Total Price..... _____

Down Payment ... _____

Balance due _____

Installation: Approx. 6 - 7 weeks

Terms: 50% down – balance upon installation

Customer _____ Date: _____ Sales: Edward J. Ritzema

After the company goes into production on this merchandise, this contract cannot be canceled and the purchaser is responsible for the whole amount contracted herein. The merchandise is the property of the Chesterfield Awning Company, Inc. until the whole amount of the contract is paid in full. A service charge of 1 ½ percent monthly will be added to any unpaid balance after 30 days from installation. This is an effective annual rate of 18 percent.

Riteway Brick Restoration



(708) 354-2501 Fax (708) 749-4448
6509 Pershing Rd.
Stickney, IL. 60402
Website: www.ritewaybrick.com
Email: ritewaybrick@sbcglobal.net



Customer Name: Toms Place
Address: 110 Stephen St. Lemont
Home Phone # Work#

We hereby propose to furnish the materials and perform the labor necessary for the completion: Grind out all mortar joints on front face brick 1/2 to 3/4 inch in depth. Clean out all mortar joints. Tuckpoint above area 100% solid in a close matching mortar color to existing. All mortar joints will be struck in to maintain original look of building. This price is for a complete restoration of front of building.
5 year guarantee.

All material is guaranteed to specified, and the above work to performed in accordance with the drawing and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of

Dollars \$ **2400.00**

Riteway will try to meet or beat any legitimate contractors estimate, all it takes is a phone call.

\$50.00 deposit is required with a signed contract (blue copy).

On jobs over \$1500.00: 1/4 down will be required along with a signed contract (blue copy).

Once proposal is signed it becomes a legal, binding contract between both parties.

Remainder will be due on day of completion. No work will be scheduled or started without a signed contract. No exceptions! Upon Final payment contract has been fulfilled.

Respectfully submitted  Richard G. Cmunt Date: 1-18-11

Acceptance of Proposal _____ Date:

Any alteration or deviation will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements Contingent upon strikes, fire, bad weather and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by Rite Way Brick Restoration. After 15 days if Riteway Brick has not been paid in full it may take legal action which may include placing a contractors lein against the property it has performed work on. Riteway is not responsible for foliage that is close to work areas. Chimney flashings, and chimneys without liners, settlement cracks & any leaks are not covered under guarantee. Due to different brick sizes all brick repairs will be done as close as possible to existing. Most chimneys will be stepped in above flashing.

Note: This proposal may be withdrawn if not accepted within 30 days. Riteway is approx. 2-3 weeks out at this time. All trash and debris to be removed by Riteway.

Blue Copy to be sent back to Riteway

Yellow Copy - Customer Copy & Final bill

Worksheet

Downtown Façade, Sign, and Site Improvement Grant Program

Application for:

114 STEPHEN STREET

Eligibility Requirements

Commercial establishment in downtown TIF	yes	
Total project cost at least \$2,000	yes	
Applicant is owner / tenant of property	yes	
Work listed below deemed eligible	yes	
Work has not started	NO	Work complete

Proposed Work	Eligibility	Cost	Eligible Cost
Tear off roof and re-roof portions of roof	yes	\$9,531.00	\$9,531.00

Totals		\$9,531.00	\$9,531.00
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MAXIMUM POSSIBLE AMOUNT OF GRANT: \$4,765.50
Grant cannot exceed \$15,000

Notes

Application for Downtown Façade, Sign, and Site Improvement Grant

APPLICANT INFORMATION

Applicant's Name RICHARD FORZLEY

Applicant's Address 114 STEPHEN STREET

Applicant's Telephone # 630 257 6153

Applicant's E-mail Address _____

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 a tenant on the subject property.

PROPERTY INFORMATION

Address of Subject Property/Properties 114 STEPHEN STREET

Parcel Identification Number of Subject Property/Properties 22-20-404-013

PROJECT INFORMATION

TEAR OFF & RE-ROOF FLAT ROOF IN REAR OF BUILDING
Brief description of the proposed work (attach additional sheets if necessary)
CONSISTING OF TWO SECTIONS

10,675
Estimated project costs

Application for Downtown Façade, Sign and Site Improvement Grant, page 2 of 2

Village of Lemont

APPLICATION FEE AND SUPPORTING DOCUMENTS

- Application fee is \$30.00 for each application; ATTACH CHECK MADE OUT TO "VILLAGE OF LEMONT"
- Attach architectural elevations, plans, site plans, etc. as appropriate
- Attach contractor proposals, quotes

FOR VILLAGE STAFF USE ONLY

Application received on: _____ By: _____
 Fee amount received: _____

Eligibility requirements:

- Commercial establishment A13 Project location within Downtown TIF
- Total project cost exceeds \$2,000
- Applicant is owner/tenant
- Project is for one or more of the following: exterior work, window, doors, lighting, roofing, signs, landscaping, parking lots, driveways, sidewalks, utility hook-up, fire suppression system/alarm

AFFIRMATION

I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information, exhibits, and documents 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 the submitted fee is non-refundable, and that prior to approval of grant reimbursement I will be expected to enter into an agreement with the Village of Lemont.

Richard Forzley _____ May 09, 2011 _____
 Signature of Applicant Date

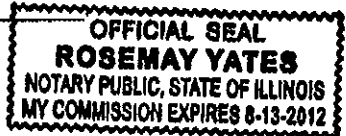
State ILLINOIS County COOK

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

Rosemay Yates _____
 Notary Signature

Given under my hand and notary seal this 9 day of May A.D. 2011

My commission expires this _____ day of _____ A.D. 20 _____





RAINCOAT ROOFING SYSTEMS, INC.

CHICAGOLAND'S #1 RUBBER ROOFING INSTALLERS

January 5, 2011

Forzley Clothing
114 Stephan St.
Lemont, IL 60439

Attention: Rich Forzley

Regarding: Flat Roof Replacement above Warehouse
Approximately 700 sq. ft. flat
Approximately 300 sq. ft. flashing

Small Side Roof 4' x 24'

Dear Rich:

Thank you for considering Raincoat Roofing Systems, Inc. for your roofing needs. We appreciate your business.

Enclosed please find our proposals for roof replacement on the two roofs mentioned above.

Listed below are a few "open issues" which will need to be resolved before we can finalize a contract.

1. City of Lemont insulation requirement R-20 minimum.
2. Tapered roof insulation sloped 1/6" per foot, 1 1/2" low point, 3 1/2" high point.
3. Door threshold flashing height.
4. Downspout revisions on upper sloped roof.
5. Roof top venting.

SPECIFICATION A: TEAR OFF FLAT ROOF

1. Tear off old roofing, down to a solid substrate, and haul it away.

EXTRAS: If any bad decking is found, it will be replaced on a time and material cost basis.

2. This proposal is based on the idea that when the existing wall flashing is removed the masonry wall will be in adequate shape to adhere our new flashing to.

EXTRAS: If restoration is needed the following prices will be utilized:

Tuckpointing only \$8.00 per square foot
Grinding then tuckpointing \$12.50 per square foot
*Brick replacement is not reflected in either cost.

3. We will loosen the metal siding where the flat roof meets the house and install our new flashing. We will install new metal slip flashing under the existing metal siding.
4. Furnish and install new cant strip along the walls to create a 45-degree angle for flashing.
5. Furnish and install tapered Isocyanurate roof insulation sloped 1/6" per foot, 1 1/2" low point, 3 1/2" high point. New insulation will be mechanically attached using special plates and screws.
6. Furnish and install a peel and stick base ply over the new insulation.
7. One continuous sheet of **Certainteed Flintlastic** white modified bitumen is then installed by heat fusing as per the manufacturer's specifications.
8. After coping tile is removed, the walls and perimeter will be flashed using heavy-duty modified bitumen membrane. Modified bitumen roofing membranes, due to their strength, puncture resistance, elasticity, and proven long life are particularly suitable for use in flashing systems. The built-in adhesive layer ensures high bond strength masonry, wood, and concrete, and at the same time, provides a high strength welded lap. Reset coping.

EXTRAS: If any coping tiles are broken, they will be replaced at an additional charge.

9. The walls and projections will be flashed using one ply of **Certainteed Flintlastic** membrane. **Certainteed** roofing membranes, due to their strength, puncture resistance, elasticity, and proven long life are particularly suitable for use in flashing system. The built-up adhesive layer ensures high bond strength to masonry, wood and concrete, and at the same time, provides a high strength welded lap.
10. We will reuse the existing gutter and downspout (20 lineal feet).

11. We have included removing the top boards of the top stair landing and one 2 x 4 framing board sitting at the gutter edge.
EXTRAS: Should rotted or damaged wood framing above or below the roof be found it will be replaced at an additional cost on a time and material basis.
12. We will furnish and install new metal threshold door flashing and tie in under the existing door threshold.
13. Small pockets of water may remain after the field is installed since perfect pitch on an old structure flat roof is difficult if not impossible to achieve.

Upon completion and full payment, the manufacturer will issue its standard Twelve (12) year material warranty.

Upon completion and full payment, the above work will be guaranteed for a period of Twelve (12) years by **Raincoat Roofing Systems, Inc.** using our standard warranty forms.

ALL of the above work for **Specification A, other than any approved extras,** will be done for the sum of **Nine Thousand One Hundred Seventy Five Dollars (\$9,175.00).**

SPECIFICATION B: SIDE ROOF

1. Tear off old roofing, down to a solid substrate, and haul it away.
EXTRAS: If any bad decking is found, it will be replaced on a time and material cost basis.
2. This proposal is based on the idea that when the existing wall flashing is removed the masonry wall will be in adequate shape to adhere our new flashing to.
EXTRAS: If restoration is needed the following prices will be utilized:
Tuckpointing only \$8.00 per square foot
Grinding then tuckpointing \$12.50 per square foot
*Brick replacement is not reflected in either cost.
3. We will loosen the metal siding where the flat roof meets the house and install our new flashing. We will install new metal slip flashing under the existing metal siding.
4. Furnish and install 1.5" Isocyanurate insulation mechanically fastened to the roof deck using screws and plates.
5. Furnish and install new cant strip along the walls to create a 45-degree angle for flashing.

6. Furnish and install peel and stick base ply over the new insulation.
7. One continuous sheet of **Certainteed Flintlastic** white modified bitumen is then installed by heat fusing as per the manufacturer's specifications.
8. After coping tile is removed, the walls and perimeter will be flashed using heavy-duty modified bitumen membrane. Modified bitumen roofing membranes, due to their strength, puncture resistance, elasticity, and proven long life are particularly suitable for use in flashing systems. The built-in adhesive layer ensures high bond strength masonry, wood, and concrete, and at the same time, provides a high strength welded lap. Reset coping.

EXTRAS: If any coping tiles are broken, they will be replaced at an additional charge.

9. The walls and projections will be flashed using one ply of **Certainteed Flintlastic** membrane. **Certainteed** roofing membranes, due to their strength, puncture resistance, elasticity, and proven long life are particularly suitable for use in flashing system. The built-up adhesive layer ensures high bond strength to masonry, wood and concrete, and at the same time, provides a high strength welded lap.
10. We shall furnish and install all new gutters, fabricated of 26 gauge galvanized steel (24 lineal feet). New gutters shall be properly braced and counterflashed back onto roof, then stripped into new membrane.
11. We shall furnish and install all new downspouts fabricated of 26 gauge galvanized steel.
12. We shall furnish and install all new compression style surface mount counterflashing fabricated of 26 gauge galvanized steel, properly secured with appropriate fasteners, and sealed with urethane caulk.

Upon completion and full payment, the manufacturer will issue its standard Twelve (12) year material warranty.

Upon completion and full payment, the above work will be guaranteed for a period of Twelve (12) years by **Raincoat Roofing Systems, Inc.** using our standard warranty forms.

ALL of the above work for Specification B, other than any approved extras, will be done for the sum of One Thousand Five Hundred Dollars (\$1,500.00).

1500.00
 215.00

 1715.00

LEANOR
 PERMIT FEE 155.00
 DEMO FEE 60.00

 215

OPTION #1: DOWNSPOUT MODIFICATIONS

We will modify two existing downspouts extending down from the upper sloped roof.

At one downspout we will change two elbows and divert water to the small side roof in lieu of dumping out on the main roof. The downspout will lead into a 4' long open faced metal trough adhered to the roof.

At the second downspout we will install new elbows and return the water flow into the original existing wall mounted horizontal downspout.

ALL of the above work for **Option #1, other than any approved extras**, will be done for the sum of **Three Hundred Fifty Six Dollars (\$356.00)**.

TERMS:

Because we try always to be price competitive our terms are net on receipt of invoice. All payments become past due ten days from invoice date and will have a service charge of 2% per month (24% per year) added to original purchase price. All collection costs and legal fees incurred to collect past due bills must also be paid.

*½ before start
Balance upon completion*

EXTRAS: We have not included the city's permit costs. These costs are based on a percent of the contract value. Some cities do not have permit costs. We will apply for and secure a permit should it become necessary. The costs for the permit and expeditor, if necessary, will be in addition to our base bid.

Our proposed roof system options are subject to your city review / code process. Should complete roof tear off or additional insulation be required we may have to revise our scope of work which will be an additional cost.

All materials are warranted finest quality and fresh stock; they carry the Underwriter's APPROVED LABEL.

Fully insured workmen will do all work. A certificate of insurance will be mailed upon request.

Any approved additional work that becomes necessary will be done on a time and material basis. The additional costs will be calculated as follows:

*Time will be billed at an additional cost of \$89.00 per man-hour.
Materials will be billed at cost plus 15%.*

NOTES:

We will use the greatest amount of care during the execution of the above quoted work to avoid damage to the interior and exterior of the property and adjacent landscaping.

Although our installers will do their best to minimize the dust and noise (hammering) produced, past experience has shown that the following should be expected as normal by the owner as a result of such major construction (tear-off and reroofing work):

- Dust and small pieces of old roofing will fall through any open sheathing boards into open attics during the tear-off of the old roofing. You may want to cover items stored in an open attic with construction plastic or sheets to protect them from dust and roofing debris.

Our workers do not clean-up attics and/or remove debris from attics.

- A certain amount of dust will also fall on the outside of the building during the removal of the old roofing.

Windows should be closed!

- Nails in ceiling may “pop” and ceiling may crack as a result of movement in the structure as the old roofing (the weight) is being removed from the building.
- It may be necessary for you to check your fixtures, pictures, mirrors or anything hanging on the walls to be certain they are secure while we’re reroofing your property.

Remove anything that might be loosened during nail pounding.

- At the time of tear-off, it is also the best time to have the defective gutter replaced. Although we will take the utmost care during the removal of the roofing, damaged and/or improperly installed aluminum gutters may incur additional damage as the old roofing is being removed.
- Minor trampling of the grass or the breakage of twigs (items that would be expected to be self-restoring with the next season’s growth).

RAINCOAT ROOFING SYSTEMS, INC. will not be liable for damages should any of the above conditions occur.

NOTE:

Raincoat Roofing's scope of work is above the structural roof deck.

We cannot be responsible for items below the roof deck either before we start or after we finish.

Items that go through the roof, such as pipes, conduit, mechanical vents, etc., may become disconnected or debris inside them, such as rust, may fall and clog the pipe.

During roofing work, the deck may relax due to weight being taken off. This may cause problems with existing roof protrusions and could result in damaging older rusted vents, pipes, etc.

NOTE:

Contractor's scope of work shall not include the identification, detection, abatement, encapsulation or removal of asbestos, mold or similar hazardous substances. If the contractor encounters any such products or materials in the course of performing its work, or if such hazardous materials are encountered by any other firm performing work at the job site and the contractor determines that such materials present a hazard to its employees, the contractor shall have the right to discontinue its work and remove its employees from the job site until such products or materials and any hazards connected therewith, are located and abated, encapsulated or removed, or it is determined that no hazard exists (as the case may require), and the contractor shall receive an extension of time to complete its work hereunder and compensation for delays encountered as a result of such situation and correction.

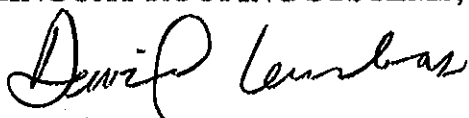
Contractor's price is based upon there not being electrical conduit or other materials embedded within the roof assembly, unless expressly identified on the face of this proposal. Customer will indemnify Contractor from any personal injury, property damage, claim, loss, or expense resulting from the presence of electrical conduit; shall render the conduit harmless as to avoid injury to Contractor's personnel; and shall compensate Contractor for additional time, labor and expense resulting from the presence of such materials.

Contractor is not responsible for the design of structural ventilation or any moisture/condensation/mold problems that may occur before, during or after contract work.

Once again thank you for considering us. If you have any questions please call me.

Sincerely,

RAINCOAT ROOFING SYSTEMS, INC.

A handwritten signature in black ink, appearing to read "Dave Lembas", written in a cursive style.

DAVE LEMBAS

ACCEPTANCE:

Proceed with **Specification A - \$9,175.00**

9175
356
9531.00

Signed _____ ✓ _____ Date _____ Phone _____

Proceed with **Specification B - \$1,500.00**

Signed _____ Date _____ Phone _____

Proceed with **Option #1 - \$356.00**

Signed _____ ✓ _____ Date _____ Phone _____

Please sign and return the complete original contract to us. Subject to price increase 14 days after this date.

EMAIL ADDRESS - PLEASE PRINT

CHECK HERE IS YOU WOULD LIKE YOUR INVOICE SENT BY EMAIL

PRINT NAME OF OWNER AS YOU WISH IT TO APPEAR ON THE WARRANTY:

C: Forzley Clothing/Dave/Lisa/Jan. 2010

RAINCOAT ROOFING SYSTEMS, INC.

CHICAGOLAND'S #1 RUBBER ROOFING INSTALLERS

REMIT TO:
1750 WEST PARKES DRIVE
BROADVIEW, ILLINOIS 60155

Forzley Clothing
Attn: Mr. Rich Forzley
114 Stephen Street
Lemont, IL 60439

708/681-5757
708/681-5718 FAX
INVOICE
DATE
OUR JOB NO.
YOUR P.O. NO.
YOUR JOB NO.

11C7666A
01/06/11
11C7666

TERMS: DUE UPON RECEIPT OF INVOICE.
IF PAYMENT IS NOT RECEIVED WITHIN 10 DAYS OF
INVOICE DATE, 2% PER MONTH WILL BE CHARGED.

Handwritten: 4 X 35 750.00
Came in 1/9/11
3250

DESCRIPTION

DAVE - 1-708681-1010

REGARDING: Roof work at the above location.

According to the terms of our contract, 1/2 of the full contract amount of \$9,531.00 is due before the start of work.

\$4,765.50

Handwritten: ASK FOR CATHY CATHY

TOTAL AMOUNT DUE THIS DEPOSIT INVOICE \$4,765.50

Handwritten: GOT A...
OR (443) 8... USING DISCOVER...
INCLUDES...
STARS 1000 → 9500

To better serve you, we are now offering invoices via email. Please send your email address to rrs1750@yahoo.com to receive any future invoices by email.

Worksheet

Downtown Façade, Sign, and Site Improvement Grant Program

Application for: 220 Main St (Martellen's Dress & Bridal Boutique)

Eligibility Requirements

Commercial establishment in downtown TIF	yes
Total project cost at least \$2,000	yes
Applicant is owner / tenant of property	yes
Work listed below deemed eligible	yes
Work has not started	yes

Proposed Work	Eligibility	Cost	Eligible Cost
Replace awning w/ "Martellen's"	yes	\$1,792.25	\$1,792.25
Replace awning w/ "Dress & Bridal Boutique"	yes	\$1,792.25	\$1,792.25
Wall sign	yes	\$635.00	\$635.00
Paint exterior	no	\$1,250.00	\$0.00

Totals		\$5,469.50	\$4,219.50
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MAXIMUM POSSIBLE AMOUNT OF GRANT: **\$2,734.75**
Grant cannot exceed \$15,000

Notes



ART SIGN WORKS, INC - 2010

41785 Elm Street Suite 302
Murrieta, CA 92562

Date	Quote #
7/18/2011	490

Name / Address
Marty Troc Martellen's Dress and Bridal Boutique

Rep
CMV

Description	Qty	Cost	Total
HDU Double-Sided Sign, 36" x 24" x 2" thick	1	590.00	590.00T
Shipping & Handling to IL	1	45.00	45.00T
Out of State Sale, Exempt From Sales Tax		0.00%	0.00

Total	\$635.00
--------------	-----------------

AURORA TENT AND AWNING, INC.

10206 CLOW CREEK ROAD • PLAINFIELD, IL 60585

PHONE 630.420.2000/800.371.6889

FAX 630.420.2001

EMAIL: AURORATENTAWNING@AOL.COM

PROPOSAL SUBMITTED TO:

JOB ADDRESS:

MARTELLEN'S ATTN: MARTIN TROC 220 MAIN STREET LEMONT, ILLINOIS 60157	SAME
--	------

DATE	PHONE NO.	# LOCATIONS	INSTALLED	INVOICE NO.	OUR P.O. NO.	ORDER NO.
7-11-11	708-514-0020		NORM			

BELOW PLEASE FIND PRICING FOR (1) AWNING RECOVER

<p>PRICE INCLUDES:</p> <ul style="list-style-type: none"> ➤ REMOVAL OF EXISTING AWNINGS ➤ MATERIAL: SUNBRELLA ➤ BODY OF AWNING: STRIPE ➤ BLACK BOX PAINTED ➤ MARTILLEN'S - TAUPE ➤ VALANCE TO BE BLACK, ADDRESS TO BE TAUPE ➤ ARTWORK ➤ INSTALLATION
<p>SIZING:</p> <p>DROP: 4'</p> <p>PROJ: 2'</p> <p>WIDTH: 21'3"</p> <p>VALANCE: 9"</p>
<p>PRICE : \$1,675.00</p> <p>TAX: \$ 117.25</p> <p>TOTAL: \$1,792.25</p>

*****TO BEGIN PROCESSING, PLEASE SIGN AND RETURN CONTRACT WITH YOUR DEPOSIT. IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL. THANK YOU!!!**

*** WE PROPOSE hereby to furnish material and labor-complete in accordance with above specification., for the sum of:

ONE THOUSAND SEVEN HUNDRED NINETY TWO DOLLARS AND 25/100 Dollar: (\$1,792.25)

Payment to be made as follows:

A 50% DEPOSIT IN THE AMOUNT OF \$896.13 IS REQUIRED TO BEGIN MANUFACTURING.

REMAINING BALANCE OF \$896.12 IS DUE ON THE DATE OF INSTALLATION.

Materials will be furnished only as stated on contract any deviation or alteration from the above specifications involving extra cost of material or labor will be performed only upon written contact for same and will become an extra charge over the sum mentioned in this contract. All Agreements must be made in writing. All agreements contingent upon strikes, accidents or delays beyond our control. The contractor agrees to carry appropriate insurance as required.

Authorized Signature _____

The appearance of my signature below authorizes the above contractors to complete the above contract. I agree to pay cash when work is completed, or on terms satisfactory to the above contractor until paid in full. If payment is not made as per contract is paid full and all costs, including court cost and reasonable attorney's fees.

Signature _____

This proposal may be withdrawn by us if not accepted within _____ days.

Date of Acceptance _____

AURORA TENT AND AWNING, INC.

10206 CLOW CREEK ROAD • PLAINFIELD, IL 60585

PHONE 630.420.2000/800.371.6889

FAX 630.420.2001

EMAIL: AURORATENTAWNING@AOL.COM

PROPOSAL SUBMITTED TO:

JOB ADDRESS:

MARTELLEN'S ATTN: MARTIN TROC 220 MAIN STREET LEMONT, ILLINOIS				SAME		
DATE	PHONE NO.	# LOCATIONS	INSTALLED	INVOICE NO.	OUR P.O. NO.	ORDER NO.
7-11-11	708-514-0020		NORM			

BELOW PLEASE FIND PRICING FOR (1) AWNING RECOVER

PRICE INCLUDES:	
➤	REMOVAL OF EXISTING AWNINGS
➤	MATERIAL: SUNBRELLA
➤	BODY OF AWNING: STRIPE
➤	BLACK BOX PAINTED
➤	DRESS & BRIDAL BOUTIQUE TAUPE
➤	VALANCE TO BE BLACK, PHONE # TAUPE
➤	ARTWORK
➤	INSTALLATION
SIZING:	
DROP:	4'
PROJ:	2'
WIDTH:	21'3"
VALANCE:	9"
PRICE :	\$1,675.00
TAX:	\$ 117.25
TOTAL:	\$1,792.25

*****TO BEGIN PROCESSING, PLEASE SIGN AND RETURN CONTRACT WITH YOUR DEPOSIT. IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL. THANK YOU!!!**

*** WE PROPOSE hereby to furnish material and labor-complete in accordance with above specification,, for the sum of:

ONE THOUSAND SEVEN HUNDRED NINETY TWO DOLLARS AND 25/100 Dollar: (\$1,792.25)

Payment to be made as follows:

A 50% DEPOSIT IN THE AMOUNT OF \$896.13 IS REQUIRED TO BEGIN MANUFACTURING.

REMAINING BALANCE OF \$896.12 IS DUE ON THE DATE OF INSTALLATION.

Materials will be furnished only as stated on contract any deviation or alteration from the above specifications involving extra cost of material or labor will be performed only upon written contact for same and will become an extra charge over the sum mentioned in this contract. All Agreements must be made in writing. All agreements contingent upon strikes, accidents or delays beyond our control. The contractor agrees to carry appropriate insurance as required.

Authorized Signature _____

The appearance of my signature below authorizes the above contractors to complete the above contract. I agree to pay cash when work is completed, or on terms satisfactory to the above contractor until paid in full. If payment is not made as per contract is paid full and all costs, including court cost and reasonable attorney's fees.

Signature _____

This proposal may be withdrawn by us if not accepted within _____ days.

Date of Acceptance _____