



**Village of Westmont  
VILLAGE BOARD**

31 West Quincy Street, Westmont, Illinois 60559

villageboard@westmont.il.gov  
westmont.illinois.gov | 630-981-6200

**Village Board Meeting  
May 28, 2026  
6:00 PM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. OPEN FORUM**

Public Comment is subject to the public comment rules and procedures adopted by the Village.

**5. REPORTS**

**a. Board Reports**

- i. Mayor
- ii. Clerk
- iii. Trustees

**6. ITEMS TO BE REMOVED FROM CONSENT AGENDA**

**7. CONSENT AGENDA (OMNIBUS VOTE)**

**a. Village Board Minutes**

**i. Board Meeting Minutes**

Board to consider approving the minutes of the Village Board meeting held May 14, 2026.

**Background of Subject Matter**

Required Parliamentary Procedure

**Type**                      Motion

**b. Finance Ordinance #11**

Total will be announced at the meeting

**Type**

**Budgeted**

**c. Purchase Order(s)**

- i. There are no purchase orders at this time
- d. **Total of Purchase Order(s) and Finance Ordinance(s)**  
Total to be announced at the meeting  
**Type**  
**Budgeted**
- e. **Proclamation - People's Resource Center**  
Board to consider approving a proclamation honoring People's Resource Center for over fifty years of service to DuPage County.  
**Type** Consent Item  
**Budgeted**
- f. **Proclamation - Gun Violence Awareness**  
Board to consider approving a proclamation declaring June 5-7, 2026, to be National Gun Violence Awareness Weekend in the Village of Westmont.  
**Type** Consent Item  
**Budgeted**
- g. **Reduce the Number of Available Class 2 Liquor Licenses**  
Board to consider an ordinance reducing the number of available Class 2 liquor licenses by one (1) due to the sale of 15 W. Café, d/b/a Dolces, 13 N. Cass Avenue, Westmont, Illinois.  
**Background of Subject Matter**  
The current owners of 15 W. Café, d/b/a, Dolces, are selling ownership of the business. A temporary license has already been issued to the new owner, Sofia Papageorge-Karvelas, and the background investigation has been completed. If a new liquor license is approved, the temporary license will automatically terminate.  
**Recommendation**  
Approve  
**Type** Consent Item  
**Budgeted**

**8. UNFINISHED BUSINESS**

**9. NEW BUSINESS**

- a. **Increase in Class 2 Liquor Licenses by One**  
Board to consider an ordinance increasing the number of available Class 2 liquor licenses by one for 15 W. Café, d/b/a/ Dolces, 13 North Cass Avenue, Westmont, Illinois.

**Background of Subject Matter**

15 W. Café, d/b/a, Dolces, 13 N. Cass Avenue, is currently operating under a temporary Class 2 liquor license pending the background investigation of the new liquor license applicant, Sophia Papageorge-Karvelas. A background investigation is complete, and the Liquor Commissioner found no reason to deny issuing the license. If the Board approves increasing the number of available Class 2 licenses, a permanent Class 2 liquor license will be issued to allow the restaurant to continue operating.

**Additional Background**

The temporary liquor license is valid through July 30, 2026, and the fee for temporary use has been paid in full. The temporary liquor license will terminate if a new Class 2 liquor license is made available and issued.

**Recommendation**

Approve

**Type** Ordinance

**Budgeted**

**b. Subdivision and Waiver - 1351 South Ridge Road**

Board to consider ordinances approving requests from Sonja Smilga for the property at 1351 South Ridge Road, Willowbrook, Illinois, 60527, for the following:

1. Preliminary Plan and Final Plat of Subdivision to create one (1) lot in the R-1(A) Single-Unit Residential District.
2. A waiver of the fee-in-lieu contribution for right-of-way improvements that are required by Sec. 5.05(d) of the Land Development Code.

**Background of Subject Matter**

In 2006, the Damjanoviches received preliminary approval to subdivide the lot but never obtained the required final plat approval because they were delayed due to engineering improvements, which resulted in the statutory one-year deadline being missed. Despite the lack of final approval, the preliminary plan was recorded with the County, creating two PIN numbers for one lot; therefore, the petitioner must now obtain both preliminary and final plat approval to legally create the second lot of record.

**Additional Background**

The Land Development Code mandates public sidewalk installation for subdivisions or a cash-in-lieu contribution, which the Village Engineer has set at \$7,500.00 for this case, to be used for future right-of-way improvements. The petitioner requested a waiver of this \$7,500.00 fee based on a repealed 1998 Comprehensive Plan recommendation and financial hardship, but Village Staff recommends denial to prevent establishing a problematic precedent. Furthermore, even if the Village Board approves the subdivision

waiver, any future developer would still be required under Chapter 70 of the Municipal Code to either install a sidewalk or seek a separate cash-in-lieu waiver during the building permit process unless the Village Board determines that requirement to be waived.

**Recommendation**

The Planning & Zoning Commission held a public meeting to consider the subdivision request on May 13, 2026. The Commission recommended approval of the preliminary plan of subdivision unanimously (7-0). The waiver request was not discussed at this meeting as it is not within their purview.

**Type** Ordinance

**Budgeted**

c. **Lot Coverage Variance - 326 South Washington Street**

Board to consider an ordinance approving a request from Richard and Carol Barclay, for the property at 326 South Washington Street, Westmont, for a Zoning Ordinance Variance to the maximum lot coverage in the R-3 Single-Unit Residential District for a deck and pool.

**Background of Subject Matter**

The petitioners propose to construct a new larger deck at approximately 226 square feet and a pool at approximately 253 square feet. This construction would raise the property's lot coverage from 47% to approximately 52.75%, which exceeds the 35% maximum allowed in the R-3 Single-Unit Residential District for this property. Therefore, the petitioners are requesting a variance to a maximum lot coverage of 52.75%, rounded up to 53%.

**Additional Background**

This property is located within two sub-basins that contain low depressional areas (LDA). The front yard of the subject property is within one LDA, while the back half of the lot is within another larger LDA located between South Hudson Street and South Park Street to the west. The Village's engineering consultant does not foresee any negative impact on site drainage with these new improvements. This is because the proposed deck is classified as a pervious surface. Additionally, the Village's Public Works Department is scheduled to improve the alleyway this year by adding storm sewers and pavement. These improvements will enhance drainage and are sufficient to manage the increased impervious surfaces within this drainage sub-basin. If approved, this will be one of the highest variances granted to lot coverage, and would be precedent-setting.

**Recommendation**

The Planning & Zoning Commission held a public hearing on this request on May 13, 2026; the Commission recommended approval of the request with a split vote of 4-2, one abstaining, with the condition outlined in the attached Memorandum.

**Type** Ordinance

**Budgeted**

d. **Special Use Permit - 10 West Burlington Avenue - Mahjong Studio**

Board to consider an ordinance approving a request from Hinsdale Mahjong Society, LLC, d/b/a, HMS Mahjong Society (Petitioner), and Westmont Downtown LLC (Owner) for the property at 10 West Burlington Avenue, Westmont, for a Special Use Permit to operate an Indoor Other Participant Entertainment business (mahjong studio) in the B-1 Downtown Edge District.

**Background of Subject Matter**

The petitioner proposes to operate a mahjong studio at 10 West Burlington Avenue. They describe their business operations as a structured and reservation-based mahjong studio open to players of all skill levels. The petitioner intends to lead instructional classes for beginners, multi-week classes at various difficulty levels, and host open play events. Occasionally, the space may be rented for small private events. Based on the floor plan submitted, the roughly 700 square foot space can accommodate up to 20 players across five tables.

**Additional Background**

The petitioner will typically be the only employee on-site, but may occasionally have other instructors join. The studio will host events primarily on weekday evenings from 6:00 p.m. to 9:00 p.m., but will also lead sessions on the weekend, and less classes during the weekday. Weekday sessions would typically be held between 9:00 a.m. and 5:00 p.m.

**Recommendation**

The Planning & Zoning Commission held a public hearing on this case during its regular meeting on May 13, 2026, where the Commission unanimously recommended approval of the request.

**Type** Ordinance

**Budgeted**

e. **Special Use Permit Amendment - 50 West Ogden Avenue - Tesla**

Board to consider a request from Tesla, Inc. and Ogden Avenue LLC for the property at 50 West Ogden Avenue, Westmont, for a Special Use Permit amendment to allow modified operations and conditions for an existing Vehicle Sales or Rentals business engaged in vehicle sales and minor vehicle repair and maintenance in the B-2 General Business District.

**Background of Subject Matter**

Beginning in 2024, the Village observed a noticeable decline in sales tax revenues paid to the Village from the Tesla dealership. The Village met with

Tesla in March 2025 to discuss their vehicle sales activities on the property, and Tesla informed the Village that its business operations had shifted to a vehicle service and repair facility, and that it was only sporadically selling new Tesla vehicles. As a result of this information, on May 22, 2025, the Village sent the First Notice of Violation of Special Use Ordinance to Tesla asserting that Tesla had ceased operating as a new and used automobile dealership on the property, as its principal use, in violation of its 206 special use approval.

**Additional Background**

On December 3, 2025, after further discussions with Tesla, the Village sent a follow-up letter to Tesla Motors, Inc. that detailed the special use permit amendment that was needed to resolve the violation and to not subject Tesla to a Second Notice of Violation. The petitioner has complied with the request and submitted a zoning application seeking an amendment to its existing special use permit to specifically allow it to operate a vehicle service use on the property and to resume vehicle sales operations under specified conditions.

**Recommendation**

The Planning & Zoning Commission held a public hearing on this request on May 13, 2026. The Commission recommended approval of the request unanimously (7-0) with the recommended conditions 1-8 as listed in III(C) of the attached Memorandum.

**Type** Ordinance

**Budgeted**

f. **Subdivision - 300 West 60th Street**

Board to consider an ordinance approving a request from the Karen Bailey Meyer Trust and the David P. Meyer Trust for the property at 300 West 60th Street for a preliminary plan and final plat of subdivision to subdivide one (1) lot into two (2) lots in the R-3 Single-Unit Residential District.

**Background of Subject Matter**

The subject property is currently 35,640 square feet, and is proposed to be subdivided into two 17,820 square foot lots. Both lots exceed the minimum requirements for lots in the R-3 Single-Unit Residential District. Once subdivided, two detached homes (a.k.a. single-family homes) will be built. Detached homes are a permitted use in the R-3 district. Though this property has a Downers Grove zip code, it is fully under the jurisdiction of the Village of Westmont, having been annexed under Ordinance 03-109 in 2003.

**Additional Background**

The final plat of subdivision largely demonstrates substantial compliance with the regulations of Appendix B - Land Development. However, there are a handful of minor text errors in the signature blocks, as listed in the staff

comments in the attached memorandum. Should the Village Board approve the final plat, staff will not direct the petitioner to produce a mylar until all text errors have been rectified. No revisions to the preliminary plan of subdivision are necessary.

**Recommendation**

The Planning & Zoning Commission reviewed only the preliminary plan of subdivision at their regular meeting on May 13, 2026, where they unanimously recommended approval (7-0).

**Type** Ordinance

**Budgeted**

g. **Major Site Plan - 5628 South Cass Avenue - Town homes**

Board to consider an ordinance approving a request from 5628 SOUTH CASS LLC for the property at 5628 South Cass Avenue, Westmont for a Major Site Plan Approval for a Multi-Unit Building containing four (4) dwellings in the R-4 General Residential District.

**Background of Subject Matter**

The proposed multi-unit building has a 5,267 square foot footprint and reaches a height of 29' 10" at its peak. The building consists of four 3-bedroom units with individual exterior entrances fronting onto 56th Place to the north and a patio at the rear of each unit. A 6-foot-tall fence is proposed around the rear and a portion of the west side of the property. A PCBMP is proposed to be installed along the east facing Cass Avenue. The R-4 Zoning District allows multi-unit buildings as a permitted principal use.

**Additional Background**

The petitioner has requested approval of a major site plan for a Multi-Unit Building containing four (4) dwellings in the R-4 General Residential District. The proposed plans substantially comply with both the Village's Comprehensive Plan and Zoning Ordinance.

**Recommendation**

The Planning & Zoning Commission held a public hearing on this request on May 13, 2026. The Commission recommended approval of the request unanimously (7-0).

**Type** Ordinance

**Budgeted**

h. **Video Gaming Liquor License Amendment**

Board to consider an ordinance amending the Class 23 liquor license classification pertaining to video gaming contained in Chapter 10, Section 10-36 of the Westmont Village Code of Ordinances.

### **Background of Subject Matter**

With this amendment, a Class 23 liquor license for a premise with video gaming would be allowed in the downtown, provided all other criteria are met. Additionally, it waives the 365-day waiting period for businesses that purchase assets from or ownership in a current business in any zoning district with current video gaming at the same location. Current regulations allow video gaming within the downtown only at addresses that currently have it, and video gaming can continue after a change of ownership only if the new owner maintains the same motif and business model, in which case the waiting period is waived. Outside the downtown, the current regulations require the waiting period even when a new business buys an old business. This change to waive the waiting period when a business is purchased, regardless of location, provides a benefit to our businesses by increasing the value of the business for sale. However, waiving the waiting period reduces the ability of the Village to see the performance of the new business owner before allowing them to have video gaming.

### **Additional Background**

All other protections remain in place, including the limits as to the types of liquor license that can hold a Class 23 license, a requirement that video gaming not generate more revenue than the sale of food/drink, and that any restaurants with a Class 23 license continue to meet all the definitions of restaurants including meals being regularly served, 75% of floor area for serving meals, and most meals served being prepared on premises. The Liquor Commissioner could still only issue new Class 23 licenses if the Village Board agrees to increase the number of available licenses. In making that decision, the Village Board can consider things such as the applicant's history, including compliance with law and ordinances, results of a background check, whether video gaming is an amenity or is requested primarily for the success of the business, the location and display of terminals within the premises, the geographic distribution, the need for more gaming establishments, and other items outlined in the code.

**Type** Ordinance

### **Budgeted**

i. **Zoning Ordinance Text Amendments - Accessory Video Gaming**

Board to consider an ordinance approving requests from the Village of Westmont for the following:

1. Zoning Ordinance text amendments to Chapter 95 – Zoning, of the Westmont Code of Ordinances, Section 6.01, regarding the addition of Video Gaming, Accessory as a permitted use in the B-1(A) Downtown Core and B-1 Downtown Edge Zoning Districts.
2. Zoning Ordinance text amendments to Chapter 95 – Zoning, of the Westmont Code of Ordinance, Section 6.04, regarding the deletion of certain supplemental use regulations for Video Gaming, Accessory.

**Background of Subject Matter**

At the April 2nd Administration and Finance Committee ("AFC") meeting, staff was directed to prepare text amendments to the Zoning Ordinance regarding video gaming regulations. The attached staff report solely focuses on the Zoning regulations as they relate to accessory video gaming. Municipal Code amendments to Chapter 10 are reviewed separately by the Village Board. The proposed text amendments do not alter any zoning regulations on video gaming cafés. New cafés will continue to not be allowed, and existing cafés will remain subject to existing zoning ordinance regulations.

**Additional Background**

Following the AFC's direction, the first text amendment is to allow accessory video gaming as a permitted accessory use in both the B-1(A) Downtown Core and B-1 Downtown Edge districts. Any business seeking to add accessory video gaming must apply for the appropriate liquor license, which requires Village Board approval. The second text amendment is to amend parts of the supplemental use regulations for accessory video gaming so that a new owner of a business with video gaming can continue to offer video gaming in the B-1 and B-1(A) Business Districts.

**Recommendation**

The Planning & Zoning Commission held a public hearing for these requests on May 13, 2026. The Commission recommended approval of the requests unanimously (7-0).

**Type** Ordinance

**Budgeted**

j. **Engineering Agreement - Phase 2 Design Engineering Residential Alley Reconstruction**

Board to consider an ordinance approving an engineering agreement with Thomas Engineering Group, LLC for Phase 2 design engineering for Residential Alley 14N Reconstruction.

**Background of Subject Matter**

Request to approve the sum of \$111,975.00 for Phase 2 design engineering for Residential Alley 14N Reconstruction.

**Additional Background**

This agreement will include topographic survey, soil boring, detailed design, plans, specifications and special provisions, cost estimates and bidding assistance for the residential alley located between Chicago Ave, Burlington Ave, Linden Ave and Warwick Ave. This project will be constructed in 2027.

**Recommendation**

Approve

**Type** Agreement/Contract

**Budgeted** Yes

k. **Exercise of Option Year 1 - DuPage County Salt Bid**

Board to consider an ordinance exercising the first option year of the DuPage County Salt Bid with Compass Minerals.

**Background of Subject Matter**

The Village of Westmont was part of a joint bid with various other agencies, led by DuPage County, for the purchase of rock salt for winter operations. The DuPage County Board approved the original contract with Compass Minerals on June 24, 2025. Compass Minerals has agreed to renew the first option year for the 2026-27 season with a 5% price increase, as permitted by the contract, while maintaining all other existing terms and conditions. The new pricing will increase from \$70.79 per ton to \$74.33 per ton. The DuPage County Board passed the salt bid renewal on March 12, 2026. Each partner agency is responsible for making an independent determination on whether to renew the current contract.

**Additional Background**

The Village of Westmont has a standard buy of 800 tons with the ability to purchase 20% more (160 tons). Staff recommends exercising the first option year of the contract for an amount not to exceed \$72,000.00. The new contract will be for the 2026-2027 season.

**Recommendation**

Approve

**Type** Agreement/Contract

**Budgeted** Yes

l. **Intergovernmental Agreement - South Westmont Fire Protection District**

Board to consider an ordinance approving an Intergovernmental Agreement with the South Westmont Fire Protection District for fire protection and ambulance services.

**Background of Subject Matter**

The Village has provided fire protection services and ambulance services to properties located within the South Westmont Fire Protection District in previous years pursuant to an IGA. The District is a "paper district" in that it does not own any fire or ambulance vehicles or equipment, and it does not provide fire protection and ambulance services to residents in the District. But it does have the power to levy taxes on residents within the District for such services. This new IGA continues these services for a 3-year period

(6/01/26 – 5/31/29). The previous IGA was for a 1-year period.

**Additional Background**

The IGA requires the District to pay \$20,000.00 to the Village from its tax levy revenues. This annual payment amount is the same as the amount paid by the District last year to the Village. This payment amount is \$5,000.00 less than the District paid in 2024-25 due to a loss of taxable property caused by recent annexations by the Village. The Fire Department reports that this annual payment amount is sufficient to cover its costs for providing these services.

**Recommendation**

Approve

**Type** Ordinance

**Budgeted** Yes

m. **Wintrust Bank Lock Box Account**

Board to consider a resolution authorizing the establishment of a new lock box account with Wintrust Bank for ambulance billing payments and authorizing signatories to that account.

**Background of Subject Matter**

Staff reached out to Wintrust Bank to set up a new lock box account for ambulance billing as we will have a new vendor. The signers on the account will be the same as all other accounts: Allen Altic, Jim Gunther, Steve Nero, and Amanda Szymiski.

**Type** Agreement/Contract

**Budgeted**

n. **Surplus Property - Village Hall**

Board to consider an ordinance to declare outdated, unused items from the departments in Village Hall as surplus property.

**Background of Subject Matter**

The Village of Westmont Village Hall Departments request that the attached list of items that are outdated, unused and/or non-functioning be declared as surplus property. Surplus items are to be removed from the Village's inventory and disposed of by the Village Manager in the manner determined to be the most appropriate.

**Recommendation**

Approve

**Type** Ordinance

## **Budgeted**

### **10. MISCELLANEOUS**

### **11. EXECUTIVE SESSION**

This Board may adjourn to closed session to discuss matters so permitted and may act upon such matters upon returning to open session.

### **12. ADJOURN**

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Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact the ADA Compliance Officer, 9:00 A.M. to 4:00 P.M. Monday through Friday, Village of Westmont, Illinois, 60559; or telephone (630) 981-6210 voice, within a reasonable time before the meeting. Listen Everywhere, an assistive listening, mobile app, is now available to visitors attending Board and Commission Meetings held in the Village Hall Board Room.

<https://westmont.illinois.gov/581/ADA-Listen-Everywhere>



Clerk's Office  
**Village of Westmont**

MINUTES OF THE BOARD MEETING HELD **Thursday, May 14, 2026**

**Mayor Nero** called the meeting to order at **6:00 P.M.**

**WESTMONT VILLAGE BOARD MEETING ROLL CALL:**

<b>PRESENT:</b>	Mayor Nero	<u>P</u>	Clerk A. Szymiski	<u>A</u>
<b>TRUSTEES:</b>	Barker	<u>P</u>	Parrilli	<u>P</u>
	Guzzo	<u>P</u>	Plowman	<u>P</u>
	Liddle	<u>P</u>	Scales	<u>P</u>

**STAFF:**

<b>Gunther</b> (Village Manager)	<u>P</u>	<b>Parker</b> (Assistant Manager)	<u>P</u>	<b>Brainerd</b> (H.R. Director)	<u>P</u>
<b>Hennerfeind</b> (CDD Director)	<u>P</u>	<b>Mulhearn</b> (Deputy Liquor Commissioner)	<u>P</u>	<b>Liljeberg</b> (I.T.)	<u>A</u>
<b>Chief Gruen</b> (Police Department)	<u>P</u>	<b>D.C. Thompson</b> (Police Department)	<u>A</u>	<b>Altic</b> (Finance Director)	<u>P</u>
<b>Viscuso</b> (Public Works)	<u>A</u>	<b>D.C. Frank</b> (Fire Department)	<u>P</u>	<b>Mielcarski</b> (Gov't Services)	<u>P</u>
<b>Richards</b> (Deputy Village Clerk )	<u>P</u>	<b>Babyar</b> (Communications)	<u>P</u>	<b>Ries</b> (Public Works Director)	<u>P</u>

**ATTORNEY:** Zemenak P                      Lampariello A

**A QUORUM WAS PRESENT TO TRANSACT BUSINESS.**

**PRESS:**

Bugle    A

**Westmont Chamber President:** A

**THOSE PRESENT RECITED THE PLEDGE OF ALLEGIANCE.**

Mayor Nero welcomed everyone to the meeting.

**OPEN FORUM:**

- None

**VOTING KEY:**      **A=ABSENT**              **AB=ABSTAIN**              **N=NO**      **W=Withdrawn**  
                                  **P=PRESENT**              **Y=YES**                              **R=RECUSE**

**Note:** *The items listed in these minutes are summaries only and are not meant to be a direct transcript of the Mayor’s, Manager’s, Clerk’s and Trustees’ comments. For actual quotes of the referenced items please refer to the Archival video copy of this meeting.*

**VOTING SUMMARY**

	<b><u>1</u></b>	<b><u>2</u></b>	<b><u>3</u></b>	<b><u>4</u></b>
TRUSTEE BARKER	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE GUZZO	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE LIDDLE	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE PARRILLI	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE PLOWMAN	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE SCALES	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

**REPORTS**

**Mayor Nero**

- The State of the Village presentation will be May 20th at BAMTheatre, 520 N Cass at 8am. Please RSVP thru the Chamber website - [westmontchamber.com](http://westmontchamber.com). There is no charge for this event.
- The annual Memorial Day Parade is Monday, May 25 at 10:30 a.m. in downtown Westmont. The parade will travel south on Cass Avenue through downtown Westmont before heading east on Richmond Street and ending at Veterans Memorial Park, 75 E. Richmond, for a Memorial Day Ceremony.
- Race to the Flag is scheduled for Sunday, May 24 - Info. and sign up is on the Race To The Flag website - [racetotheflag.org](http://racetotheflag.org). The Park District Co-ops with the Race to the Flag coordinators. It is a wonderful event.

**Deputy Clerk Richards**

- Village Hall will be closed May 25th and June 19, 2026.

**Trustee Guzzo**

- The Fire Public Safety Committee meeting is on June 11, 2026 at Village Hall. Everyone is invited to attend.
- Invited everyone to attend the groundbreaking ceremony for the new Westmont Fire Department facility on Tuesday, May 26th, 8am, at 6015 S. Cass Ave

**Trustee Scales**

- The next Community Development Committee meetings will be July 9 & September 17.
- Downtown rezoning notifications are up in and around downtown announcing the upcoming rezonings. A public hearing will be held at Village Hall on June 10th during the Planning and Zoning Commission meeting.
- The Planning and Zoning meeting will be at Village Hall, June 10th, at 6pm. Information regarding this meeting can be found on our Village website or you can scan the QR code on the public signs.

### **Trustee Parrilli**

- The next Public Works Committee meeting will be May 28th, 4:30pm at Village Hall.
- Construction season is here and residents are reminded that they can look up construction project information on the village website for the most current updates.
- E. Burlington Construction Update - Work on this project is expected to resume next week. Updates will be posted on the village website.
- Tree Planting Incentive - This program will reimburse residents for the cost of planting qualified trees up to a maximum of \$599.00 per year. Reimbursable costs include: tree purchase, delivery, planting, and initial care for the tree such as mulching and watering. More information is on the village website.

### **Trustee Plowman**

- The next Police Public Safety Committee meeting will be August 6, 2026.
- Awards were given to 3 officers regarding a felony retail theft: Officer Kozielski, Officer Eisenbeis, Officer Arndt.
- 4 residents received a life saving award for pulling an unconscious man off of the tracks 30 seconds before a train arrived. Those 4 individuals are as follows: Greg Compton, Rosendo Valazco, Lemuel Reyes, and John Paul Alexander.
- Talked about a retail theft of Wrestlemania chairs that happened at Park's Vintage. Due to cameras that were around in the area, our Police force was able to crack the case. Cameras and license plate readers are important to have around town.
- Residents can go online and register their cameras with the S.A.F.E.R. Program. This is a voluntary program that can help to better serve our community. This allows the Police to access the cameras to assist with police work.
- The Police Department has been busy with events such as, Paper Shredding, Drug Take Back, Police Appreciation Day, Citizens Police Academy Picnic, Car Show, etc.
- The Police Department came up with yard signs for residents who are sensitive to fireworks, such as veterans and animals. They can be picked up at the Police Department.
- Cop on a Rooftop is tomorrow morning. This is a fundraiser for the Special Olympics and it is between 5am - 12pm. For those that can not make it, there is a link online to donate.
- Lions Spring Fling Event will be in two weeks. The event will be right outside of Village Hall on Quincy Street. The event will be May 21 - 24. Volunteers are needed for Sunday. If you are interested in volunteering for this event please go to [westmontlionsfoundation.org](http://westmontlionsfoundation.org)

### **Trustee Liddle**

- The next Administration / Finance Committee meeting will be June 25th, 4:30pm, at Village Hall. Everyone is welcome to attend.
- Petpawpalooza is this Saturday, May 16, 10am - 2pm at Veterans Memorial Park. Bring your feathered or furry friend down for lots of fun pet related activities.
- Westmont Cruisin' Nights starts June 4 and there will be 12 events every Thursday through August. Westmont Special Events Corporation posted new themes, including All Village Vehicle Night on June 18.
- Taste of Westmont will be July 9 - 12th and there are many volunteer opportunities. More details can be found on [westmontevents.com](http://westmontevents.com)

- Businesses can sign up to have summer themed window murals to be painted on their windows. Sign up can be found on westmontevents.com

**Trustee Barker**

- The Environmental Improvement Committee has been scheduled for June 8th.
- The Dark Sky Grants are still available for residents and businesses. Information is on the Village website.
- Vision and Vibe is scheduled for September 12-13. There is a call for artists to get involved. Information is also on the website.

**ITEMS TO BE REMOVED FROM CONSENT AGENDA:**

- No items to be removed from the consent agenda.

**(1) CONSENT AGENDA [Omnibus Vote]:**

**Village Manager Gunther** addressed the Board on this agenda item.

**(A) VILLAGE BOARD MINUTES**

**Board Meeting Minutes**

- Board to consider approving the following:
  - Minutes of the Village Board held on **April 30, 2026**.

**Executive Session Minutes**

- Board to consider a motion to accept, approve and release the following Executive Session minutes with the exceptions as noted:

Meeting Date	Exception Paragraph #
June 29, 2023	Paragraph 3, 4, 5
November 30, 2023	Paragraph 3, 4
March 21, 2024	
June 26, 2025	
October 30, 2025	
January 22, 2026	Paragraph 2

**(B) FINANCE ORDINANCE**

- Finance Ordinance # 10 **\$ 2,993,796.50**

**(C) PURCHASE ORDERS:**

West Central Municipal Conference	<b>\$ 89,397.55</b>
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**(D) TOTAL OF PURCHASE ORDER(S) AND FINANCE ORDINANCE(S): **\$3,083,194.05****

**(E) HOTEL / MOTEL GRANTS - WESTMONT PARK DISTRICT**

Board to consider motion awarding six (6) hotel/motel grants to the Westmont Park District totaling \$15,975. The six grants consists of the following:

1. American Legion Memorial Day Parade (grant request: \$750)
2. 4th of July Celebration (grant request: \$2,725)
3. Performing Arts Musical (grant request: \$2,500)
4. Holly Days (grant request: \$5,000)
5. Haunted Forest (grant request: \$2,500)
6. Concerts in the Park (grant request: \$2,500)

**(F) PROCLAMATION - MOTORCYCLE AWARENESS MONTH**

Board to consider approving a proclamation declaring the month of May 2026 as Motorcycle Awareness Month in the Village of Westmont.

**(G) PROCLAMATION - EMS WEEK**

Board to consider approving a proclamation declaring May 17-23, 2026 as EMS Week in the Village of Westmont.

**(H) PROCLAMATION - NATIONAL PUBLIC WORKS WEEK**

Board to consider approving a proclamation declaring May 17-23, 2026 as National Public Works Week in the Village of Westmont.

Motion by **Trustee Liddle** to consider the consent agenda.  
Seconded by **Trustee Scales** and the motion passed.

**VOTE ON MOTION #1**

Ayes: Barker, Guzzo, Liddle, Parrilli, Plowman, Scales  
Nays: None  
Absent: None

**UNFINISHED BUSINESS - None**

**NEW BUSINESS**

**(2) INCREASE IN CLASS 26 LIQUOR LICENSE BY ONE**

**Deputy Liquor Commissioner Mulhearn and Jennifer Cafferty** addressed the Village Board.

Motion by **Trustee Plowman** to consider an ordinance increasing the number of available Class 26 liquor licenses by one (1) Jennifer Cafferty d/b/a 111 Elm Workshop and Store, 17 North Cass Avenue, Westmont, Illinois

Seconded by **Trustee Liddle** and the motion passed.

**VOTE ON MOTION #2**

Ayes: Barker, Guzzo, Liddle, Parrilli, Plowman, Scales  
Nays: None  
Absent: None

**(3) 2026 PERMIT HOLIDAY PROGRAM**

**Community Development Director Hennerfiend** addressed the Village Board

Motion by **Trustee Plowman** to consider an ordinance approving the 2026 Permit Holiday Program involving the temporary waiver of \$100.00 online building permit application fees for certain improvement projects in September and October 2026.

Seconded by **Trustee Liddle** and the motion passed.

**VOTE ON MOTION #3**

Ayes: Barker, Guzzo, Liddle, Parrilli, Plowman, Scales

Nays: None

Absent: None

**MISCELLANEOUS**

- None

**(4) ADJOURNMENT - 6:30 pm**

Motion by **Trustee Liddle** to adjourn the regular meeting.

Seconded by **Trustee Guzzo** and the motion passed.

**VOTE ON MOTION #4**

Ayes: Barker, Guzzo, Liddle, Parrilli, Plowman, Scales

Nays: None

Absent: None

**MEETING ADJOURNED AT 6:30 P.M.**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Amanda Szymiski, Village Clerk

\_\_\_\_\_  
Steven T. Nero, Mayor

Dated this 28th day of May, 2026



**Village of Westmont  
OFFICE OF THE MAYOR**

31 West Quincy Street, Westmont, Illinois 60559

mayor@westmont.il.gov | 630-981-6210  
westmont.illinois.gov | 630-981-6200

**P26 - \_\_\_\_\_, Village of Westmont  
Celebrating Over 50 Years of Neighbor Helping Neighbor**

**WHEREAS**, in 1975 from a small house in Wheaton a food pantry began; **and**,

**WHEREAS**, the goal was to create social justice for poverty stricken residents in DuPage County; **and**,

**WHEREAS**, that first year 125 families were given assistance while in 2025 over 22,500 were served; **and**,

**WHEREAS**, DuPage PADs began as an outgrowth of this program, ten years later is now a separate nonprofit organization; **and**,

**WHEREAS**, in 2008 a location in Westmont was created to successfully service the southern section of DuPage County to address vital needs and create a compassionate community, **and**,

**WHEREAS**, in 2015 the Westmont location had grown and a new location in Westmont was found and has since serviced over 162,000 pantry visits, 18,000 clothes closet visits and clocked over 287,000 volunteer hours; **and**,

**WHEREAS**, poverty has doubled in DuPage County in the past decade, the PRC has a legacy to ease the struggles of families in need; **and**,

**NOW THEREFORE**, I, Steven T. Nero, by virtue of the authority vested in me as Mayor of the Village of Westmont, do hereby announce and proclaim to all citizens and set seal hereto, honor the work of the People’s Resource Center of Westmont on this “World Hunger Day” as PRC celebrates 50 years of service to DuPage County.

**PASSED AND APPROVED** by the Mayor and Board of Trustees of the Village of Westmont, DuPage County, Illinois this 28th Day of May, 2026.

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_

Approve: \_\_\_\_\_  
Steven T. Nero - Mayor

Attest: \_\_\_\_\_  
Amanda Szymiski, Village Clerk



**Village of Westmont  
VILLAGE BOARD**

31 West Quincy Street, Westmont, Illinois 60559

villageboard@westmont.il.gov  
westmont.illinois.gov | 630-981-6200

**Proclamation No. 26- \_\_\_\_\_**

**NATIONAL GUN VIOLENCE AWARENESS WEEKEND**

**WHEREAS**, each year in the United States nearly 46,000 individuals are killed and 97,000 wounded by gunfire

**WHEREAS**, more than 26,000 , with an average of more than 19,000 gun homicides every year; and

**WHEREAS**, cities across the nation, including the Village of Westmont, are working to end gun violence with evidence-based solutions; and

**WHEREAS**, support for the Second Amendment rights of law-abiding citizens can go hand-in-hand with keeping guns away from people with dangerous histories; and

**WHEREAS**, gun violence prevention is more important than ever as we see an increase in firearm homicides, suicides, and nonfatal shootings across the country, increased calls to domestic violence hotlines, and an increase in city gun violence;

**WHEREAS**, anyone can join this campaign by pledging to wear orange on the first Friday in June in 2025, to help raise awareness about gun violence; and

**WHEREAS**, we renew our commitment to reduce gun violence and encourage responsible gun ownership to help keep our families and communities safe.

**NOW, THEREFORE BE IT RESOLVED**, that I, Steven T. Nero, as Mayor, do hereby declare June 5-7, 2026, to be National Gun Violence Awareness Weekend in the Village of Westmont; and encourages all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

**PASSED AND APPROVED** by the Mayor and Board of Trustees of the Village of Westmont, DuPage County, Illinois, this 28th day of May, 2026.

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_

Approve: \_\_\_\_\_  
Steven T. Nero - Mayor

Attest: \_\_\_\_\_  
Amanda Szymiski, Village Clerk



**VILLAGE OF WESTMONT**  
**Board of Trustees Memorandum**  
**May 28, 2026**

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**Item for Board of Trustees Consideration:**

Board to consider an ordinance approving requests from Sonja Smilga for the property at 1351 South Ridge Road, Willowbrook, Illinois, 60527, for the following:

1. Preliminary Plan and Final Plat of Subdivision to create one (1) lot in the R-1(A) Single-Unit Residential District.
2. A waiver of the fee-in-lieu contribution for right-of-way improvements required by Sec. 5.05(d) of the Land Development Code.

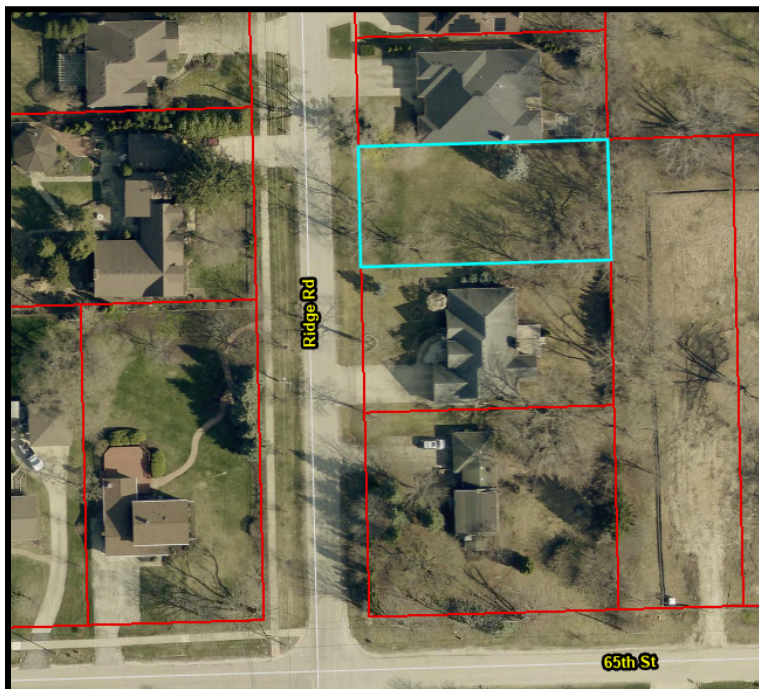
**Planning & Zoning Commission recommendation:**

The Planning & Zoning Commission held a public meeting to consider the subdivision request on May 13 2026, The Commission recommended approval of the preliminary plan of subdivision unanimously (7-0). The waiver request was not discussed at this meeting as it is not within their purview.

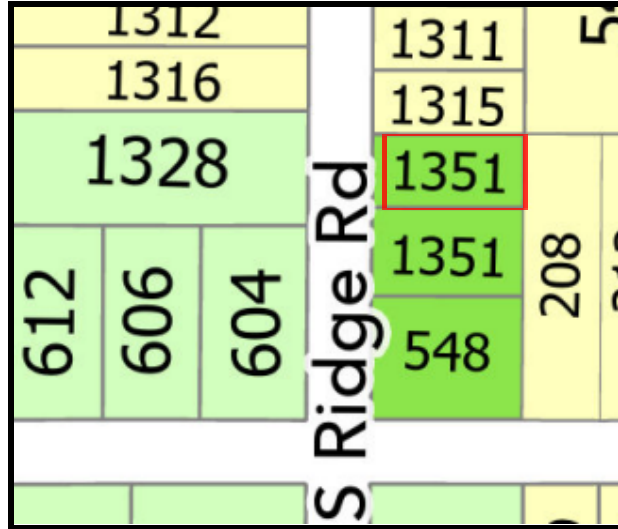
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**I. BACKGROUND OF ITEM**

- A. Location: 1351 South Ridge Road is located in the southwest corner of the Village, between 64th and 65th Streets. The subject parcel measures 75 feet by 156 feet, for an area of 11,700 square feet. The vacant parcel is surrounded by detached houses on all sides, many of which have been subdivided and rezoned since annexing into the Village within the last 30 years. Though this property has a Willowbrook zip code, it is fully under the jurisdiction of the Village of Westmont, having been annexed under Ordinance 02-113 in 2002.



**Aerial Map - 1315 South Ridge Road (source: DuPage County Parcel Viewer)**



Zoning Map - 1351 South Ridge Road

B. Zoning Designations:

<b>SUBJECT PROPERTY</b>	R-1(A) Single-Unit Residential
<b>NORTH &amp; EAST</b>	R-3 Single-Unit Residential
<b>WEST</b>	R-1 Single-Unit Residential
<b>SOUTH</b>	R-1(A) Single-Unit Residential

C. Neighborhood Characteristics

The parcel is located in the Resubdivision of Lots 1-8 & 36-43 of Highview Estates subdivision, which was recorded in 1941. At the time of subdivision, all lots were at least 1.17 acres in size. Over the last 85 years, these lots have been subdivided into two to four lots while under the jurisdiction of DuPage County or when annexing into the Village of Westmont. More often than not, lots were subdivided and rezoned to the R-1(A) or R-3 districts at the time of annexation, although larger lots to the southwest of the subject property remained in the R-1 district.



Street View - 1351 South Ridge Road

**II. PETITIONER REQUESTS:**

The petitioner has requested approval of a Preliminary Plan and Final Plat of Subdivision to create one (1) lot in the R-1(A) Single-Unit Residential District. The Petitioner has also requested a waiver of the fee-in-lieu requirement for required right-of-way improvements, namely a public sidewalk.

**III. ZONING ANALYSIS**

**A. Zoning and Comprehensive Plan Designations**

The current zoning district of the property is R-1(A) Single-Unit Residential District, which is intended to provide larger “estate” lots than more traditional residential lots that occupy most of the Village. The Comprehensive Plan designates the future land use in this area as Single Family Detached Residential, which should “... consist of one detached single household per lot, organized into neighborhoods or subdivisions. The design and construction of new homes should take into consideration the established character of surrounding single-family areas.”

**B. Previous Approvals**

In 2006, the Damjanoviches (owners at the time and the petitioner’s parents) requested approval to subdivide 1351 South Ridge from one lot into two lots. At the time, only the preliminary plan was approved by the Village Board (Ord. 06-123). The Damjanoviches opted to delay final plat approval due to the required engineering improvements. Since then, final plat approval has not been obtained. Per Appendix B, Section 2.04(a), the applicant has one year after preliminary plan approval to obtain final plat approval by the Village Board, which in this case never occurred. However, it appears that the preliminary plan from 2006 was recorded with the DuPage County Recorder’s Office, creating two separate PIN numbers for one lot. To rectify this issue and create a second lot, the petitioner must obtain preliminary plan approval and final plat approval to officially create this lot of record and to record the subdivision with the County.

**C. Requests**

The petitioner seeks approval of 2 requests.

**Request #1:**

The petitioner has provided a project narrative and supporting documentation for the following request:

- **Preliminary Plan and Final Plat of Subdivision to create one (1) lot in the R-1(A) Single-Unit Residential District.**

Appendix B requires preliminary plan approval prior to final plat approval by the Village Board. The proposed preliminary plan provided by Landmark Engineering, LLC substantially complies with the requirements of Appendix B, therefore the requests for preliminary plan and final plat of subdivision approval have been processed together as a single request.

The proposed subdivision meets all of the minimum requirements of the Zoning Ordinance for the R-1(A) Zoning District, including lot width at 75 feet, a depth of 156 feet and an area of 11,700 square feet. The petitioner anticipates selling the vacant property to a prospective home builder to develop a single-unit detached house, which is a permitted use in the R-1(A) Zoning District. Village staff recommends approval of this request for preliminary plan and final plat of subdivision approval.

**Lot and Building Regulations R-1(A)**

	Lot Width (Feet)	Lot Depth (Feet)	Lot Area (Square Feet)
<b>Minimum Requirements</b>	75 ft	125 ft	11,250 sqft
<b>Proposed</b>	75 ft	156 ft	11,700 sqft

Request #2:

- Waiver of the fee-in-lieu contribution for right-of-way improvements required by Sec. 5.05(d) of the Land Development Code.

Appendix B of the Village Municipal Code (the Land Development Code) outlines the requirements for property subdivisions. Specifically, Section 5.05(c) mandates the installation of public sidewalks for all residential and commercial subdivisions, constructed according to Village standards. However, Section 5.05(d) authorizes the Public Works Director to waive certain public improvements, such as sidewalk installation, if they are deemed impractical or undesirable. In such instances, Section 5.05(d) requires a cash-in-lieu contribution at a rate of \$100.00 per linear foot of right-of-way width. For this case, the Village Engineer has determined that the sidewalk installation may be waived, requiring a cash-in-lieu payment of \$7,500.00. These funds would be utilized for future improvements of the right-of-way.

The petitioner submitted a letter from her attorney supporting this request. This letter relies on a recommendation contained in the 1998 Comprehensive Plan that suggested that “streetlights, curbs and gutters” should not be required when properties in this area are annexed and developed. However, this recommendation did not suggest waiving the sidewalk installation requirement, and this recommendation was removed in the 2013 Comprehensive Plan. Additionally, the letter asserts financial hardship as a justification for this waiver. Village Staff, however, does not recommend approval of this waiver request of the fee-in-lieu contribution requirement. Granting such a request could establish a problematic precedent, potentially allowing future applicants to seek similar waivers and undermining the minimum standards set by the Land Development Code.

It should be noted that while this waiver request pertains to the subdivision process, other requirements exist within the Municipal Code regarding sidewalk installation. Chapter 70, Section 70-202(c) requires sidewalk installation whenever a building permit is sought to build a new building on a lot, even where no subdivision is involved. In this case, even if petitioner’s waiver request is approved by the Village Board related to this subdivision, any future developer or home builder is still required to either install the public sidewalk or to make a request to the Village Board for a waiver to allow a cash-in-lieu contribution instead of sidewalk installation during the permitting phase.

Options for Village Board to consider regarding this waiver request:

1. Deny this waiver request;
2. Approve this waiver request, but require any future developer of the lot to either install a sidewalk pursuant to Sec. 70-202 or request a waiver from the Village Board to allow a cash-in-lieu contribution instead of installing the required public sidewalk pursuant to Sec. 70-204; or
3. Approve this waiver request and allow this waiver to serve as a waiver of the sidewalk installation requirements or the payment of a cash-in-lieu contribution requirement contained in Chapter 70 for any future development of this property.

**IV. SUMMARY**

The petitioner is requesting preliminary plan and final plat of subdivision approval to create one (1) additional lot in the R-1(A) Single-Unit Residential District. Apart from a requested waiver regarding right-of-way improvements, the proposal is in substantial alignment with the Land Development and Zoning Ordinance. Additionally, the application contains a formal request to waive the required cash-in-lieu contribution for sidewalk improvements.

**V. LEGAL**

- A. Notification: No notification is required for these requests.
- B. Code References: Chapter 95 and Appendix B

**VI. DOCUMENTS ATTACHED:**

1. Petitioner Attachments received February 18, 2026 (Edited for VB):
  - a. Planning & Zoning Development Application
  - b. Project Narrative and Cover Letter
  - c. Proposed Preliminary Plan Prepared by Landmark Engineering, LLC (for approval)
  - d. Proposed Final Plat Prepared by Landmark Engineering, LLC undated (for approval)

PZC Case Number (office use only): **PZC 006-2026**

**Petitioner**

<b>Petitioner Name:</b>	Sonja Damjanovich Smilga	<b>Property Owner Name:</b>	Sonja Damjanovich Smilga
<b>Petitioner Address:</b>	[REDACTED]	<b>Owner Address:</b>	[REDACTED]
<b>City, State and Zip</b>	[REDACTED]	<b>City, State and Zip:</b>	[REDACTED]
<b>Phone:</b>	[REDACTED]	<b>Phone:</b>	[REDACTED]
<b>Email:</b>	[REDACTED]	<b>Email:</b>	[REDACTED]

**Subject Property**

<b>Property Address (Subject Property):</b>				1351 S. Ridge Road			
<b>Property Identification Number(s) PIN(s):</b>				09-22-103-039			
<b>Lot Width</b>	75 FT	<b>Lot Depth</b>	156 FT	<b>Lot Area:</b>	11,700 SqFt	<b>Lot Acreage:</b>	0.27
<b>Current Zoning:</b>		R1-A		<b>Current Use:</b>		vacant	
<b>Description of Request/Project Title:</b>				One Lot Subdivision/ DAMJANOVICH SUBDIVISION			
<p><b>Legal Description - often found on a Plat of Survey - MUST BE TYPED HERE (or sent in Docx format):</b></p> <p><i>Pictures or screenshots of the legal description, or writing it by hand will NOT be accepted.</i></p>				<p>THE NORTH 75.00 FEET OF LOT 25 IN THE RESUBDIVISION OF LOTS 1 TO 8, BOTH INCLUSIVE, AND LOTS 36 TO 43, BOTH INCLUSIVE, OF HIGHVIEW ESTATES, BEING A SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 23, 1941, AS DOCUMENT NUMBER 423969, IN DUPAGE COUNTY, ILLINOIS</p>			



# LANDMARK

COVER LETTER FOR SUBMITTAL TO THE VILLAGE OF WESTMONT OF

ENGINEERING LLC

## DAMJANOVICH SUBDIVISION

A ONE-LOT 75' x 156' SUBDIVISION ON LAND ZONED R-1A: RESIDENTIAL

LOCATED NORTH OF 1351 S. RIDGE ROAD

DUPAGE COUNTY PROPERTY INDEX NUMBER (P.I.N.) 09-22-103-039

Previously submitted and attached herewith are:

Original signed applications, a check for application fees and a copy of the deed; and  
A signed and sealed Plat of Survey of the existing subject property.

New submittals are:

An updated Preliminary Plan of the subdivision revised as follows:

The Preliminary Plan is signed and sealed by a Professional Engineer;

Existing storm and sanitary sewer and watermain locations have been added;

and

A location map has been added.

A Topographic Survey of the property, including Arborist-noted existing tree locations *was waived by Scott R. Williams, Senior Planner*

An updated Final Plat of Subdivision revised as follows:

A "Submitted by" box has been added;

"HEREBY GRANTED" has been added to the three easements;

NOTARY PUBLIC CERTIFICATE has been added;

The word CERTIFICATE (or equivalent) has been added to each certificate;

The Flagg Creek certificate has been relabeled and revised as directed; and

The 40' Building Line has been removed.

The owner and subdivider intends to sell this land to a builder. The requirement for subdivision is the first step in the process of that transfer, since a subdivided lot is needed for a building permit. She is seeking both preliminary and final approval at this time.

One requirement for subdivision is improvement of right-of-way (or fee in lieu thereof). We hereby formally request that this requirement be waived, specifically from Village Ordinance Appendix B, Article V, Section 5.05(D)(2), but in general because this is a one-lot subdivision and the applicant would like it to be treated as one single family home for a building permit.

Landmark Engineering LLC 7808 West 103rd Street Palos Hills, Illinois 60465 Phone: 708-599-3737 Fax: 708-599-2291

Permission to not construct a sidewalk along the front of the property is hereby requested, since any new sidewalk would likely be destroyed or significantly damaged during the construction of a home on this property. This position has been previously supported by staff opinion.

The address of this property has been previously noted as 1351 S. Ridge Road, but that address actually belongs to the residence south of and adjacent to this land. The proposed subdivision should have an address between the two neighbors, 1315 and 1351, and it is anticipated to be 1333 S. Ridge Road.

LEC Project No. 2601029

Dated: March 9, 2026

**ELLEN K. RAYMOND**

**ATTORNEY AT LAW**

[www.EllenRaymondLaw.com](http://www.EllenRaymondLaw.com)

[Ellen@EllenRaymondLaw.com](mailto:Ellen@EllenRaymondLaw.com)

Post Office Box 63

Western Springs, IL 60558

(630)662-0396 (land) (630)662-0397 (fax)

COVER LETTER RE ROW WAIVER

(Supplemental to Landmark cover letter dated March 9, 2026)

April 24, 2026

Village of Westmont  
Community Development  
31 West Quincy St.  
Westmont, IL 60559

Re: Damjanovich Subdivision  
A 1-lot subdivision located North of 1351 S. Ridge Rd. Westmont IL  
DuPage County PIN 09-22-103-039  
Request for waiver of fee in lieu of ROW improvements,  
Village Ordinance Appendix B Article V Section 5.05(D)(2)

Dear Village of Westmont:

Petitioner Sonja Damjanovich Smilga's ("Sonja") parents passed away in 2008. Sonja inherited the above referenced vacant lot ("Lot"). She is a senior citizen whose principal source of income is social security and a small pension. She now needs to sell the Lot to pay off exorbitant medical bills for her adult daughter. She is not a developer or builder but was required by Westmont to subdivide the 1-lot parcel prior to sale.

In 2002 the Lot along with another property in the Highview Estates neighborhood was annexed into Westmont. At the time of annexation the Highview Estates owners were promised that the rural estate setting of their properties would not change. Such a promise was set forth in Ordinance 00-148 amending the Village's 1998 Comprehensive Plan ("1998 Plan"). Section 1 of Ord. 00-148 recommended that the character of the Highview Estate area be preserved and "that streetlights, curbs, and gutters not be required."

Unbeknownst to the Highview Estate neighborhood, the Comprehensive Plan of 2013 ("2013 Plan") arbitrarily abrogated the promises that were made. The 2013 Plan did not identify Highview Estates by name, nor was Ord. 00-148 identified. Yet sweeping changes mandating all communities to comply with the ROW requirements were implemented.

Sonja is in a unique position as she holds a vacant lot in Highview Estates. She was never told there was an arbitrary time limit imposed where she could subdivide and sell her Lot without

ROW improvements.

Sonja is requesting a waiver of the \$7,500 fee in lieu of ROW improvements as there were no changes to the rural character of the neighborhood and no reason to reverse the good faith promises made at the time of annexation. Sonja is asking Mayor Nero and the Board of Trustees for fairness and to keep the village's promises made at the time of annexation.

Sonja is also requesting the waiver due to financial hardship. As a homeowner and not a funded developer she is unable to pay such an amount due to financial hardship. She is an elderly woman relying on social security and a small pension to meet her needs. Such a waiver would ensure the sale and development of the Lot. Stopping such a sale by levying a fee the homeowner cannot pay does not further the village's goal of increasing the amount of property tax on the Lot.

If such waiver is not granted, Sonja is requesting a reduction from the \$7500 fee. The fee, if not waived, should be cut in half due to financial hardship. It also would be fair to cut the fee in half because she would be paying for ROW improvements that are not applicable and will not be installed in this neighborhood.

Sonja also requests that any amount due be payable at the time of the permit application and not at the time of final plat approval.

Thank you for your time and consideration.

Yours very truly,



Ellen K. Raymond

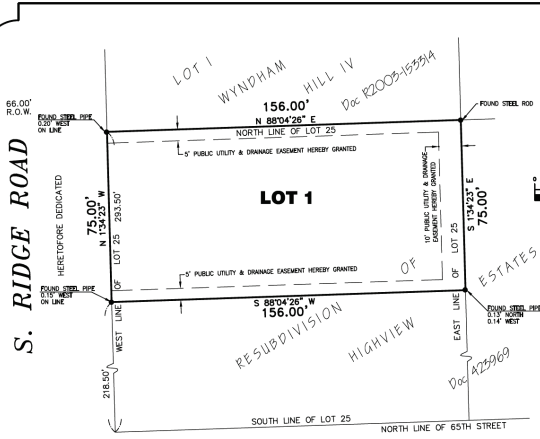
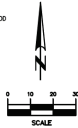


# FINAL PLAT OF SUBDIVISION DAMJANOVICH SUBDIVISION

OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

PIN: 09-22-103-039

ADDRESS  
1333 S. RIDGE ROAD  
WESTMONT, IL



### PUBLIC UTILITY & DRAINAGE EASEMENT PROMISSES

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF WESTMONT, ILLINOIS AND THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE VILLAGE OF WESTMONT, INCLUDING, BUT NOT LIMITED TO, COED, SSC, NCCOR, AND COMCAST, AND FLAG CREEK RECLAMATION DISTRICT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, OVER ALL OF THE AREAS MARKED "PUBLIC UTILITY & DRAINAGE EASEMENT" OR MARKED "UTILITY EASEMENT" ON THE PLAT FOR THE RESPECTIVE RIGHT, PRIVILEGE AND AUTHORITY TO INSTALL, CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN, OPERATE AND REMOVE, FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS, INCLUDING ELECTRICITY, SOUNDS AND SIGNALS, GAS PIPELINES, WATER PIPELINES, STORM AND SANITARY SEWERS, AND STORMWATER DRAINAGE PATHS, TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CATCH BASINS, CONNECTIONS, APPLIANCES, AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY, OVER, UPON, ALONG, UNDER AND THROUGH SAID INDICATED EASEMENTS, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE PROPERTY, AS NECESSARY. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM, OR REMOVE ANY TREES, ROOTS, SHRUBS, OR OTHER PLANTS ON SAID INDICATED EASEMENTS AS MAY REASONABLY BE REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN THAT INTERFERE WITH THE OPERATION OF THE DRAINAGE PATH OR UTILITY, AND THE RIGHT TO ENTER UPON THE PROPERTY FOR ALL SUCH PURPOSES. NO PERMANENT BUILDINGS OR OBSTRUCTIONS SHALL BE PLACED ON SAID INDICATED EASEMENTS WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRABES OF SAID EASEMENTS SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF. WHERE SAID INDICATED EASEMENTS ARE USED BOTH FOR DRAINAGE, SEWERS AND OTHER UTILITIES, THE OTHER UTILITY INSTALLATION(S) SHALL BE SUBJECT TO THE ORDINANCES OF THE VILLAGE OF WESTMONT.

### OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE ATTACHED PLAN AND HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN BY THE PLAT FOR USES AND PURPOSES AS INDICATED THEREIN AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREIN INDICATED. FURTHERMORE PURSUANT TO SECTION 13.05 OF THE PLAT ACT, 765 ILCS 205, THIS DOCUMENT SHALL SERVE AS THE SCHOOL DISTRICT STATEMENT AND TO THE BEST OF THE OWNER'S KNOWLEDGE, THE TRACT OF LAND DESCRIBED IN THE ATTACHED PLAT LIES IN ELEMENTARY SCHOOL DISTRICT 60, HIGH SCHOOL DISTRICT 89 AND COMMUNITY COLLEGE DISTRICT 502.

DATED AT \_\_\_\_\_ ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

SONJA SMILGA  
6524 S. RIDGE ROAD  
WILLOWBROOK, IL 60527

### NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF \_\_\_\_\_ ) ss  
I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT SONJA SMILGA, WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNER, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT SHE SIGNED AND DELIVERED THE SAID INSTRUMENT AS HER OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

NOTARY PUBLIC

MY COMMISSION EXPIRES \_\_\_\_\_

### DUPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) ss  
THIS INSTRUMENT NO. \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.

COUNTY RECORDER

### CERTIFICATE OF PLANNING & ZONING COMMISSION

I, DOUGLAS CARMICHAEL, CHAIRMAN OF THE VILLAGE OF WESTMONT PLANNING & ZONING COMMISSION, CERTIFY THAT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, THIS PLAT OF SUBDIVISION WAS DULY APPROVED BY THE PLANNING AND ZONING COMMISSION.

SIGNED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
DOUGLAS CARMICHAEL, CHAIRMAN JILL PETERSON, SECRETARY

### SANITARY DISTRICT CERTIFICATE

I, \_\_\_\_\_, EXECUTIVE DIRECTOR OF THE FLAGG CREEK WATER RECLAMATION DISTRICT, DO HEREBY CERTIFY THAT THIS PLAT AND THE PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS THEREOF MEET THE REQUIREMENTS OF THE FLAGG CREEK WATER RECLAMATION DISTRICT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

BY: \_\_\_\_\_ EXECUTIVE DIRECTOR

### COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) ss  
I, LEAN KACZMAREK, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THESE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES AND NO DEFERRABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS ANNEXED PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK, AT WHEATON, ILLINOIS.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

COUNTY CLERK

### CERTIFICATE TO SPECIAL ASSESSMENTS

I, \_\_\_\_\_, VILLAGE TREASURER OF THE VILLAGE OF WESTMONT, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPROVED AGAINST THE TRACT OF LAND INCLUDED IN THE PLAT.

DATED AT WESTMONT, DUPAGE COUNTY, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

VILLAGE TREASURER

### LAND SURVEYOR CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF COOK ) ss  
I, MARK H. LANDSTROM, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2625, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND SUBMITTED THE FOLLOWING DESCRIBED PROPERTY:

THE NORTH 75.00 FEET OF LOT 25 IN THE RESUBDIVISION OF LOTS 1 TO 8, BOTH INCLUSIVE, AND LOTS 36 TO 43, BOTH INCLUSIVE, OF HIGHVIEW ESTATES, BEING A SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 23, 1941, AS DOCUMENT NUMBER 423969, IN DUPAGE COUNTY, ILLINOIS.

AND THAT THE HEREON DRAWN PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION, WHICH CONTAINS 11,700 SQUARE FEET (MORE OR LESS) THEREIN. ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF AND THE BEARINGS SHOWN ARE BASED ON TRUE NORTH DETERMINED BY GPS MEASUREMENT. I FURTHER CERTIFY THAT THIS PROPERTY INCLUDED LIES WITHIN UNIMAGED FLOOD ZONE X, AN AREA DETERMINED TO BE OUTSIDE THE 0.2 PERCENT ANNUAL CHANCE FLOODPLAIN, AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY ON FLOOD INSURANCE RATE MAP PANEL 1704020180, HAVING A REVISED DATE OF AUGUST 1, 2019. ALL LOT CORNERS ARE MONUMENTED AS SHOWN AND I HEREBY DESIGNATE THE VILLAGE OF WESTMONT AND/OR ITS ASSIGNS TO RECORD THIS PLAT OF SUBDIVISION.

DATED AT PALOS HILLS, ILLINOIS, THIS 18th DAY OF MARCH, A.D. 2026.

MARK H. LANDSTROM  
I.P.L.S. NO. 2625  
LICENSE RENEWAL DATE: 11/30/2026

**VILLAGE CLERK CERTIFICATE**  
I, AMANDA SZYMSKI, VILLAGE CLERK OF THE VILLAGE OF WESTMONT, ILLINOIS, HEREBY CERTIFY THAT THIS PLAT AS PRESENTED TO AND BY RESOLUTION DULY APPROVED BY THE BOARD OF TRUSTEES OF SAID VILLAGE AT ITS MEETING HELD ON \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AND THAT THE REQUIRED BOND OR OTHER GUARANTEE HAS BEEN POSTED FOR THE COMPLETION OF THE IMPROVEMENTS REQUIRED BY THE REGULATIONS OF SAID VILLAGE.  
IN WITNESS WHEREOF I HAVE HERETO SET MY HAND AND SEAL OF THE VILLAGE OF WESTMONT, ILLINOIS, DATED AT WESTMONT, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

AMANDA SZYMSKI - VILLAGE CLERK

**VILLAGE ENGINEER CERTIFICATE**  
STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) ss  
I, JAMES PATTERSON, VILLAGE ENGINEER OF THE VILLAGE OF WESTMONT, HEREBY CERTIFY THAT THE IMPROVEMENTS DESCRIBED IN THIS PLAT AND THE PLANS AND SPECIFICATIONS THEREOF MEET THE MINIMUM REQUIREMENTS OF SAID VILLAGE AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION THEREOF.  
DATED AT WESTMONT, DUPAGE COUNTY, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

JAMES PATTERSON  
VILLAGE ENGINEER

SUBMITTED BY:  
VILLAGE OF WESTMONT  
COMMUNITY DEVELOPMENT DEPARTMENT  
31 W. QUINCY STREET  
WESTMONT, IL 60559

PREPARED FOR:  
SONJA DAMJANOVICH SMILGA

PREPARED BY:

**LANDMARK**  
ENGINEERING LLC  
DESIGN FIRM REGISTRATION NO. 184-00577-0010  
7026 W. 103RD STREET  
PALOS HILLS, ILLINOIS 60462-1529  
PHONE (708) 969-5133  
SURVEY NO. 26-01-029-SUB-R

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its Assistant Vice President, the day and year first above written.



**CHICAGO TITLE LAND TRUST COMPANY,**  
as Trustee as Aforesaid

By: \_\_\_\_\_

*Karen M. Finn*  
// Karen M. Finn  
Asst. V.P. & Trust Officer

State of Illinois  
County of Cook

SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the above named Assistant Vice President of CHICAGO TITLE LAND TRUST COMPANY, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Assistant Vice President appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of the Company; and the said Assistant Vice President then and there caused the corporate seal of said Company to be affixed to said instrument as his/her own free and voluntary act and as the free and voluntary act of the Company.

Given under my hand and Notarial Seal this 28th day of February 2014.



*Laurel D. Thorpe*  
NOTARY PUBLIC

This instrument was prepared by:  
**CHICAGO TITLE LAND TRUST COMPANY**  
10 S. LaSalle Street  
Suite 2750  
Chicago, IL 60603

AFTER RECORDING, PLEASE MAIL TO:

NAME N. Castellone  
ADDRESS 7420 S. County Line Rd  
CITY, STATE Burr Ridge IL 60527  
SEND TAX BILLS TO: Smilga [REDACTED]



**VILLAGE OF WESTMONT**  
**Board of Trustees Memorandum**  
**May 28, 2026**

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**Item for Board of Trustees Consideration:**

Board to consider an ordinance approving a request from Richard and Carol Barclay, for the property at 326 South Washington Street, Westmont, Illinois, 60559, for the following:

1. Zoning Ordinance Variance to the maximum lot coverage in the R-3 Single-Unit Residential District for a deck and pool.

**Planning & Zoning Commission recommendation:**

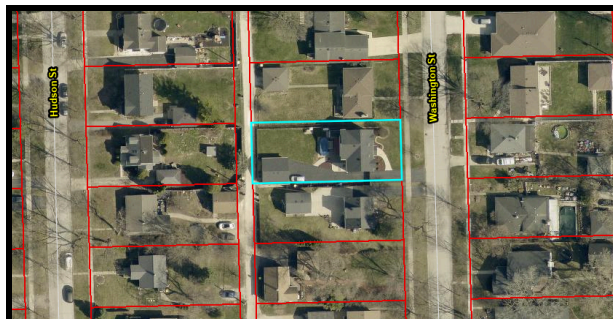
The Planning & Zoning Commission held public hearings for these requests on May 13, 2026, The Commission recommended approval of the request with a split vote of 4-2, one abstaining, with the following conditions:

1. In the event that the deck and pool are removed from the property, the variance shall automatically terminate. In such an event, the allowable lot coverage for the property shall return to 47%, which was the legal nonconforming lot coverage that existed on the property at the time the variance application was submitted. If only one of these improvements is removed (i.e., the pool), the remaining improvement (i.e., the deck) may remain, and the lot coverage allowed by this variance shall automatically be reduced based on the square footage of the improvement that is removed.
2. The installation of the in-ground swimming pool and deck by Applicant shall substantially conform to the plans submitted to the Village by the Applicant in conjunction with this variance request. You, or a subsequent owner, may replace the deck and/or the pool with a new deck and/or pool provided that the new deck and/or pool (a) are replaced with similar materials at the same dimensions, and (b) the overall lot coverage remains at 53% or less.

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**I. BACKGROUND OF ITEM**

- A. Location: 326 South Washington Street is located midblock between West Des Moines Street and West 55th Street. The property is improved with a single-unit detached home and detached garage. The lot is approximately 60' by 150', with a total area of approximately 9,000 square feet.



**Aerial Map - 326 South Washington Street (source: DuPage County Parcel Viewer)**

		257	210	257	210	
		W Des Moines St				
01	302	301	302	301	304	
05	306	305	306	305	306	
1	310	309	310	313	310	
5	314	313	312	315	316	
7	318	317	318	317	318	
3	324	323	324	323	320	
5	326	325	326	327	326	
1	330	329	332	329	330	
5	336	333	336	335	334	
9	340	337	340	140	340	
		W 55th St				

Zoning Map - 326 South Washington Street

B. Zoning Designations:

**SUBJECT PROPERTY:** R-3 Single-Unit Residential District

**ADJACENT PROPERTIES:**  
North, South, East, and West: R-3 Single-Unit Residential District

C. Neighborhood Characteristics

The property is located in the Westmont Subdivision, which was recorded in 1921. This subdivision includes an overwhelming majority of the lots in the southwest quadrant of the Village's Downtown area. A majority of the lots in this subdivision are around 9,000 square feet in area, except for the lots in the western 1/3, which are around 8,400 square feet.

II. **PETITIONER REQUEST:**

The petitioners propose to construct a new larger deck approximately 226 square feet and a pool at approximately 253 square feet. This construction would raise the property's lot coverage from 47% to approximately 52.75%, which exceeds the 35% maximum allowed in the R-3 Single-Unit Residential District for this property. Therefore, the petitioners are requesting a variance to a maximum lot coverage of 52.75%, rounded up to 53%.

III. **ZONING ANALYSIS**

A. Zoning and Comprehensive Plan Designations

The Comprehensive Plan designates the current and future land use in this area as single-family detached residential, with an appropriate zoning designation of R-3 Single-Unit Residential District. This variance request does not directly conflict with either the land use plan or overall vision of the Comprehensive Plan.

B. Entitlement Requests

The petitioners have provided project narratives and supporting documentation for the following request, including the necessary responses to the Variance Standards. Any corresponding standards for entitlement approval consideration can be referenced in item V(B).

- **Zoning Ordinance Variance to the maximum lot coverage in the R-3 Single-Unit Residential District for a deck.**

Lot coverage is defined as the following per Chapter 95, Section 16.08:

**Lot coverage:** Lot coverage is measured as the percentage of a lot covered by buildings, structures and permanent impervious surfaces.

Total lot coverage is calculated by taking the total combined footprint of these improvements, dividing it by the total lot area, and then multiplying the result by 100 to express it as a percentage.

<b>Chapter 95, Section 2.05 - Lot and Building Regulations</b>				
<b>Maximum Lot Coverage Permitted</b>	<b>Existing Lot Coverage</b>	<b>Proposed Lot Coverage</b>	<b>Difference (Proposed - Existing)</b>	<b>Difference (Proposed - Permitted)</b>
35%	~ 47%	~ 53% (rounded up from 52.75%)	~ 6%	~ 18%
3,500 Square Feet	~ 4,233 Square Feet	~ 4,747.74 Square Feet	~ 514.59 Square Feet	~ 1,247.74 Square Feet

The proposed deck and pool are shown to be located at the rear of the home. Due to the existing location of the detached garage at the rear of the lot, a large portion of the backyard is covered by a driveway that connects directly to South Washington Street rather than the unimproved alley to the rear.

Chapter 95, Section 2.05 states that detached residences in the R-3 district have a 35% lot coverage maximum. Additionally, if a proposed project results in lot coverage between 35% and 40%, it may qualify for administrative approval rather than requiring a formal variance—so long as the property is not located within a designated building moratorium area, a known drainage problem zone, or a defined drainage sub-basin. This property is located within two sub-basins that contain low depressional areas (LDA). The front yard of the subject property is within one LDA, while the back half of the lot is within another larger LDA located between South Hudson Street and South Park Street to the west. Therefore, the property is not permitted to exercise the administrative approval of up to 40%.

The proposed deck complies with all zoning bulk and development regulations outlined in Chapter 95 - Zoning with the exception of the total lot coverage.

If the variance is approved, the Village's engineering consultant does not foresee any negative impact on site drainage. This is because the proposed deck is classified as a pervious surface. Additionally, the Village's Public Works Department is scheduled to improve the alleyway this year by

adding storm sewers and pavement. These improvements will enhance drainage and are sufficient to manage the increased impervious surfaces within this drainage sub-basin. Consequently, no modifications to the plans have been recommended. The full engineering comments are attached to this report.

#### **IV. SUMMARY**

The petitioners propose the construction of a new deck, expanding the size to approximately 226 square feet, and a pool of approximately 253 square feet. This proposed construction would increase the property's lot coverage from approximately 47% to approximately 52.75%, which exceeds the 35% maximum permitted within the R-3 Single-Unit Residential District for this property. Consequently, the petitioners are seeking a variance to permit a maximum lot coverage of 52.75%, rounded up to 53%.

#### **V. LEGAL**

- A. Notification: A legal notice was published in Westmont Suburban Life on April 23, 2026.
- B. Code References: Chapter 95, Sections 2.05 and 14.06.

#### **VI. DOCUMENTS ATTACHED:**

- 1. Findings of Fact
- 2. Publication notice appearing in the April 23, 2026 Westmont Suburban Life.
- 3. Engineering PZC Review comments from EZA Engineering, dated April 28, 2026
- 4. Petitioner Attachments (Edited for VB):
  - a. Planning and Zoning Development Application including responses to the Variance Standards, received March 9, 2026.
  - b. Cover Letter
  - c. Site Plans
  - d. Plat of Survey dated November 26, 2025.
  - e. Neighbor Petition Letter

**VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION**  
**FINDINGS OF FACT**

**PUBLIC HEARING OF MAY 13, 2026**

**PZC 009-2026: Richard and Carol Barclay, regarding 326 S. Washington Street, Westmont.**

Request for a variance to exceed the maximum lot coverage in the R-3 Single-Unit Detached Residential District for a residential pool and deck.

**(1) Particular Hardship or Practical Difficulty**

*The applicant must demonstrate that requiring strict compliance with the regulation for which a variance is sought would create a particular hardship or a practical difficulty.*

**FINDINGS:** The existing lot coverage of 47% was specifically allowed by the Village when it previously approved permits for the reconstruction of the house on the property following a fire, which also included a detached garage, large driveway, patio, and walkways. Requiring strict compliance with the 35% lot coverage requirement would pose a particular hardship because it would require the removal of a portion of the existing house, or removal of the existing driveway, or removal of the detached garage, all of which are essential to the use and enjoyment of the property. A denial of this variance request would deny the owner the right to make minor improvements to the property which would enhance its usability and appeal.

**(2) Unique Physical Condition**

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

**FINDINGS:** This property is unique compared to other R-3 properties in that the owner previously suffered a fire to its house and was forced to rebuild the house, driveway, and detached garage. This reconstruction was approved by the Village and resulted in a compliant lot coverage based on the Village's methodology for calculating lot coverage at the time. Under the current methodology of the Village, the lot coverage is 47%. Additionally, the property is unique in that it backs onto an unimproved alley, which does not provide useable access. As a result, the owner was forced to place its detached garage in the rear of its property, with a long driveway extending from the front yard, all of which resulted in a unique amount of lot coverage compared to other properties.

**(3) Not Self-Created**

*The applicant must demonstrate that the unique physical condition is not the result of any action or inaction of the owner, or of the owner's predecessors in title and known to the owner before acquisition of the subject property, and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action for which no compensation was paid.*

**FINDINGS:** The existing lot coverage of 47% was not created by the owner as a matter of personal preference or convenience, but it instead resulted from the reconstruction of the property, with the Village's approval, following a fire to the house on the property. This reconstruction met the lot coverage requirements of the Village at the time based on the Village's methodology for determining lot coverage.

**(4) Denied Substantial Rights**

*The applicant must demonstrate that requiring strict compliance with the regulation for which a variance is sought would deprive the subject property owner of substantial rights commonly enjoyed by owners of other lots subject to the same regulation.*

**FINDINGS:** Requiring strict compliance with the Village's lot coverage requirement would deprive the owner of substantial rights enjoyed by other owners of similar lots. The proposed deck and small swimming pool are common, Code-permitted accessory structures for a residential house. The proposed deck and pool comply with all setback requirements and other Zoning Ordinance requirements, except for lot coverage. Development patterns in the immediate neighborhood suggest that numerous other properties exceed the 35% lot coverage requirement, and many of these properties contain decks and/or swimming pools.

**(5) Not Merely Special Privilege**

*The applicant must demonstrate that the alleged particular hardship or practical difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from use of the subject property.*

**FINDINGS:** The owner is seeking to install a modest-sized, standard deck and swimming pool in their rear yard, which is similar to the type of deck and small pool that many owners can install by right and which is similar to other decks and pools in the immediately-surrounding area. The owner is not seeking to install oversized luxury items; the owner is not seeking to make more money from this proposed deck and pool; and the owner is not seeking to enjoy some special privilege not enjoyed by other

property owners. This variance is necessitated by the property's preexisting lot coverage arising after a fire destroyed the house on the property and the owner was forced to rebuild the house and associated improvements with the approval of the Village. The variance is sought so that the owner can enjoy their property and their backyard like other residential owners throughout the Village are allowed to do.

**(6) Zoning Ordinance and Comprehensive Plan**

*The applicant must demonstrate that the variance would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes of this zoning ordinance.*

**FINDINGS:** The proposed deck and swimming pool are authorized residential accessory structures that comply with all setbacks. Decks of this nature are commonly found on other, similar single-family properties. The proposed deck and pool are consistent with the single-family residential designation of the property in the Village's Comprehensive Plan, and these proposed improvements are generally harmonious with the Village's Zoning Ordinance.

**(7) Essential Character of the Area**

*The applicant must demonstrate that the variance would not result in a use or development of the subject property that:*

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

**FINDINGS:** The proposed deck and pool will not result in any of the impacts listed in this Item (7)(a) through (e). Based on the planned paving and stormwater improvements by the Village to the adjacent alley, and based on the fact that the deck is considered a pervious surface, the Village Engineer has opined that the proposed deck and pool will not create stormwater impacts to surrounding properties. The deck and pool comply with all setback requirements, and these proposed improvements will not impair light and air to surrounding properties or increase the risk of fire. The proposed deck and pool are common residential improvements that will have no other adverse impacts on the public health or safety.

**(8) No Other Remedy**

*The applicant must demonstrate that there is no means other than the requested variance by which the alleged hardship or practical difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.*

**FINDINGS:** There are no other means, other than through this requested variance, by which the owner can construct the proposed deck and pool. In order to meet the 35% lot coverage requirement with these proposed improvements, the owner would have to remove essential improvements on the property, such as the detached garage, or the driveway, or a portion of the residential house. The removal of such essential improvements is not feasible.

Certificate of the Publication

Westmont Suburban Life

Description: PZC 326 S WASHINGTON ST  
2319712

VILLAGE OF WESTMONT  
31 W QUINCY ST  
WESTMONT IL 60559

Shaw Media certifies that it is the publisher of the Westmont Suburban Life. The Westmont Suburban Life is a secular newspaper, has been continuously published weekly for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the Village of Westmont, County of DuPage, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published one time(s) in the Westmont Suburban Life, namely one time per week for one successive week(s). Publication of the notice was made in the newspaper, dated and published on  
04/23/2026

This notice was also placed on a statewide public notice website as required by 715 ILCS 5/2.1.

In witness, Shaw Media has signed this certificate by Jennifer Heintzelman, its Director of Public Notices, at Westmont, Illinois, on  
23rd day of April, A.D. 2026

Shaw Media By:

Shaw Media, Director of Public Notices

By: /Jennifer Heintzelman/  
its Director of Public Notices

Account Number 10074602

Amount \$106.62

**PUBLIC NOTICE**  
**LEGAL NOTICE / PUBLIC**  
**NOTICE VILLAGE OF**  
**WESTMONT PLANNING**  
**AND ZONING COMMISSION**  
**NOTICE OF PUBLICATION**  
NOTICE IS HEREBY GIVEN that a public hearing has been scheduled before the Westmont Planning and Zoning Commission to be held on Wednesday, May 13, 2026 at 6:00 P.M. in the Westmont Village Hall, 31 W. Quincy St., Westmont, Illinois 60559. The purpose of the hearing is to consider a request from Richard and Carol Barclay, for the property at 326 South Washington Street, Westmont, Illinois, 60559, for the following:  
1. Zoning Ordinance Variance to the maximum lot coverage in the R-3 Single-Unit Residential District to allow a proposed deck and pool.  
PIN: 09-09-424-017  
More Common Location:  
326 South Washington Street, Westmont, Illinois, 60559  
Village Code(s) Applicable:  
Chapter 95, Section 2.05; 14.06.  
Additional information, including meeting materials, may be available on the Village's Website following the publication of the meeting agenda.  
Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact the ADA Compliance Officer, 8:00 A.M. to 4:00 P.M. Monday through Friday, Village of Westmont, Illinois, 60559; or telephone (830) 981-6210 voice, within a reasonable time before the meeting. All interested persons in attendance will be allowed to express their views.  
WESTMONT PLANNING AND ZONING COMMISSION  
Doug Carmichael,  
Chairperson  
(Published in Westmont Suburban Life Apr. 23, 2026) 2319712



March 24, 2026

## VILLAGE OF WESTMONT – PZC ENGINEERING REVIEW

PROJECT	CASE NO.	REVIEW NO.	STATUS
326 S. Washington Street – Variance	PZC 009 2026	1	-

EZA Engineering received the following permit submittal documents on March 9, 2026:

DOCUMENT	PREPARED BY	SHEETS	DATE
-	-	-	-

The above documents have been reviewed for compliance with the Village of Westmont Code of Ordinances (Village Code) and the DuPage Countywide Stormwater and Flood Plain Ordinance (DCSFPO). Please consider the following comments:

### GENERAL COMMENTS

1. Per 11-2(6) “Lot coverage of up to 40 percent may be approved if the subject lot is...(b) not located within any known drainage problem area or identifiable drainage sub-basin area, as determined by the village engineer.” Although there is a documented Low Depressional Area (LDA) in S Washington Street, the proposed improvements will not drain towards this LDA. The alley between S Washington and S Hudson will be paved and storm sewers added this spring, which will significantly improve the drainage and can handle additional impervious surfaces within this area. Therefore, there is no concern that the minor increase in impervious surface being proposed will exacerbate downstream flooding.

PZC Case Number (office use only):	<b>PZC 009-2026</b>
------------------------------------	---------------------

**Petitioner**

<b>Petitioner Name:</b>	Richard Barclay	<b>Property Owner Name:</b>	Richard & Carol Barclay
<b>Petitioner Address:</b>		<b>Owner Address:</b>	
<b>City, State and Zip</b>		<b>City, State and Zip:</b>	
<b>Phone:</b>		<b>Phone:</b>	
<b>Email:</b>		<b>Email:</b>	

**Subject Property**

<b>Property Address (Subject Property):</b>		326 S. Washington Street, Westmont IL 60559					
<b>Property Identification Number(s) PIN(s):</b>		09-09-424-017					
<b>Lot Width</b>	60'	<b>Lot Depth</b>	150'	<b>Lot Area:</b>	9,148 sq. ft.	<b>Lot Acreage:</b>	.21 Acres
<b>Current Zoning:</b>	R-3 Single Family Residence		<b>Current Use:</b>	Single Family Residence			
<b>Description of Request/Project Title:</b>		Residential Deck Replacement					
<b>Legal Description - often found on a Plat of Survey - MUST BE TYPED HERE (or sent in Docx format):</b>		Lot 7 in Block 24 in Westmont, being a subdivision by Arthur T. McIntosh and Company of the Southeast Quarter and Part of the East Half of the Northeast Quarter of Section 9, Township 38 North, Range 11, East of the Third Principal Meridian, According to the Plat Thereof Recorded February 15, 1921 as Document 146502, in DuPage County, Illinois					
<i>Pictures or screenshots of the legal description, or writing it by hand will NOT be accepted.</i>							

### Signature(s)

By signing below, the Petitioner certifies that all of the above statements in this Application and statements on any documents or drawings submitted with this Application are true and correct to the best of my (our) information and belief.

BY SIGNING BELOW, THE PROPERTY OWNER (1) GRANTS PERMISSION TO THE PETITIONER (IF DIFFERENT THAN THE PROPERTY OWNER) TO SUBMIT THIS APPLICATION AND TO SEEK THE ZONING AND DEVELOPMENT APPROVALS CONTAINED IN THE APPLICATION FOR THE PROPERTY, AND (2) AGREES TO BE BOUND BY AND TO COMPLY WITH ANY CONDITIONS ESTABLISHED BY THE VILLAGE FOR THE DEVELOPMENT/USE OF THE PROPERTY.

By signing below, the petitioner and property owner acknowledge that the **Application fees are non-refundable** and that submitting this form is not a guarantee that the requests will appear before the Planning and Zoning Commission or Village Board. The petitioner and property owner further acknowledge that all items to be considered by the Planning and Zoning Commission shall receive technical reviews by Village Staff or consultants, as deemed appropriate by the zoning administrator, before being considered by the Planning and Zoning Commission.

**PETITIONER SIGNATURE:**

Richard S. Barclay

*Richard S. Barclay*

Print Name of **Petitioner**

Signature of **Petitioner** and Date

**OWNER SIGNATURE**  
*(if different than the petitioner):*

\_\_\_\_\_

\_\_\_\_\_

Print Name of **Property Owner**

Signature of **Property Owner** and Date



# Village of Westmont COMMUNITY DEVELOPMENT

31 West Quincy Street, Westmont, Illinois 60559

cd@westmont.il.gov | 630-981-6250  
westmont.illinois.gov | 630-981-6200

PZC Case Number (office use only):

PZC 009-2026

## Application for Variance

In some cases, properties may not be able to meet the strict standards of the zoning ordinance due to unique conditions. In these cases, an exception to the rule, called a variance, can be requested and granted when particular conditions are met. The petitioner has the responsibility of justifying the request to both the Planning and Zoning Commission and the Village Board. There is a set of standards for variances and the applicant must demonstrate a hardship that they did not create.

### Proposed Project and Variance Details

State the scope of the work and indicate the specific variation you are requesting. Attach such diagrams, drawings or other information as may be useful to the Planning and Zoning Commission and Village Board in understanding your variation. You must indicate the specific sections of the Village's Zoning Ordinance for which the variation is sought. Please consult Village staff for confirmation.

Please see that attached Proposed Project and Variance Details Document ("Variance Request Summary Statement") that breaks down the required information for this section.

### Findings of Fact

The Village of Westmont is obligated to make specific findings of fact for all variance applications according to the Village Zoning Ordinance and Illinois State Statutes. The Planning and Zoning Commission must find evidence that the request meets the eight standards of variance defined in the Village's Zoning Ordinance. **Applicants are REQUIRED to submit written evidence and/or analysis of the standards for EACH variance below.** Additionally, **applicants are strongly encouraged to review the standards of variance in preparation of a defense for their variance request** during the Planning and Zoning Commission public hearing.<sup>1</sup> If multiple variances are being requested, respond to **each standard separately**. Attach as many sheets as necessary.

<sup>1</sup> Standards for Variations pursuant to Chapter 95 - Zoning, Sec. 14.06(H) Standards and Review Criteria

- 1. Practical Hardship or Practical Difficulty:** The applicant must demonstrate that requiring strict compliance with the regulation for which a variance is sought would create a particular hardship or particular difficulty.

Strict compliance with the 35% lot coverage maximum would impose a particular and severe hardship on the petitioner that goes far beyond mere inconvenience. The property's existing coverage of 47.04% was established entirely through lawful, Village-recognized improvements — the overwhelming majority of which were constructed under a comprehensive building permit issued for full reconstruction of the home following a residential fire. This catastrophic event was entirely outside the petitioner's control. The reconstruction necessarily involved simultaneous installation of the home, driveway, detached garage, walkways, patio, and associated site improvements, resulting in a coverage level that reflects the functional requirements of a rebuilt residence rather than elective additions. No variance was ever needed or sought at the time because lot coverage maximums were calculated differently during the reconstruction period. Reducing coverage to 35% would require demolition of the home itself, the driveway, or the detached garage — an outcome no reasonable application of the zoning ordinance could contemplate or require. The petitioner now seeks only to add a single standard accessory structure — a deck of 261.22 sq ft — to a home whose coverage baseline was established through an involuntary disaster and its subsequent permitted recovery. The petitioner is not seeking to make substantial additions to an already compliant property; rather, the petitioner seeks to 1.) add a single permitted accessory structure — a deck — and 2.) a corresponding pool to a property whose nonconforming coverage status was established through disaster recovery and village-approved reconstruction.

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

The subject property presents a unique physical condition distinguishing it from other R-3 lots subject to the same coverage restriction. Specifically, the property underwent a complete structural reconstruction following a residential fire — an extraordinary circumstance not shared by the vast majority of comparable lots. The reconstruction, conducted in accordance with Village permits, necessitated the establishment of the home's full footprint, driveway, detached garage, and associated site improvements simultaneously, resulting in a coverage level that reflects the functional needs of the reconstructed residence rather than incremental additions. This fire-reconstruction history is an extraordinary physical and historical condition peculiar to this specific property, not a matter of personal preference or elective improvement. Furthermore, the Village itself has verified 47.04% as the existing coverage baseline through its own aerial imagery review, effectively acknowledging that the property's current condition represents its lawfully established state. Additionally, the 60-foot wide by 150-foot deep lot configuration, combined with the placement of the detached garage at the rear and the existing driveway at the front, leaves very limited yard area that could be repurposed to reduce coverage without eliminating permitted structures. At the time of the driveway sizing and corresponding Garage location were planned to offset the then poor conditions of the alley-way and making the Garage Alley accessible an entry in that direction. This planning decision was done pragmatically and the Village approved.

- 3. Not Self-Created:** The applicant must demonstrate that the unique physical condition is not the result of any action or inaction of the owner, or of the owner's predecessors in title and known to the owner before acquisition of the subject property, and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action for which no compensation was paid.

The non-conforming lot coverage condition is not the result of any action or inaction of the current petitioner. The residential fire that necessitated full reconstruction~remodel was an involuntary catastrophic event. All improvements that contribute to the existing 47.04% were either constructed under Village-issued permits during reconstruction or were installed as part of that reconstruction and subsequently verified by the Village through aerial imagery. The fact that the coverage maximums were calculated differently at the time of the reconstruction means the petitioner did not knowingly create a noncompliant condition~~the property was constructed in good faith under Village oversight during a period when the current coverage restrictions did not apply in the same manner. The petitioner did not purchase a property with known violations, nor did the petitioner make additions to an otherwise compliant property. The non-conformity arises entirely from the fire, the necessity of a complete reconstruction~remodel, and a subsequent change to how coverage maximums are applied ~~ none of which are attributable to the petitioner.

- 4. Denied Substantial Rights:** The applicant must demonstrate that requiring strict compliance with the regulation for which a variance is sought would deprive the subject property owner of substantial rights commonly enjoyed by owners of other lots subject to the same regulation.

Without the requested variance, the petitioner is denied the substantial right to install a deck — a standard, code-permitted residential accessory structure routinely approved for R-3 properties throughout the Village. The proposed deck of 261.22 sq ft meets every applicable setback requirement. Owners of R-3 lots whose coverage does not exceed 35% are regularly permitted to install decks and similar improvements. Additionally, aerial imagery of comparable R-3 properties in the immediate vicinity suggests that lot coverage in excess of 35% is not uncommon in this established neighborhood, reflecting historical development patterns. Denying this petitioner the right to install a standard deck — not because of any deficiency in the proposed structure itself, but solely because of a pre-existing coverage condition arising from involuntary fire reconstruction and a change in coverage calculation methodology — deprives the petitioner of enjoyment of the property in a manner inconsistent with how similarly situated homeowners in the neighborhood are treated.

5. **Not Merely Special Privilege:** The applicant must demonstrate that the alleged particular hardship or practical difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from use of the subject property.

The petitioner is not seeking a special privilege or additional right unavailable to other property owners. A residential deck is a standard, permitted accessory use in the R-3 district. The petitioner's request is simply to exercise the same right as any other homeowner in the Village who can lawfully install a deck. The hardship is not the desire for a luxury improvement or financial gain — it is the practical inability to make a standard residential improvement due solely to a pre-existing nonconforming coverage condition created by a catastrophic fire and the period-specific application of coverage calculations during the subsequent reconstruction. Granting the variance would place the petitioner in the same position as any comparable homeowner, nothing more.

6. **Zoning Ordinance & Comprehensive Plan:** The applicant must demonstrate that the variance would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes of the zoning ordinance and the comprehensive plan.

The requested variance is consistent with the general and specific purposes of the Westmont Zoning Ordinance and the Village's Comprehensive Plan. The lot coverage standards exist to manage impervious surface, stormwater drainage, and neighborhood character. The proposed deck is a wood or composite structure that may be partially pervious depending on construction, and is entirely consistent with the residential character of the R-3 district and the surrounding neighborhood. The variance does not alter the property's use, density, or character. The Village's own administrative allowance of up to 40% coverage where the Village Engineer determines no drainage concerns exist demonstrates that the ordinance itself contemplates relief above the 35% baseline for appropriate circumstances. Granting this variance does not conflict with any land use goal of the Comprehensive Plan for established single-family residential neighborhoods.

7. **Essential Character of the Area:** The applicant must demonstrate that the variance would not result in a use or development of the subject property that (1) would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity, (2) would materially impair an adequate supply of the light and air to the properties and improvements in the vicinity, (3) would unduly increase the danger of flooding or fire, (4) would unduly tax public utilities, facilities, or services in the area, or (5) would endanger the public health or safety.

The proposed deck will not be detrimental to the public welfare or injurious to surrounding properties. Specifically: (a) A standard residential deck is consistent with improvements found throughout the neighborhood and will not injure the use, enjoyment, or value of neighboring properties. (b) The deck is a low-profile accessory structure that will not impair the supply of light or air to adjacent properties. (c) The petitioner is prepared to support a Village Engineer drainage review to confirm that the proposed improvements do not create adverse stormwater impacts. A favorable engineering determination — consistent with the Village's administrative 40% allowance process — would further support the appropriateness of this variance. (d) The addition of a residential deck will not tax public utilities, facilities, or services in any measurable way. (e) The deck meets all applicable setback and structural requirements and presents no risk to public health or safety.

8. **No Other Remedy:** The applicant must demonstrate that there is no means other than the requested variance by which the alleged hardship or practical difficulty can be avoided or remedies to a degree sufficient to permit a reasonable use of the subject property.

There is no practical means by which the petitioner can avoid the hardship without the requested variance. The existing 47.04% coverage consists of the reconstructed home (1,209.93 sf), the driveway and garage (2,381.25 sf), walkways (235.03 sf combined), the existing deck (285.33 sf), and the rear patio (121.61 sf) — all of which were either permitted or verified as part of the fire reconstruction. No individual structure can reasonably be removed to create sufficient coverage room for a 261.22 sf deck without fundamentally compromising the property's function. Reducing to 35% would require removing approximately 1,083 sq ft of existing improvements — the equivalent of eliminating the driveway or the home's ground floor footprint additions. The petitioner is open to discussing whether any minor removal of non-essential flatwork could partially offset the deck's coverage contribution, but such offsets alone cannot resolve the gap to 35% compliance, and a variance remains the only viable mechanism by which the petitioner can exercise the standard residential right to install a deck.



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**Adam Walsh, Zoning Administrator / Scott Williams Sr. Planner**

Village of Westmont — Community Development Department

31 West Quincy Street

Westmont, Illinois 60559

awalsh@westmont.il.gov

**RE:** Variance Application — Lot Coverage Relief under Sec. 16.08, Westmont Zoning Ordinance

**Property:** 326 S. Washington Street, Westmont, IL 60559 | R-3 Zoning District

**Permit No.:** RES 0033-2026 | Original Submittal: 01/27/2026

Dear Mr. Walsh & Mr. Williams,

I am writing to formally submit a variance application for the property located at 326 S. Washington Street, Westmont, Illinois 60559, in connection with Permit No. RES 0033-2026. Following our pre-application discussions and your detailed written guidance, I have prepared the enclosed application package in accordance with Village requirements and respectfully request that this matter be scheduled for review before the Planning and Zoning Commission and the Village Board of Trustees.

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## **I. BACKGROUND**

The subject property is a single-family residential lot in the R-3 Zoning District, measuring 60 feet wide by 150 feet deep for a total area of 9,000 square feet. The property was the site of a residential fire that resulted in the complete destruction and full reconstruction of the home and all site improvements. That reconstruction was carried out pursuant to a comprehensive Village-issued building permit, during a period when lot coverage maximums were calculated differently than they are under the current Zoning Ordinance.

As confirmed through your office's aerial imagery review, the existing lot coverage has been verified at 47.04% (4,233.15 square feet), representing all improvements currently on the property including the house, detached garage, driveway, front and rear walkways, existing deck, and rear concrete patio. The Village has acknowledged that the rear patio appears to have been installed as part of the post-fire reconstruction. No prior variance was sought or granted in connection with these improvements, as the coverage calculations applicable at the time did not require one.

On January 27, 2026, I submitted a permit application (RES 0033-2026) for installation of a new residential deck. The permit was denied on January 28, 2026, on the sole basis that the proposed improvements would exceed the current 35% maximum lot coverage standard under Sec. 16.08 of the Zoning Ordinance. All proposed improvements met applicable setback requirements. I am therefore seeking a variance to permit the proposed construction consistent with the existing nonconforming coverage condition of the property.

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## II. SCOPE OF PROPOSED WORK

The proposed improvements consist of the following:

1. **New Residential Deck (261.22 sq ft)** — Wood or composite deck structure in the rear yard. Meets all applicable setback requirements as confirmed by Village zoning review.
2. **Pool (253.37 sq ft)** — Pool structure in the rear yard. Pool permit to be submitted separately following variance approval, per staff direction. Supplemental documents and specification sheet are included in this submittal for cursory building department review.
3. **Pool Mechanical Equipment Pad** — Permeable pad in the rear yard to house pool filter and associated mechanical equipment. Location and dimensions shown on the enclosed site plan.

All proposed improvements are located in the rear yard and are consistent with standard residential accessory uses permitted in the R-3 district.

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## III. ENTITLEMENT SOUGHT

The petitioner seeks the following zoning relief from the Village of Westmont:

Ordinance Section	Standard	Existing Condition	Relief Requested
Sec. 16.08 — Lot Coverage	35% maximum	47.04% (4,233.15 sf) — Village-verified existing baseline	Variance to permit ~49.9% (deck only, pool excluded) or 52.75% (pool included) per Village determination

No use variance, text amendment, rezoning, or other zoning relief is sought. The variance request is limited solely to the lot coverage standard of Sec. 16.08. All other code requirements, including setbacks, accessory structure standards, and use classifications, are satisfied by the proposed improvements as designed.

#### IV. LOT COVERAGE SUMMARY

Coverage Scenario	Total Square Footage	% of Lot (9,000 sf)
Code Maximum (R-3 District, Sec. 16.08)	3,150 sf	35.00%
Existing — Village-Verified Baseline	4,233.15 sf	47.04%
Proposed — Deck Only (pool excluded as non-permanent)	4,494.37 sf	~49.9%
Proposed — Deck + Pool (if pool deemed permanent)	4,747.74 sf	52.75%

#### V. APPLICATION MATERIALS ENCLOSED

The following documents are enclosed with this cover letter in accordance with the Village of Westmont General Planning & Zoning Application requirements and staff guidance received during pre-application discussions:

- Item 1 — Cover Letter (this document)** — Describing the request, background, scope of work, entitlements sought, and list of application materials.
- Item 2 — Completed Village of Westmont General Planning & Zoning Application Form** — Signed and dated by the property owner/petitioner, with all required fields completed including petitioner information, property information, PIN, lot dimensions, and legal description.
- Item 3 — Variance Application Narrative** — Full written narrative addressing all eight (8) variance standards required under Sec. 14.06(H) of the Westmont Zoning Ordinance, including findings of fact and supporting argument for each criterion.
- Item 4 — Variance Summary Statement** — Concise summary document stating the scope of work, the specific variation requested, the relevant ordinance sections, and an index of supporting exhibits — prepared in the format requested by Village staff.
- Item 5 — Plat of Survey (Exhibit A)** — Clean copy of the original Plat of Survey prepared by Barclay Land Survey (February 2026), showing the property, lot dimensions, and all existing improvements as surveyed.
- Item 6 — Site Plan (Exhibit B)** — Site plan showing the location, dimensions, and footprint of all existing improvements and all proposed improvements, including the new deck, above-ground/semi-inground pool, pool filter, and mechanical equipment pad.
- Item 7 — Pool Supplemental Documents & Specification Sheet (Exhibit C)** — Manufacturer specification sheet and supplemental documents for the pool, provided for

cursory building department review of pool location per staff direction. Formal pool permit to be submitted separately following variance approval.

- ☒ **Item 8 — Aerial Photographs — Neighborhood Context (Exhibit D)** — Aerial imagery of comparable R-3 properties in the immediate neighborhood vicinity, submitted as contextual evidence of neighborhood character and development patterns in support of Variance Criteria 4 (Denied Substantial Rights) and 7 (Essential Character of the Area). These images are not submitted as formal lot coverage measurements or as complaints regarding specific neighboring properties.
  
- ☒ **Item 9 — Application Fee** — Check payable to the Village of Westmont in the amount of \$250.00 (Residential Variance — R-3 District), per the fee schedule in the General Planning & Zoning Application.
  
- ☒ **Item 10 — Revamp Deck Design and Materials** — While not specifically requested this has been included.
  
- ☒ **Item 11 — Digital Copies** — Flash drive or email submission to [swilliams@westmont.il.gov](mailto:swilliams@westmont.il.gov) containing all of the above materials in digital format, per application requirements.

I appreciate the guidance you and your office have provided throughout this process and the thorough and transparent communication regarding the applicable standards and requirements. I understand this is a significant variance request, and I have endeavored to prepare a complete and candid application package that addresses the relevant criteria directly and honestly.

The circumstances underlying this request — a residential fire, a full property remodel-reconstruction under Village permit, and a subsequent change in how coverage maximums are applied — are extraordinary and not of my making. I am committed to working cooperatively with Village staff, the Planning and Zoning Commission, and the Village Board to arrive at a resolution that is fair, reasonable, and consistent with the spirit of the Zoning Ordinance.

I am available at your convenience to discuss any aspect of this application prior to the public hearing. Please do not hesitate to contact me at the phone number or email address listed above.

Respectfully submitted,

**Richard S Barclay**

Property Owner — 326 S. Washington Street, Westmont, IL 60559

*Enclosures: Items 1–10 as listed above*

*Copy to: [swilliams@westmont.il.gov](mailto:swilliams@westmont.il.gov) | Village of Westmont Community Development, 31 West Quincy Street, Westmont, IL 60559*

# VILLAGE OF WESTMONT — R-3 ZONING DISTRICT

## Variance Request Summary Statement

326 S. Washington Street, Westmont, IL 60559 | Permit No. RES 0033-2026

Petitioner: [YOUR FULL NAME] | Date: [DATE]

### 1. SCOPE OF WORK

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The petitioner proposes the following improvements at 326 S. Washington Street, a single-family residential property in the R-3 Zoning District:

Proposed Improvement	Size (sq ft)	Location on Lot	Status
New Residential Deck	261.22 sf	Rear yard	Primary permit request — meets all setbacks per Village review dated 01/28/2026
Pool	253.37 sf	Rear yard	Pool permit to be submitted separately after variance approval
Pool Mechanical Pad	TBD	Adjacent to pool	Permeable pad for filter/equipment; Approximate location shown on site plan

The proposed deck is a standard wood / composite residential accessory structure. A separate permeable mechanical pad will house the pool filter and associated equipment. All proposed improvements are located in the rear yard and meet applicable setback requirements.

The site plan submitted with this application shows the location, dimensions, and footprint of all proposed and existing improvements, including the pool filter and mechanical equipment pad.

### 2. SPECIFIC VARIATION REQUESTED

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#### Ordinance Section

Section 16.08 — Lot Coverage, Westmont Zoning Ordinance (Chapter 95). Lot coverage is measured as the percentage of a lot covered by buildings, structures, and permanent impervious surfaces. Small accessory buildings complying with Sec. 7.02(A)(2) are exempt.

#### Zoning District

R-3 Single-Family Residential District. Maximum permitted lot coverage: 35%.

#### Variance Sought

The petitioner requests a variance from the 35% maximum lot coverage under Sec. 16.08 to permit total lot coverage of approximately 49.9% (deck only,

excluding pool) or 52.75% (including pool if counted by the Village), as detailed in Section 3 below.

No other dimensional or use variances are requested. The proposed deck meets all applicable setback requirements. This variance request is solely limited to the lot coverage standard of Sec. 16.08.

### 3. LOT COVERAGE ANALYSIS

#### 3A — Existing Conditions (Village-Verified Baseline: 47.04%)

Existing Improvement	Sq Footage	Permit Status	Notes
House	1,209.93 sf	Permitted — fire rebuild	
Driveway + Detached Garage	2,381.25 sf	Permitted — fire rebuild	
Front Walk	170.85 sf	Permitted — fire rebuild	
Rear Walk	64.18 sf	Permitted — fire rebuild	
Existing Deck	285.33 sf	Permitted	
Rear Concrete Patio	121.61 sf	Fire rebuild — see note	Village aerial review confirms installed during reconstruction
<b>EXISTING TOTAL</b>	<b>4,233.15 sf</b>	<b>47.04% of 9,000 sf lot</b>	<b>Village-verified baseline</b>

**Important Note:** The existing 47.04% coverage reflects improvements constructed during full home reconstruction following a residential fire, under a Village-issued building permit, during a period when lot coverage maximums were calculated differently. No prior variance was sought or required at the time. The Village has independently verified this baseline through aerial imagery review.

#### 3B — Proposed Coverage Scenarios

Scenario	Additional Coverage	Total Coverage	% of Lot
<b>Existing (baseline)</b>	—	<b>4,233.15 sf</b>	<b>47.04%</b>
Deck only (pool excluded)	+261.22 sf	4,494.37 sf	~49.9%
Deck + pool (if pool counted by Village)	+514.59 sf	4,747.74 sf	52.75%
Code maximum (R-3)	—	3,150 sf	35%

**Petitioner's Position on the Pool:** *Sec. 16.08 defines lot coverage as coverage by buildings, structures, and permanent impervious surfaces. The petitioner respectfully contends the pool does not qualify as a permanent structure and should be excluded, making the effective variance request one of approximately 49.9% rather than 52.75%. However if the pool is counted towards coverage than the variance request is for 52.75%.*

#### 4. ZONING ORDINANCE SECTIONS AT ISSUE

Ordinance Section	Subject Matter / Relevance
Sec. 16.08 — Lot Coverage	Primary section from which variance is sought. Establishes 35% maximum lot coverage for R-3 district.
Sec. 14.06 — Variances	Procedural and substantive authority for variance requests. Establishes the 8 review criteria addressed in the full variance application narrative.
Sec. 2.01 — Residential Districts	Establishes R-3 as a single-family residential zoning district and confirms that a deck and pool are standard permitted accessory uses.
Sec. 7.02 — Residential Accessory Uses	Governs accessory buildings and structures in R district. Relevant to the treatment of the deck and pool mechanical pad as accessory improvements.
Sec. 13.04 — Nonconforming Structures	Addresses the continuation and modification of nonconforming structures. Relevant to the existing nonconforming coverage condition.
Sec. 13.06 — Nonconforming Development Features	Governs nonconforming development features including coverage. Relevant to the existing 47.04% baseline and the principle that established nonconforming conditions may not be increased in degree.

Note: The petitioner has consulted with Village planning staff (Scott Willias, Jamie Patterson and Adam Walsh, [awalsh@westmont.il.gov](mailto:awalsh@westmont.il.gov), 630-981-6262) regarding the applicable ordinance sections and the pre-application process. Staff confirmation of the above sections and any additional provisions is respectfully requested at or before the pre-application meeting.

#### 5. DIAGRAMS, DRAWINGS & SUPPORTING DOCUMENTS

The following documents are attached to this application to assist the Planning and Zoning Commission and Village Board in understanding the variance request:

Document	Description / Purpose
Exhibit A — Plat of Survey	Original plat of survey (Barclay Land Survey, November 2025) showing the existing property, lot dimensions (60 ft x 150 ft, 9,000 sq ft), and all structures as surveyed. Clean copy as directed by Village staff.
Exhibit B — Site Plan	Updated site plan showing all existing improvements, the proposed new deck (261.22 sf), above-ground pool location (253.37 sf), pool filter and mechanical equipment pad location, and dimensions. Prepared in accordance with Village staff guidance.
Exhibit C — Pool Specification Sheet	Manufacturer specification sheet and supplemental documents for the above-ground pool, provided for cursory building department review of pool location per staff direction. Full pool permit to be submitted separately.

Exhibit D — Aerial Photographs (Neighborhood Conte6xt)

Aerial imagery of comparable R-3 properties within the immediate neighborhood vicinity, illustrating that lot coverage in excess of 35% appears prevalent in this established neighborhood. Submitted as contextual evidence in support of Criteria 4 (Denied Substantial Rights) and 7 (Essential Character of the Area). Note: These images are offered as contextual neighborhood character evidence, not as formal coverage measurements or allegations of code violations against specific properties.

Exhibit E — Variance Application Narrative

Full written narrative addressing all 8 variance standards under Sec. 14.06(H), including detailed findings of fact and supporting argument.

Additional documents or drawings will be provided upon request by Village staff or as directed following the pre-application meeting.

## 6. NOTE ON AERIAL PHOTOGRAPHS (Exhibit “D”)— NEIGHBORHOOD CHARACTER EVIDENCE

### Purpose

The aerial photographs in Exhibit D are submitted solely as evidence of the existing neighborhood character and the prevalence of higher-than-35% coverage in comparable R-3 properties in the immediate vicinity. They are not submitted as formal lot coverage measurements or as complaints regarding neighboring properties.

These images are relevant to the variance analysis under two specific criteria:

Variance Criterion	How Aerial Photos Are Relevant
Criterion 4 — Denied Substantial Rights	If comparable neighboring properties appear to carry coverage levels consistent with or exceeding the petitioner's existing baseline, denying this variance would deprive the petitioner of rights that appear to be enjoyed by similarly situated neighboring property owners.
Criterion 7 — Essential Character of the Area	The character of an established neighborhood is defined by how it has actually developed over time, not solely by what the current code permits. Aerial imagery showing widespread higher-coverage development supports the conclusion that the proposed improvements are consistent with the essential character of the area and will not be materially detrimental to the neighborhood.

The petitioner acknowledges that aerial imagery does not constitute a precise coverage measurement and does not establish that any neighboring property is in violation of any code. These images are presented as visual context only, and the petitioner does not request or imply that any enforcement action be taken against any neighboring property as a result of this submittal.

~~APPENDIX~~ ~~LIST~~

The purpose of sharing the below Google Earth shots is solely for the purpose of supporting the argument that 35% is a baseline that the physical reality of this established neighborhood does not necessarily reflect, and to support that our request is consistent with how the neighborhood variance argument, not a past or future enforcement complaint. We understand that these represent directional examples only and not actual and confirmed land use %'s by the Village.

Below are a few examples. These properties seem to show variances with clearly visible large impervious driveways, detached garages, patios, pools, decks and other various hardscapes and even primary footprints that appear to fill a similar or more of a proportion of the lot as yours.

All of the below properties in the same R-3 district.







House

To SERVICE PANEL

ELECTRICAL  
10" CONDUIT  
SERVICES

Existing (REPLX)

Addition

Pool Deck Addition

code compliant ELECTRICAL

Pool

Existing Deck  
Deck Addition  
Pool Deck Addition

APPROXIMATE LOCATION OF POOL MECHANICS 2'

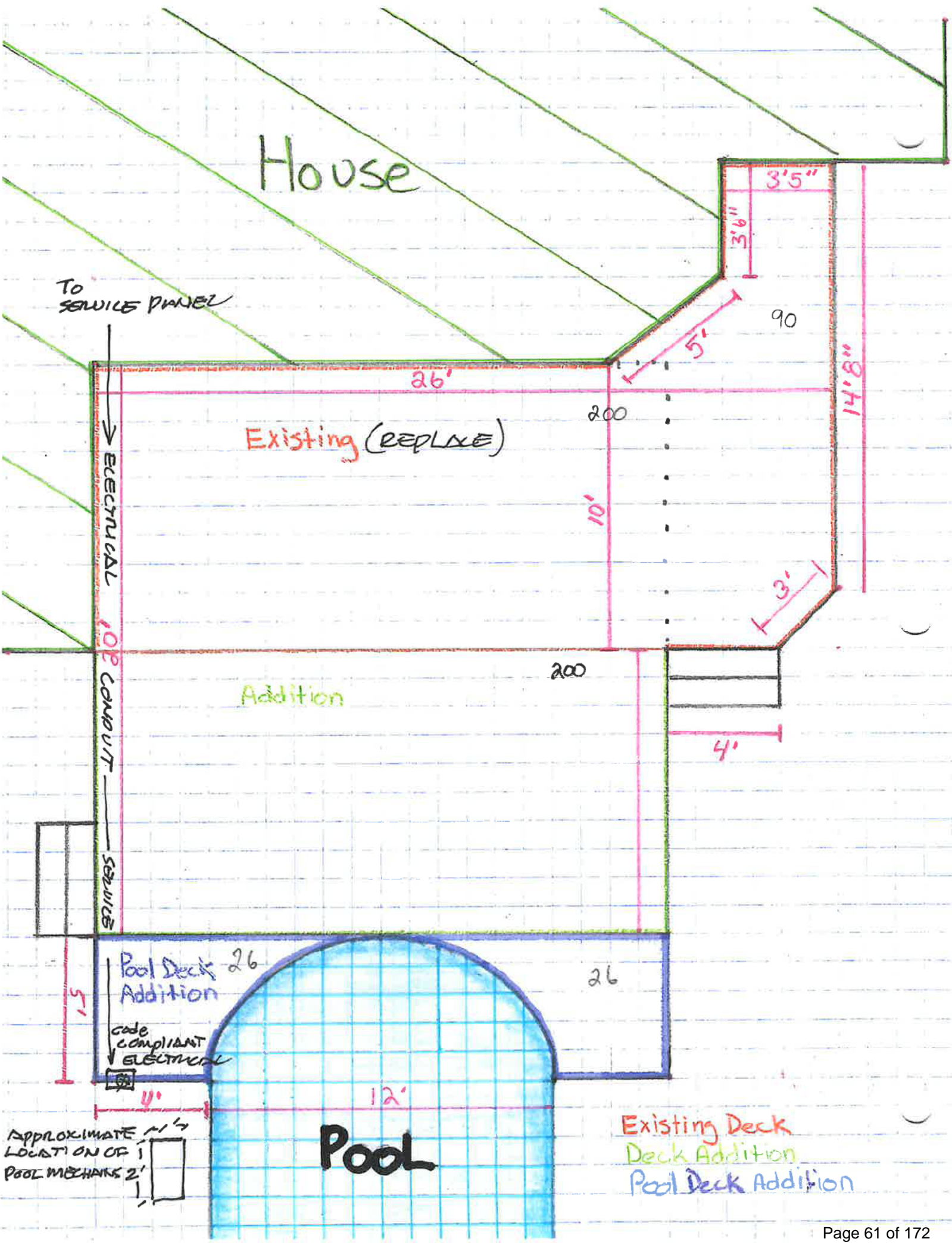


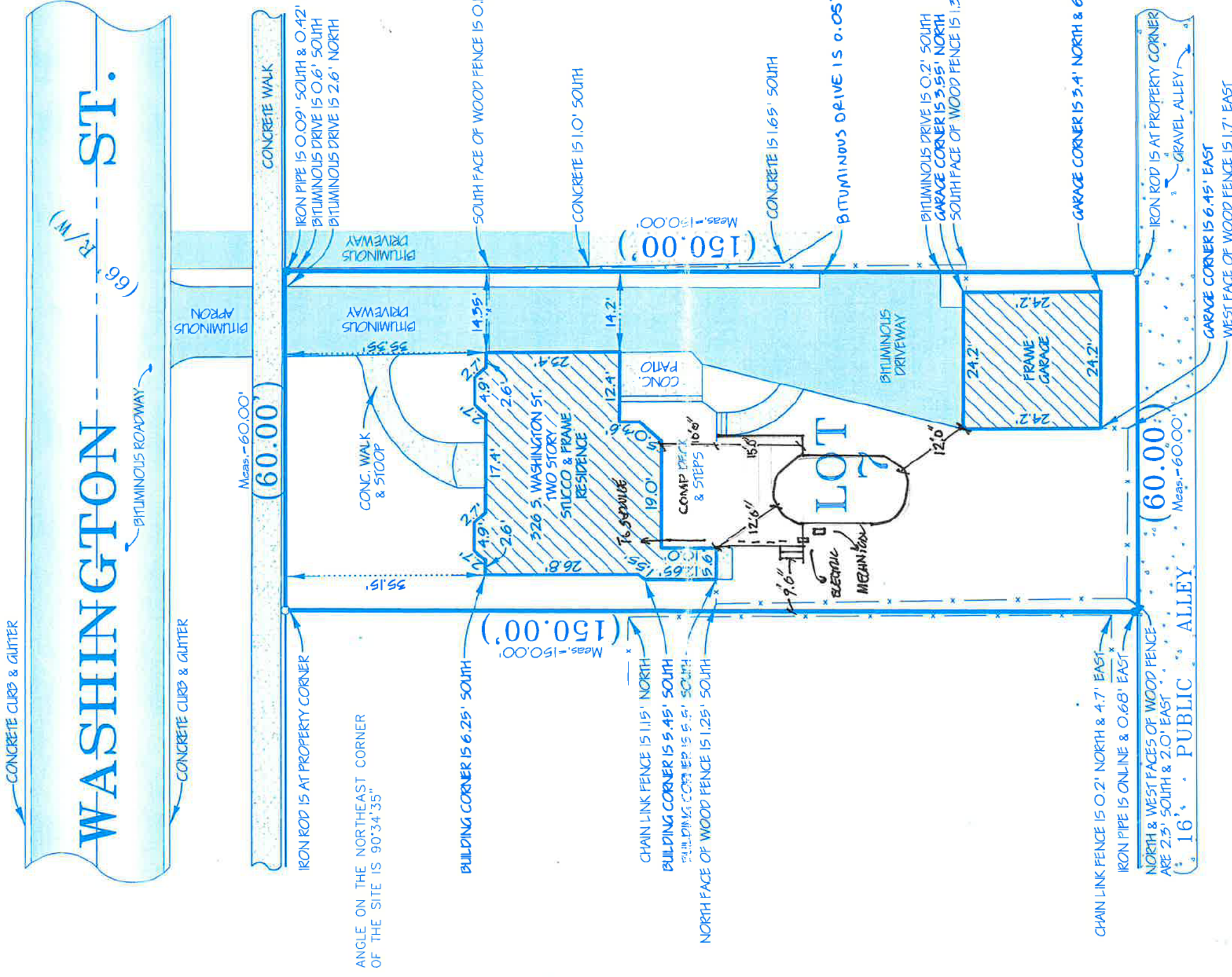
EXHIBIT "B"

- SURVEY LEGEND**
- Monumentation Found
  - Monumentation Set (IRLS 35-2551)
  - (50') Record Dimension
  - X- Fence Line

# PLAT OF SURVEY

LOT 7 IN BLOCK 24 IN WESTMONT, BEING A SUBDIVISION BY ARTHUR T. MCINTOSH AND COMPANY OF THE SOUTHEAST QUARTER AND PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 15, 1921 AS DOCUMENT 146502, IN DUPAGE COUNTY, ILLINOIS.

AREA OF SITE = 9,000 SQ.FT.



STATE OF ILLINOIS } SS  
COUNTY OF DUPAGE }

THIS IS TO CERTIFY THAT I, ALLEN D. CARRADUS, A PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF ILLINOIS, HAVE SURVEYED THE PROPERTY AS DESCRIBED HEREON AND THAT THE ANNEXED PLAT IS A CORRECT AND TRUE REPRESENTATION THEREOF, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SIGNED AND SEALED AT CAROL STREAM, ILLINOIS THIS 26th DAY OF November, A.D. 2025.  
BY *Allen D. Carradus*  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2551.  
MY LICENSE EXPIRES NOVEMBER 30, 2026.

### NOTES

- All distances shown hereon are in feet and decimal parts thereof corrected to 68° F. Distances shown along curved lines are Arc Measurements unless otherwise noted.
- Compare the Legal Description, Building Lines, and Easements as shown hereon with your Deed, Title Insurance Policy or Title Commitment.
- Consult local authorities for additional setbacks and restrictions not shown hereon.
- Compare all survey points and report any discrepancies immediately.
- Consult utility companies and municipalities prior to the start of any construction.
- Dimensions to and along buildings are exterior foundation measurements.
- Do Not Assume distances from scaled measurements made hereon.

**CARRADUS LAND SURVEY, INC.**  
Residential & Commercial Land Surveying Services  
191 S. Gary Avenue, Suite 180, Carol Stream, Illinois, 60188  
(630) 588-0416 (Fax) 653-7682 OFFICE@CARRADUSLANDSURVEY.COM

PREPARED FOR: **RICHARD BARCLAY**  
DRAWN BY: JW DATE OF FIELD WORK: 11/26/25 SCALE: 1" = 20' PLO. BK. - PAGE: 48-00 PROJECT NO.: 42859

# NEIGHBOR SUPPORT LETTER

Variance Application — Lot Coverage Relief

326 S. Washington Street · Westmont, IL 60559 · R-3 Zoning District

03/10/2026

## Dear Neighbor,

I am reaching out as your neighbor at 326 S. Washington Street to share some exciting news about our property and to ask for your support. We are in the process of applying to the Village of Westmont for a zoning variance that will allow us to add a deck and a pool to our backyard — and we would be genuinely grateful to have your signature on this letter as a show of community support.

## A Little Background

As many of you may know, our home was destroyed by a fire and required a complete rebuild. That reconstruction — carried out with full Village permits — resulted in our property's current lot coverage being above the Village's 35% maximum. Because of that pre-existing condition, we need a formal variance before we can add any new improvements to our yard, even standard ones like a deck.

The good news is that the proposed improvements are simple and entirely in keeping with the neighborhood. We are not changing the exterior of the home, adding a commercial use, or building anything that will affect our neighbors' enjoyment of their own properties. We simply want to finish our backyard the way it was always meant to be — with a deck off the back of the house and a pool for our family to enjoy.

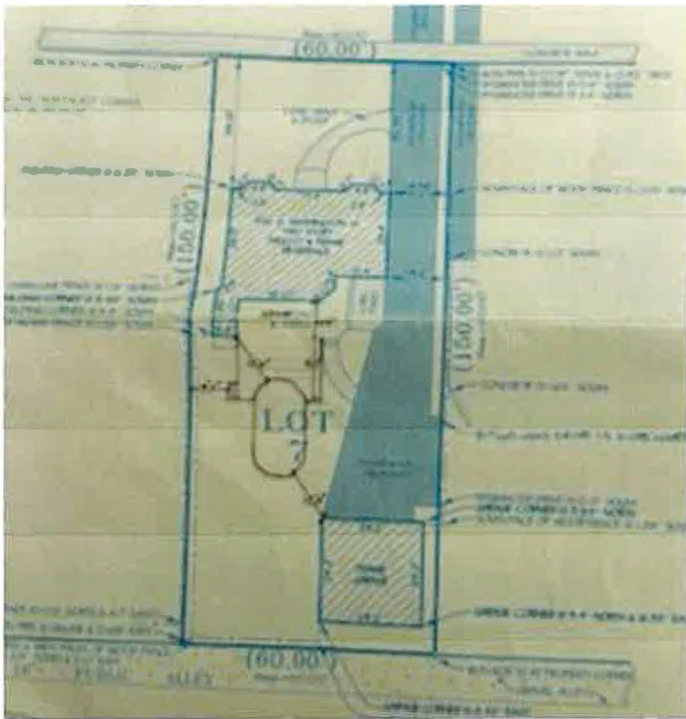
## What We're Proposing to Build

<b>New Deck</b> 261 sq ft Rear yard — meets all setbacks	<b>Pool</b> 253 sq ft Rear yard — non-permanent structure
--	---

All proposed improvements are located entirely in the rear yard. The deck will attach to the back of the house, and the pool will be set back well within the lot. Everything meets the Village's setback requirements — the only issue is overall lot coverage, which is why we need the variance.

## Site Plan — Proposed Layout

The diagram below shows the proposed layout of the deck and pool on our property:



## Why Your Support Matters

The Village of Westmont's variance process includes a public hearing before the Planning and Zoning Commission and the Village Board of Trustees. Neighbor support letters are one of the most meaningful things a petitioner can bring to that hearing. When board members see that the people who live closest to a proposed project understand it, have no objection to it, and actively support it — that carries real weight.

We want to be respectful of your time and your decision. There is absolutely no obligation here. We simply wanted to be transparent with you about what we are planning, give you a chance to ask any questions, and let you know that your support would mean a great deal to us.

### **We commit to you that:**

- ✓ The improvements will be contained entirely within our rear yard.
- ✓ Nothing we are building will affect the appearance of the front of our home.
- ✓ We will maintain our property and the new improvements in good condition.
- ✓ If you have any questions or concerns before or after the hearing, we welcome your call.

If you have any questions about the project or the variance process before signing, please don't hesitate to reach out. We are happy to talk through anything in person.

Thank you so much for taking the time to read this, and for being a wonderful neighbor.

Warmly, Rich & Carol Barclay

326 S. Washington Street · Westmont, IL 60559

630~660~3483 rsbarclay326@gmail.com

# NEIGHBOR SUPPORT & ACKNOWLEDGMENT

326 S. Washington Street · Variance Application · Westmont, IL

## Statement of Support

By signing below, I acknowledge that I am a resident or property owner in the vicinity of 326 S. Washington Street, Westmont, Illinois. I have been informed of the nature of the proposed improvements at that property – specifically, the installation of a new residential deck (approximately 261 sq ft), and a pool (approximately 253 sq ft), and associated mechanical equipment – all located in the rear yard of the property.

I further understand that the owner is seeking a variance from the Village of Westmont under Section 16.08 of the Zoning Ordinance to allow lot coverage above the 35% standard for the R-3 district, due to pre-existing coverage established during a Village-permitted post-fire reconstruction of the home.

I have no objection to the proposed improvements and **I support the granting of this variance request.**

*This letter and any signatures collected will be submitted to the Village of Westmont Planning & Zoning Commission and Village Board of Trustees as part of the variance application for Permit No. RES 0033-2026*

### Neighbor / Supporter #1



Signature

3/30/2026

Date

Brian Thomas

Print Name

332. S Washington St Westmont

Property Address

### Neighbor / Supporter #2

Mary Rebellato

Signature

3-30-2026

Date

Mary Rebellato

Print Name

323 S. Hudson

Property Address

### Neighbor / Supporter #3



Signature

4/26/2026

Date

WAYNE DAVID

318 S WASHINGTON

Print Name

Property Address

**Neighbor / Supporter #4**

Steve Mann  
Signature

4/26/26  
Date

Steve Mann  
Print Name

313 S. Hudson St  
Property Address

**Neighbor / Supporter #5**

[Signature]  
Signature

4/26/26  
Date

Kevin Janos  
Print Name

3255 Hudson St.  
Property Address

**Neighbor / Supporter #6**

[Signature]  
Signature

4/26/26  
Date

Brian Centers  
Print Name

336 S Washington  
Property Address

**Neighbor / Supporter #7**

[Signature]  
Signature

5/4/26  
Date

John SAVOIA  
Print Name

324 S WASHINGTON  
Property Address

**Neighbor / Supporter #8**

John & Carlean Mejdreck  
Signature

May 5, 2026  
Date

John & Carlean Mejdreck  
Print Name

317 S. Washington St  
Property Address  
Westmont, 60559

PZC Case Number (office use only):	PZC 017-2026
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**Petitioner**

Petitioner Name:	Angel Leveston	Property Owner Name:	Westmont Downtown, LLC
Petitioner Address:		Owner Address:	1528 Shermer Rd
City, State and Zip		City, State and Zip:	Northbrook, IL 60062
Phone:		Phone:	
Email:		Email:	

**Subject Property**

Property Address (Subject Property):				10 W Burlington Av			
Property Identification Number(s) PIN(s):				09-09-222-027			
Lot Width	153.9 ft	Lot Depth	~90 ft	Lot Area:	14,156 sq ft	Lot Acreage:	0.325 acres
Current Zoning:		B-1		Current Use:		RETAIL	
Description of Request/Project Title:				Request for Special Use Permit to operate a small, appointment-based instructional mahjong studio offering structured classes, guided sessions, and pre-scheduled group play. All activities are organized, managed, and overseen by the applicant. The use is low-impact, with no open drop-in operations, no amplified sound, and minimal traffic beyond scheduled participants.			
Legal Description - often found on a Plat of Survey - MUST BE TYPED HERE (or sent in Docx format):  <i>Pictures or screenshots of the legal description, or writing it by hand will NOT be accepted.</i>				LOTS 18, 19 AND 20 IN BLOCK 12 IN ARTHUR T. MCINTOSH AND COMPANY'S FAIRMONT HEIGHTS, BEING A SUBDIVSON IN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERDAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 1920 AS DOCUMENT 144403 IN DU PAGE COUNTY, ILLINOIS.			

## Signature(s)

By signing below, the Petitioner certifies that all of the above statements in this Application and statements on any documents or drawings submitted with this Application are true and correct to the best of my (our) information and belief.

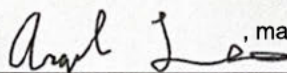
BY SIGNING BELOW, THE PROPERTY OWNER (1) GRANTS PERMISSION TO THE PETITIONER (IF DIFFERENT THAN THE PROPERTY OWNER) TO SUBMIT THIS APPLICATION AND TO SEEK THE ZONING AND DEVELOPMENT APPROVALS CONTAINED IN THE APPLICATION FOR THE PROPERTY, AND (2) AGREES TO BE BOUND BY AND TO COMPLY WITH ANY CONDITIONS ESTABLISHED BY THE VILLAGE FOR THE DEVELOPMENT/USE OF THE PROPERTY.

By signing below, the petitioner and property owner acknowledge that the **Application fees are non-refundable** and that submitting this form is not a guarantee that the requests will appear before the Planning and Zoning Commission or Village Board. The petitioner and property owner further acknowledge that all items to be considered by the Planning and Zoning Commission shall receive technical reviews by Village Staff or consultants, as deemed appropriate by the zoning administrator, before being considered by the Planning and Zoning Commission.

### PETITIONER SIGNATURE:

Hinsdale Mahjong Society, LLC

Print Name of **Petitioner**

 , manager April 9, 2026

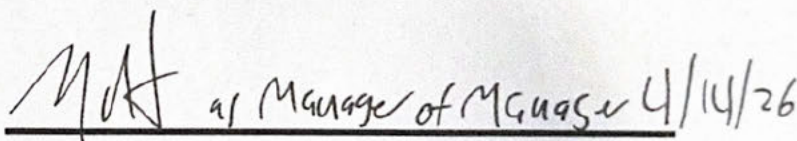
Signature of **Petitioner** and Date

### OWNER SIGNATURE

*(if different than the petitioner):*

Westmont Downtown LLC

Print Name of **Property Owner**

 4/14/26

Signature of **Property Owner** and Date

### OWNER SIGNATURE

*(if different than the petitioner):*

Print Name of **Property Owner**

Signature of **Property Owner** and Date

Date: April 9, 2026

To:

Village of Westmont Planning & Zoning Commission  
Village Board of Trustees  
31 W. Quincy St  
Westmont, IL 60559

Re: Special Use Permit Request – Hinsdale Mahjong Society, DBA HMS Mahjong Studio

Dear Members of the Planning & Zoning Commission and Village Board,

I am writing to respectfully submit this application for a Special Use Permit to operate Hinsdale Mahjong Society, DBA HMS Mahjong Studio, a structured, appointment-based indoor participant entertainment use, at 10 W Burlington Av. The proposed use is classified as **Indoor Other Participant Entertainment**, which is permitted in the B-1 District with Special Use approval.

Hinsdale Mahjong Society is a thoughtfully designed social and educational concept that brings people together through guided and open mahjong play in a calm, organized, and community-oriented environment. The business has already demonstrated strong demand and positive community reception through sold-out sessions and consistent participation across the western suburbs.

### **Overview of Proposed Use**

The proposed use is a low-intensity, appointment-based recreational and instructional space offering:

- Beginner instructional classes (“Mahjong Foundations”)
- Structured multi-week learning sessions
- Organized open play events with table facilitation and instructor support
- Occasional small private gatherings

Mahjong is a traditional tile-based game that originated in China and has evolved into a widely played social and recreational activity in the United States. Similar to chess, the American version of mahjong is played at a table by four players and involves strategy, pattern recognition, and light competition.

Gameplay is structured, turn-based, and entirely seated. There is no physical exertion, loud activity, or rapid movement involved. Players quietly build hands based on a standardized annual card published by the National Mah Jongg League, making it both mentally engaging and highly social.

In recent years, American mahjong has experienced a resurgence in popularity, particularly among adults seeking structured, screen-free social experiences. It is commonly played in homes, community centers, and small group settings.

At Hinsdale Mahjong Society, the game is taught and facilitated in an organized, welcoming format that emphasizes learning, connection, and community. All sessions are guided, and participants are supported throughout gameplay, making the experience accessible to beginners and experienced players alike.

### **Key Operational Details**

**Hours of Operation:** Primarily weekday evenings (6 PM to 9 PM) and limited daytime sessions (generally between 9 AM and 5 PM, operating in two-hour increments)

**Operating Days of the Week:** As scheduled throughout the week, Sun-Sat

**Occupancy:** Typically 16–20 participants per event

**Employees:** Owner-operated, with occasional support staff or instructors

**Traffic Pattern:** Pre-registered attendees arriving within a short window before scheduled events; no continuous foot traffic

This is not a retail, nightlife, or high-turnover use. It is structured, scheduled, and intentionally designed to maintain a calm and respectful environment.

### **Alignment with Special Use Standards**

In accordance with the Village of Westmont’s Special Use criteria pursuant to Chapter 95, Sec. 14.04(H), I respectfully offer the following responses:

#### **1. Authorized Special Use**

Standard: That the proposed use or activity is expressly authorized in this zoning ordinance as a special use.

Response: The proposed use qualifies as Indoor Other Participant Entertainment, which is permitted in the B-1 district through Special Use approval pursuant to Chapter 95, Section 6.01 of the Village Code.

HMS Mahjong Studio operates as a structured, appointment-based entertainment use consisting of small-group mahjong instruction and guided gameplay. All activities are pre-scheduled, supervised, and limited in size. The business does not function as an open, walk-in assembly space, but rather as a controlled, small-group environment consistent with this classification.

## **2. Public Convenience & Community Benefit**

Standard: That the proposed use at the proposed location is necessary or desirable to provide a service or facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

Response: The proposed use provides a valuable and currently underserved community benefit by creating structured, accessible opportunities for social connection and recreational engagement.

Hinsdale Mahjong Society offers a welcoming and organized environment for adults, particularly those seeking alternatives to traditional nightlife or unstructured social settings, to gather, learn, and engage in a mentally stimulating activity. The format emphasizes inclusion, skill-building, and consistent social interaction.

There is demonstrated demand for this type of programming, as evidenced by prior sold-out sessions and strong repeat participation within the local community. The use contributes positively to community wellness, social connection, and lifelong learning.

## **3. No Detriment to Health, Safety, or Property Values**

Standard: That the proposed use will not, in the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.

Response: The proposed use is inherently low-impact and does not introduce conditions that would negatively affect surrounding properties or occupants.

All activities are quiet, seated, and non-physical in nature. There is no amplified sound, live entertainment, commercial kitchen, or hazardous materials associated with the operation. Attendance is limited and pre-scheduled, ensuring predictable and controlled activity levels.

The business does not generate late-night traffic, loitering, or high-volume turnover. The curated, well-managed nature of the space is expected to be neutral to positive in its impact on surrounding property values and neighborhood conditions.

#### **4. Compatibility with Surrounding Development**

Standard: That approval of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

Response: The proposed use is fully compatible with surrounding commercial and mixed-use development patterns and will not impede future development of nearby properties.

The use operates at a low intensity, requires no specialized infrastructure, and does not introduce noise, traffic, or operational characteristics that would discourage adjacent uses. It complements the surrounding area by activating the space during off-peak hours, including evenings and select daytime periods.

All programming is scheduled, managed, and overseen by the applicant. The space will not be used for third-party rentals or unmonitored events, ensuring consistency and long-term compatibility with surrounding uses.

#### **5. Adequate Infrastructure & Services**

Standard: That the proposed special use will be served by adequate utilities, access roads, parking, drainage, and other necessary facilities, infrastructure, and community services.

Response: The proposed use can be fully supported by existing infrastructure and does not require any specialized systems or improvements.

The business relies on standard utilities, including electrical service, water, and restroom access. The property provides adequate ingress and egress for participants.

Parking demand is modest and predictable due to pre-registration, fixed session times, and limited group size. Traffic patterns are concentrated within short arrival windows and disperse immediately following each session, resulting in minimal impact on surrounding roadways.

No additional burden on public infrastructure or community services is anticipated.

## **6. Compliance with Zoning & Regulations**

Standard: That the proposed special use complies with all applicable regulations of the zoning ordinance except as expressly approved in accordance with the procedures of the zoning ordinance.

Response: The proposed use will comply with all applicable provisions of the Village of Westmont Zoning Ordinance.

The applicant is committed to operating within approved occupancy limits and adhering to any conditions established as part of the Special Use approval process. All operations will be conducted in compliance with applicable building, safety, and operational regulations.

### **Operational Philosophy & Community Commitment**

Hinsdale Mahjong Society is intentionally built around:

- Respectful, well-managed gatherings
- Clear structure and expectations for participants
- High-quality, organized programming
- A strong emphasis on community and inclusion

This is not a passive or unmonitored space; events are actively hosted, facilitated, and managed to ensure a positive experience for all attendees and neighbors.

### **Site Control & Lease Status**

The petitioner has entered into a lease agreement for the subject property at 10 W Burlington Avenue. The lease has been executed by the landlord and is expressly contingent upon approval of the requested Special Use Permit and applicable zoning approvals by the Village of Westmont.

This contingency reflects a standard and prudent approach to ensure compliance with Village requirements prior to full execution and occupancy. Upon approval, the lease will be fully executed, and the petitioner will proceed with final preparations for opening.

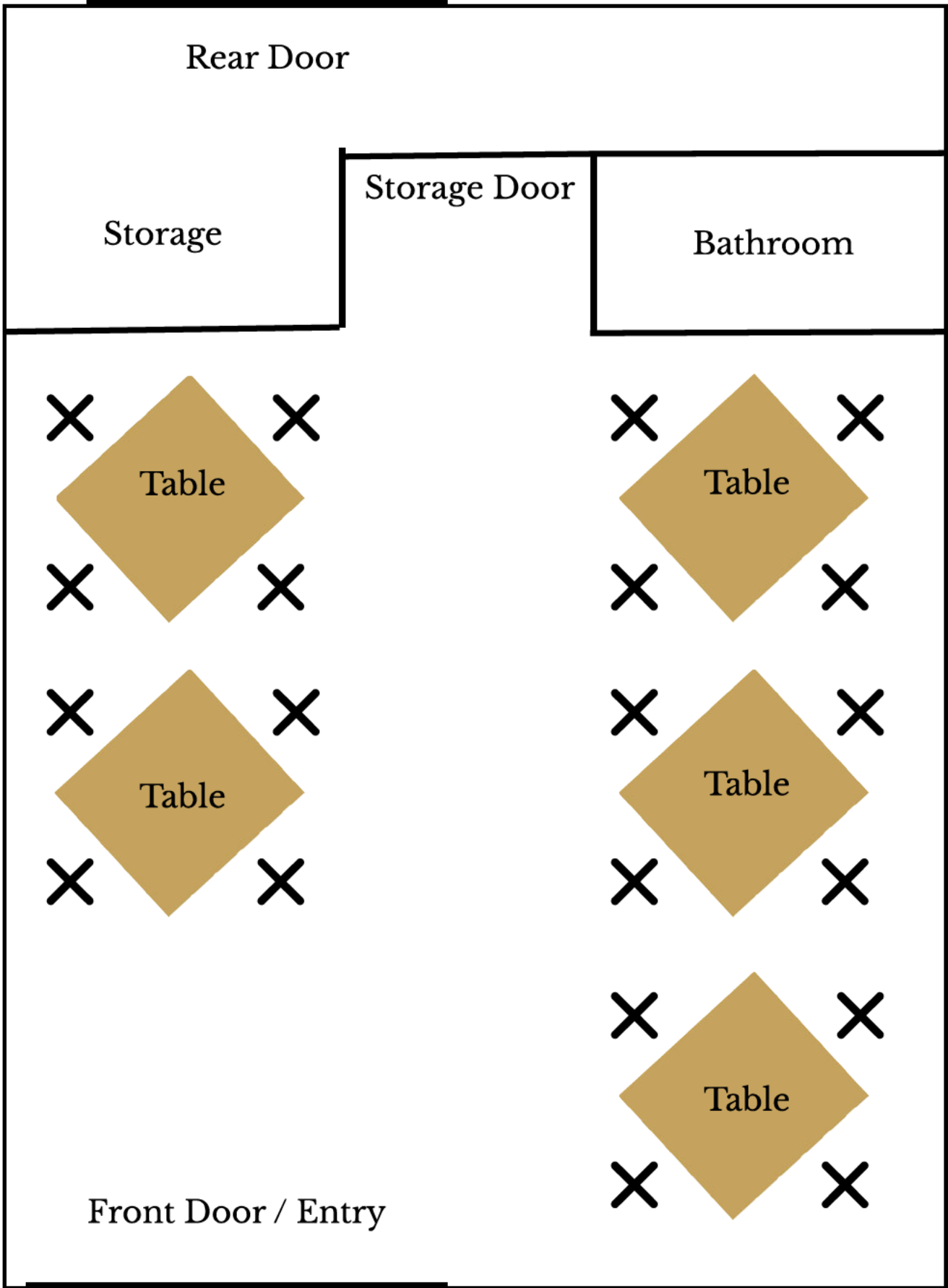
### **Conclusion**

This request represents an opportunity to introduce a thoughtful, low-impact, community-centered use that aligns with the Village of Westmont's goals for vibrant, safe, and engaged local development.

I deeply appreciate the time and consideration of the Planning & Zoning Commission and Village Board and welcome the opportunity to answer any questions or provide additional materials.

Thank you for your consideration.

Angel Leveston  
Founder, Hinsdale Mahjong Society



## **Traffic Impact Statement for 10 W Burlington Ave, Westmont, IL**

Prepared by Hinsdale Mahjong Society, LLC, DBA HMS Mahjong Studio

The proposed use of the subject property as a small, appointment-based mahjong studio is expected to generate minimal traffic and have a negligible impact on surrounding streets and parking resources.

The business operates on a pre-scheduled, reservation-only basis, with no walk-in or open-drop-in activity. Attendance is limited to small groups (typically 12–20 participants) during defined session times, resulting in predictable and staggered arrival and departure patterns rather than continuous traffic flow.

Each session is approximately two hours in duration, and participants generally arrive shortly before the scheduled start time and depart at the conclusion of the session. This results in low-frequency, short-duration traffic peaks, comparable to or less than typical retail or office uses currently permitted in the district.

The surrounding area provides adequate parking to support this use, including:

On-street parking on Burlington Avenue:

- Two-hour parking (6:00 AM – 6:00 PM)
- 12 standard parking spaces and 1 ADA-accessible space on the north side
- 12 additional parking spaces on the south side

Nearby public parking on Lincoln Avenue:

- Four-hour parking is available in the Westmont Public Parking lot at Lincoln and Irving
- Additional four-hour street parking along Lincoln Avenue

Given the structured nature of the business model, limited group sizes, and availability of nearby parking, the proposed use is expected to have minimal impact on traffic circulation, parking demand, or congestion in the surrounding area.

## LEASE

This LEASE is made and entered into as of the 14<sup>th</sup> day of April, 2026 (the "**Effective Date**") by Landlord and Tenant described below.

### ARTICLE I CERTAIN DEFINITIONS AND BASIC LEASE TERMS.

1.01 Certain Definitions. As used herein:

(a) "**Landlord**" shall mean WESTMONT DOWNTOWN LLC, 1528 Shermer Rd., Northbrook, IL 60062.

(b) "**Tenant**" shall mean HINSDALE MAHJONG SOCIETY LLC d/b/a HMS MAHJONG STUDIO, 918 S Thurlow St, Hinsdale, IL 60521.

(c) "**Premises**" shall mean the premises within the Building having a "Floor Area" of approximately 700 square feet, and commonly known as 10 West Burlington Ave., Westmont, Illinois 60559.

(d) "**Building**" shall mean the real estate, including any and all improvements now or at any time located thereon, the parking lot, comprised of three adjacent retail and apartment buildings totaling 16,458 square feet at the intersection of Cass and Burlington in Westmont, Illinois.

(e) "**Lease**" shall mean Articles I through IX hereof and the Exhibits referred to herein, in any, which, by such references, are hereby adopted and made a part hereof, together with any amendments, modifications, schedules, or any plans specifically referred to herein.

1.02 Other Definitions. For clarity and convenience, other terms are defined herein from time to time and, wherever used in this Lease, shall have the defined meaning so given.

1.03 Demise. Landlord hereby leases to Tenant, and Tenant accepts and takes from Landlord, the Premises under and subject to the terms, conditions and covenants contained in the Lease and any renewals or extensions thereof.

1.04 Lease Term. This Lease shall be contingent upon Tenant obtaining all required zoning approvals, including any Special Use Permit required by the Village of Westmont, within 45 days of the Effective Date. In the event such approvals are not obtained within that timeframe, Tenant or Landlord shall have the right to terminate this Lease with Tenant to receive a full refund of any deposits paid, with no further obligation to Landlord. The Lease Term shall begin on the date that Tenant receives the Special Use Permit and Rent shall commence thirty days thereafter ("**the Rent Commencement Date**") and continuing thereafter, unless sooner terminated or extended by Tenant and Landlord as in this Lease provided, until and including the 12<sup>th</sup> month after the Rent Commencement Date, or as otherwise extended (the "**Termination Date**").

1.05 Use of the Premises. Tenant shall use the Premises as a mahjong studio for classes,

IN WITNESS WHEREOF, the parties have hereunto executed this Lease as their respective free and voluntary act, as of the date first above set forth.

**LANDLORD:**

WESTMONT DOWNTOWN LLC,  
an Illinois limited liability company,

By: MLJB LLC

By: David Horwitch  
Its: Manager

**TENANT:**

HINSDALE MAHJONG SOCIETY LLC,  
an Illinois limited liability company,

By: Angel Lee  
Name: Angel Catherine Leveston  
Title: Manager



**VILLAGE OF WESTMONT**  
**Board of Trustees Memorandum**  
**May 28, 2026**

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**Item for Board of Trustees Consideration:**

Board to consider an ordinance approving a request from Hinsdale Mahjong Society, LLC, d/b/a HMS Mahjong Society (Petitioner), and Westmont Downtown LLC (Owner) for the property at 10 West Burlington Avenue, Westmont, Illinois, 60559, for the following:

1. Special Use Permit to operate an Indoor Other Participant Entertainment business (mahjong studio) in the B-1 Downtown Edge District.

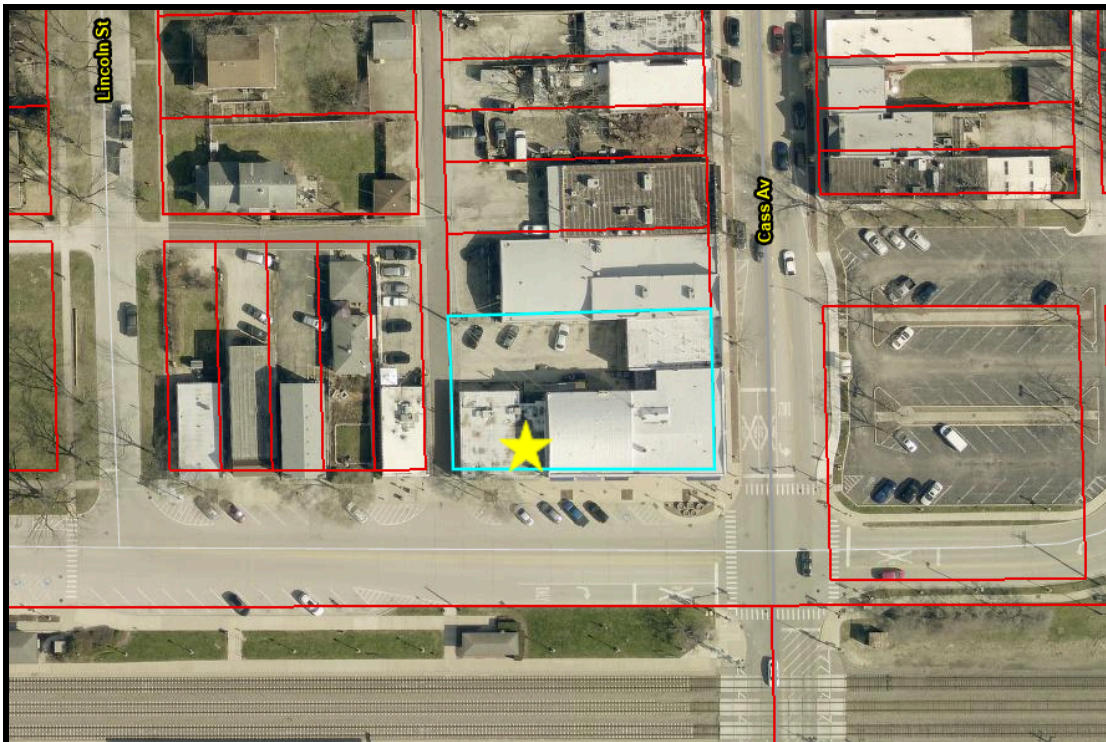
**Planning & Zoning Commission Recommendation:**

The Planning & Zoning Commission held a public hearing on this case during its regular meeting on May 13, 2026, where the Commission unanimously recommended approval of the request.

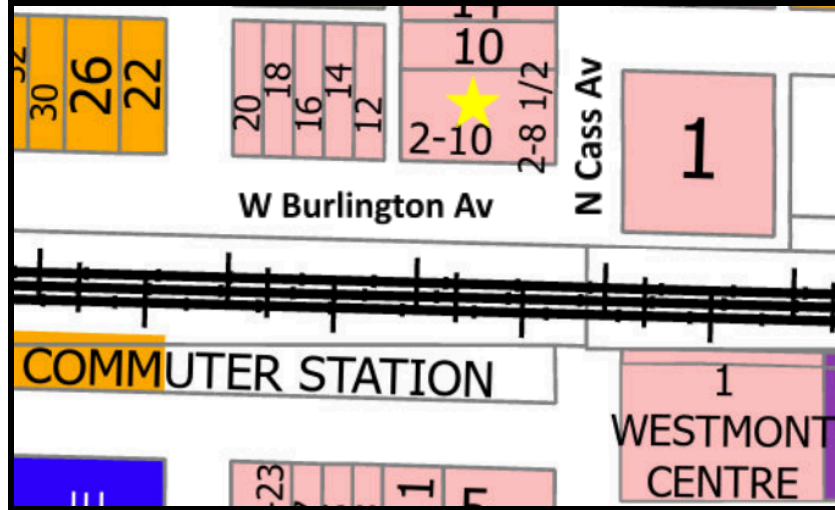
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**I. BACKGROUND OF ITEM**

- A. Location: 10 West Burlington Avenue is located northwest of the intersection of Burlington Avenue and North Cass Avenue. The subject property is about 0.33 acres in area, and is improved with a two-story mixed-use building. The ground floor hosts a variety of commercial uses along Cass and Burlington, with apartments on the upper story. The subject unit is located between Artistic Grooming (dog groomer) and Escritorio Publico (office).



**Aerial Map - 10 West Burlington Avenue (source: DuPage County Parcel Viewer)**



Zoning Map - 10 West Burlington Avenue

B. Zoning Designations:

<b>SUBJECT PROPERTY</b>	B-1 Downtown Edge District
<b>NORTH, EAST, &amp; WEST</b>	B-1 Downtown Edge District
<b>SOUTH</b>	R-5 General Residential District/Unzoned (Metra Station)

C. Neighborhood Characteristics

The lot is located in the A.T. McIntosh & Co.'s Fairmont Heights subdivision, which was recorded in 1920. The lot is in the northwest corner of Cass and Burlington Avenues, at the heart of the Village's downtown. The subject property contains three buildings, with the subject unit being one of the westernmost units. Most businesses facing Cass Avenue are restaurants, retail, and some office and service uses. Burlington Avenue features many small commercial spaces, like the subject unit, typically occupied by offices or service uses.



Street View - 10 West Burlington Avenue (source: Google Street View)

**II. PETITIONER REQUEST:**

The petitioner has requested a Special Use Permit to operate HMS Mahjong Society, an indoor other participant entertainment establishment (mahjong studio), in the B-1 Downtown Edge District.

**III. ZONING ANALYSIS**

**A. Zoning and Comprehensive Plan Designations**

The current zoning district of the property is B-1 Downtown Edge District, which is intended to provide for a mix of supporting uses in the downtown area. The Comprehensive Plan designates the future land use in this area as Downtown Mixed-Use, which should “...provide for an appropriate variety of land uses.” The Plan further recommends that businesses near the Westmont Metra Station should “...foster an active pedestrian oriented node.”

**B. Entitlement Request**

The petitioner has provided a project narrative and supporting documentation for the following request, including the necessary responses to the Special Use Standards. Any corresponding standards for entitlement approval consideration can be referenced in item V(B) below.

- **Special Use Permit to operate an Indoor Other Participant Entertainment business in the B-1 Downtown Edge District.**

Chapter 95, Section 6.01 requires that all indoor other participant entertainment businesses obtain a Special Use Permit in the B-1 District to assess impacts like traffic, activities, number of employees, and operating hours.

The petitioner proposes to operate HMS Mahjong Society at 10 West Burlington Avenue. They describe their business operations as a structured and reservation-based mahjong studio open to players of all skill levels. The petitioner intends to lead instructional classes for beginners, multi-week classes at various difficulty levels, and host open play events. Occasionally, the space may be rented for small private events. Based on the floor plan submitted, the roughly 700 square foot space can accommodate up to 20 players across five tables.

The petitioner will typically be the only employee on-site, but may occasionally have other instructors join. The studio will host events primarily on weekday evenings from 6:00 p.m. to 9:00 p.m., but will also lead sessions on the weekend, and less classes during the weekday. Weekday sessions would typically be held between 9:00 a.m. and 5:00 p.m.

In order to participate in game play events or one of the guided play sessions, one must register for a slot ahead of time. The sessions are typically two hours long, where mahjong is played in a calm and strategic manner. As opposed to other entertainment businesses like arcades or billiards halls, the petitioner explains in their cover letter that the mahjong studio offers an alternative nightlife activity that would not produce excessive noise, parking, or similar negative impacts.

Chapter 95, Section 9.04(B)(1) states that proposed uses in buildings zoned B-1 that existed before December 17, 2020 are not required to provide off-street parking. There are multiple on-street parking spaces available along Burlington Avenue, and the Lincoln Street public parking lot is just up the alley from the subject property. The petitioner has provided a traffic impact statement, asserting that the small group sizes should not overly-burden available public parking.

The use must be considered to the Special Use standards, which are listed below:

Special Use Permit Review and Approval Criteria (Sec. 14.04(H)):

*No special use may be recommended for approval or approved unless the respective review or decision-making body determines that the proposed special use is consistent with and in substantial compliance with all village ordinances and regulations and that the applicant has presented evidence to support each of the following conclusions:*

- (1) That the proposed use or activity is expressly authorized in this zoning ordinance as a special use;*
- (2) That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community;*
- (3) That the proposed use will not, in the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity;*
- (4) That approval of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;*
- (5) That the proposed special use will be served by adequate utilities, access roads, parking, drainage and other important and necessary facilities, infrastructure and community services; and*
- (6) That the proposed special use complies with all applicable regulations of this zoning ordinance except as expressly approved in accordance with the procedures of this zoning ordinance.*

**IV. SUMMARY**

The petitioner has requested a Special Use Permit to operate HMS Mahjong Studio, an indoor other participant entertainment business, in the B-1 Downtown Edge District. The request complies with both the requirements of the Zoning Ordinance and the recommendations from the Comprehensive Plan, and is subject to the standards of Special Use Permit approval.

**V. LEGAL**

- A. Notification: A legal notice was published in Westmont Suburban Life on April 23, 2026.
- B. Code References: Chapter 95, Sections 6.01; 14.04

**VI. DOCUMENTS ATTACHED:**

1. Findings of Fact
2. Publication notice appearing in the April 23, 2026 Westmont Suburban Life.
3. Petitioner Attachments received April 9, 2026 (Edited for PZC):
  - a. Planning & Zoning Development Application
  - b. Project Narrative, with responses to the Special Use Standards
  - c. Proposed Floor Plan
  - d. Traffic Impact Statement
  - e. Signed Lease

**VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION**  
**FINDINGS OF FACT**

**PUBLIC HEARING OF MARCH 13, 2026**

**PZC 017-2026: Hinsdale Mahjong Society, LLC, d/b/a HMS Mahjong Society, regarding property located at 10 West Burlington Avenue, Westmont, Illinois 60559**

Request for a special use to allow an indoor other participant entertainment business (mahjong studio) in the B-1 Downtown Edge District.

***CRITERIA NO. 1: That the proposed use or activity is expressly authorized in this zoning ordinance as a special use.***

**FINDINGS OF FACT:** Article VI – Principal Uses, Table VI-1, of the Westmont Zoning Ordinance specifically authorizes the operation of an “Entertainment, Participant” use, and it specifically allows an “Other Participant Entertainment, Indoor” use, within the category of Commercial Services, as a special use in the B-1 Downtown Edge District. Article VI, Section 6.04(F)(d) describes the types of commercial use that constitute an “Other Participant Entertainment, Indoor” use, and the Petitioner’s proposed indoor mahjong studio qualifies as an “Entertainment, Participant” use and an “Other Participant Entertainment, Indoor” use that is eligible for a special use permit.

***CRITERIA NO. 2: That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.***

**FINDINGS OF FACT:** The proposed mahjong gaming studio will provide a structured, low-pressure, appointment-based entertainment use for the public. It will offer accessible programming for adults who seek a community-oriented activity outside of traditional nightlife activities. This use will serve the public convenience and will contribute to the general welfare of the community as evidenced by the studio’s other location which has high demand and which has sold-out classes and sessions. The use will involve small-group mahjong instruction and guided gameplay, and all sessions will be scheduled and supervised.

***CRITERIA NO. 3: That the proposed use will not, in the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.***

**FINDINGS OF FACT:** The proposed use will be a low volume, lawful use that will be conducted completely indoors in an existing tenant space. The proposed use will involve seated gaming activities, without amplified sound and without late night hours. Due to the small class size and the scheduled sessions, the proposed use is not expected to generate adverse noise, odors, light, traffic, or parking concerns. The proposed use will promote the well-being of its participants, and the proposed use is not expected to be detrimental to the health, safety, or

general welfare of people living or working in the area or be harmful to surrounding property values.

***CRITERIA NO. 4: That approval of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.***

**FINDINGS OF FACT:** Surrounding properties are fully-developed, and this use will occur within an existing tenant space of an existing building. The proposed use will not generate adverse impacts on surrounding properties and will compliment surrounding businesses. As a result, allowing this use will not impede the development or redevelopment of surrounding properties.

***CRITERIA NO. 5: That the proposed special use will be served by adequate utilities, access roads, parking, drainage and other important and necessary facilities, infrastructure and community services.***

**FINDINGS OF FACT:** The proposed use will occur within an existing tenant space of an existing building, and this tenant space is currently served by adequate utilities, access roads, public parking, drainage, and other necessary facilities. This proposed use is not expected to place any strain on community services such as police, fire, or public works, and this proposed use is not expected to unduly burden existing utility facilities, stormwater facilities, or other facilities. Adequate public parking is located in the immediate vicinity of the property. Due to the limited class size and due to the advance scheduling of classes, this use is not expected to generate adverse traffic in the area or create public parking concerns.

***CRITERIA NO. 6: That the proposed special use complies with all applicable regulations of this zoning ordinance except as expressly approved in accordance with the procedures of this zoning ordinance.***

**FINDINGS OF FACT:** The proposed use meets all requirements for a special use permit in the B-1 Downtown Edge Business District, and the proposed use meets all other relevant regulations of the Zoning Ordinance.

**VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION**  
**FINDINGS OF FACT**

**PUBLIC HEARING OF MAY 13, 2026**

**PZC 008-2026: Tesla Motors, Inc., regarding 50 W. Ogden Avenue, Westmont**

Request for an amended special use permit to allow the Petitioner, as an automobile dealership, to operate a vehicle sales use and a vehicle service use on the property as principal uses.

***CRITERIA NO. 1: That the proposed use or activity is expressly authorized in this zoning ordinance as a special use.***

**FINDINGS OF FACT:** Both of the principal uses of the property by Petitioner are authorized as special uses in the Zoning Ordinance. Section 6.04(R)(2)(c) of the Zoning Ordinance allows for the sale or rental of new and used motor vehicles as a special use. Section 6.04(R)(2)(b) of the Zoning Ordinance allows uses engaged in the minor repair and maintenance of motor vehicles as a special use.

***CRITERIA NO. 2: That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.***

**FINDINGS OF FACT:** There is consumer demand for a Tesla automobile dealership at this location that is engaged in both vehicle sales and vehicle service. Tesla received a Zoning Ordinance special use permit in Year 2016 to operate an automobile dealership on the property, with the principal activity being the selling and servicing of new and used vehicles. Petitioner has operated its automobile dealership on the property since Year 2016. In order to continue meeting public demand and in order to comply with the special use permit approved in 2016, this amended special use permit is necessary to clarify and refine the Petitioner's vehicle sales operations on the property. The continuation of these uses pursuant to an amended special use permit will serve the public convenience and contribute to the general welfare of the community.

***CRITERIA NO. 3: That the proposed use will not, in the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.***

**FINDINGS OF FACT:** Petitioner has operated its automobile dealership on the property since Year 2016 without any detrimental impacts on the health, safety, or general welfare of surrounding properties, residents, or employees in the surrounding area. This proposed amended special use permit will not introduce new uses or improvements to the property and will not dramatically alter Petitioner's existing uses of and operations on the Property. As a result, this amended special use permit is not expected to cause any detrimental impacts to the health, safety, or general welfare of surrounding properties or improvements or to persons living and working in the area.

***CRITERIA NO. 4: That approval of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.***

**FINDINGS OF FACT:** Surrounding properties are fully developed. This amended special use permit will not expand Petitioner’s automobile dealership to additional properties and will not significantly alter Petitioner’s existing use of and operations on the property. As a result, this amended special use will not impede the development, redevelopment, or improvement of surrounding properties.

***CRITERIA NO. 5: That the proposed special use will be served by adequate utilities, access roads, parking, drainage and other important and necessary facilities, infrastructure and community services.***

**FINDINGS OF FACT:** Petitioner’s existing automobile dealership on the property is currently served by and improved with adequate utilities, access roads/curb cuts, parking, stormwater detention and drainage facilities, and other important and necessary facilities. This amended special use permit will not alter or further burden such utilities and facilities. This special use permit does not involve any new improvements to or uses of the property, and it will not strain or result in further demands on the Village’s infrastructure and community services.

***CRITERIA NO. 6: That the proposed special use complies with all applicable regulations of this zoning ordinance except as expressly approved in accordance with the procedures of this zoning ordinance.***

**FINDINGS OF FACT:** This proposed special use permit does not allow or involve any new improvements to the property, new uses of the property, or an expansion of uses onto additional properties. Instead, this proposed special use permit will clarify and refine the Petitioner’s vehicle sales operations on the property. It will not result in new encroachments into required setbacks, reduce the amount of off-street parking spaces below that which is required, or otherwise result in the noncompliance with any regulations of the Zoning Ordinance. The proposed special use permit does not trigger the need for any Zoning Ordinance variances or other zoning approvals.

Certificate of the Publication

Westmont Suburban Life

Description: 50 W OGDEN AVE - TESLA  
2320418

VILLAGE OF WESTMONT  
31 W QUINCY ST  
WESTMONT IL 60559

Shaw Media certifies that it is the publisher of the Westmont Suburban Life. The Westmont Suburban Life is a secular newspaper, has been continuously published weekly for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the Village of Westmont, County of DuPage, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published one time(s) in the Westmont Suburban Life, namely one time per week for one successive week(s). Publication of the notice was made in the newspaper, dated and published on 04/23/2026

This notice was also placed on a statewide public notice website as required by 715 ILCS 5/2.1.

In witness, Shaw Media has signed this certificate by Jennifer Heintzelman, its Director of Public Notices, at Westmont, Illinois, on 23rd day of April, A.D. 2026

Shaw Media By:

Shaw Media, Director of Public Notices

By: Jennifer Heintzelman  
its Director of Public Notices

Account Number 10074602

Amount \$102.54

**PUBLIC NOTICE**  
LEGAL NOTICE / PUBLIC NOTICE VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION NOTICE OF PUBLICATION  
NOTICE IS HEREBY GIVEN that a public hearing has been scheduled before the Westmont Planning and Zoning Commission to be held on Wednesday, May 13, 2026 at 8:00 P.M. in the Westmont Village Hall, 31 W. Quincy St., Westmont, Illinois 60559.  
The purpose of the hearing is to consider a request from Tesla, Inc. (Petitioner), and Ogden Avenue LLC (Owner) for the property at 50 West Ogden Avenue, Westmont, Illinois, 60559, for the following:  
1. Special Use Permit amendment to allow modified operations and conditions for an existing Vehicle Sales or Rentals business engaged in vehicle sales and minor vehicle repair and maintenance in the B-2 General Business District.  
PIN: 09-04-221-034  
More Common Location: 50 West Ogden Avenue, Westmont, Illinois, 60559  
Village Code(s) Applicable: Chapter 95, Sections 6.01; 14.04  
Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact the ADA Compliance Officer, 8:00 A.M. to 4:00 P.M. Monday through Friday, Village of Westmont, Illinois, 60559; or telephone (630) 981-6210 voice, within a reasonable time before the meeting. All interested persons in attendance will be allowed to express their views.  
WESTMONT PLANNING AND ZONING COMMISSION  
Doug Carmichael,  
Chairperson  
(Published in Westmont Suburban Life Apr. 23, 2026) 2320418





PZC Case Number (office use only):	
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**Petitioner**

Petitioner Name:	Tesla, Inc.	Property Owner Name:	Craig Moe DBA Ogden AVE
Petitioner Address:	50 W. Ogden Avenue	Owner Address:	
City, State and Zip	Westmont, IL 60559	City, State and Zip:	
Phone:		Phone:	
Email:	ataj@tesla.com	Email:	

**Subject Property**

Property Address (Subject Property):	50 W. Ogden Avenue, Westmont, IL 60559				
Property Identification Number(s) PIN(s):					
Lot Width		Lot Depth		Lot Area:	
				Lot Acreage:	
Current Zoning:	B-2 General Business		Current Use:	Automobile Service/Repair Center	
Description of Request/Project Title:	Amendment to Existing Special Use Permit - Automobile Dealership (Sales, Service & Delivery) with Designated Parking/Inventory Plan				
Legal Description - often found on a Plat of Survey - MUST BE TYPED HERE (or sent in Docx format):					
<i>Pictures or screenshots of the legal description, or writing it by hand will NOT be accepted.</i>					

Signature(s)

By signing below, the Petitioner certifies that all of the above statements in this Application and statements on any documents or drawings submitted with this Application are true and correct to the best of my (our) information and belief.

BY SIGNING BELOW, THE PROPERTY OWNER (1) GRANTS PERMISSION TO THE PETITIONER (IF DIFFERENT THAN THE PROPERTY OWNER) TO SUBMIT THIS APPLICATION AND TO SEEK THE ZONING AND DEVELOPMENT APPROVALS CONTAINED IN THE APPLICATION FOR THE PROPERTY, AND (2) AGREES TO BE BOUND BY AND TO COMPLY WITH ANY CONDITIONS ESTABLISHED BY THE VILLAGE FOR THE DEVELOPMENT/USE OF THE PROPERTY.

By signing below, the petitioner and property owner acknowledge that the *Application fees are non-refundable* and that submitting this form is not a guarantee that the requests will appear before the Planning and Zoning Commission or Village Board. The petitioner and property owner further acknowledge that all items to be considered by the Planning and Zoning Commission shall receive technical reviews by Village Staff or consultants, as deemed appropriate by the zoning administrator, before being considered by the Planning and Zoning Commission.

PETITIONER SIGNATURE:

Amina Taj

Print Name of Petitioner  
Sr.Design Manager, Tesla Inc

Amina Taj (2/23/2026)

Signature of Petitioner and Date

OWNER SIGNATURE

(if different than the petitioner):

0602EN AVENUE LLC

Print Name of Property Owner  
CRAIS MOE

[Handwritten Signature]

Signature of Property Owner and Date



# Village of Westmont COMMUNITY DEVELOPMENT

31 West Quincy Street, Westmont, Illinois 60559

cd@westmont.il.gov | 630-981-6250  
westmont.illinois.gov | 630-981-6200

PZC Case Number (office use only):

## Application for Special Use Permit

Certain uses may be necessary or desirable to allow in a zoning district, but the use may have a unique, special, or unusual impact on the use and enjoyment of neighboring properties or public facilities. The special use process is designed to allow these unique uses to operate in an appropriate location and/or explain how potential impacts will be mitigated.

### Proposed Special Use Project Details

State the scope of the work and indicate the specific special use you are requesting. Attach business plans, diagrams, drawings or other information as may be useful to the Planning and Zoning Commission and Village Board of Trustees in understanding your special use request. You must indicate the specific sections of the Zoning Ordinance for which the special use is sought. Please consult Village staff for confirmation.

This application is for an amendment to the existing Special Use Permit (Ordinance No. 16-085) originally approved on May 26, 2016, which authorized Tesla Motors, Inc. to operate an automobile dealership at 50 W. Ogden Avenue, Westmont, IL. The amendment seeks to modify the special use permit to include a designated parking/inventory plan and establish specific conditions for the types of sales allowed on-site, as referenced in the First Notice of Violation of Special Use Ordinance dated May 22, 2025 from the Village Attorney. The special use is sought pursuant to Section 7.03(A)(8)(d) of the Westmont Zoning Ordinance (automobile sales, dealership) within the B-2 General Business District. Tesla intends to resume and maintain automobile sales as the primary activity on the Property while accommodating its existing service operations within the constraints of the site's parking capacity.

### Special Use Standards

The Village of Westmont is obligated to make specific findings of fact for all special use applications according to the Village's Zoning Ordinance and Illinois State Statutes. **Applicants are REQUIRED to submit written evidence and/or analysis of the standards for special use permits below. Additionally, applicants are strongly encouraged to review the standards for special use permits in preparation for their case during the Planning and Zoning Commission public hearing.** A proposed special use shall substantially meet the following standards in order to obtain the recommendation of the Planning and Zoning Commission and approval of the Board of Trustees<sup>1</sup>:

1. That the proposed use or activity is expressly authorized in this zoning ordinance as a special use.

Yes. Automobile sales, dealership is expressly authorized as a special use in the B-2 General Business District pursuant to Section 7.03(A)(8)(d) of the Westmont Zoning Ordinance. Tesla was originally granted this special use approval under Ordinance No. 16-085 on May 26, 2016. This amendment seeks to modify the conditions of that existing approval, not to establish a new use.

<sup>1</sup> Standards for Special Use Permits pursuant to Chapter 95 - Zoning, Sec. 14.04(H) Review and Approval Criteria

2. That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

Yes. Tesla's automobile dealership provides a necessary and desirable service to the Westmont community and surrounding area. The dealership generates significant sales tax revenue for the Village and provides convenient access to electric vehicle sales, service, and delivery for residents. Maintaining this use contributes to the general welfare of the community.

3. That the proposed use will not, in the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to the property values or improvements in the vicinity.

The proposed amended special use will not be detrimental to the health, safety, or general welfare of persons in the vicinity. The automobile dealership has operated at this location since 2016 without adverse impact. The designated parking/inventory plan will improve site organization and reduce any potential conflicts between service and sales operations.

4. That approval of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

The amended special use will not impede normal and orderly development of surrounding properties. The dealership use is consistent with the B-2 General Business District character along Ogden Avenue. The amendment will formalize operational conditions that better integrate sales and service functions on the existing site.

5. That the proposed special use will be served by adequate utilities, access roads, parking, drainage and other important and necessary facilities, infrastructure and community services.

Yes. The property is served by adequate utilities, access roads, and infrastructure. The designated parking/inventory plan component of this amendment specifically addresses parking allocation to ensure sufficient space for both sales inventory and service operations. The site has direct access to Ogden Avenue (US Route 34), a major arterial road.

6. That the proposed special use complies with all applicable regulations of the zoning ordinance except as expressly approved in accordance with the procedures of the zoning ordinance.

The proposed amended special use will comply with all applicable regulations of the Westmont Zoning Ordinance. This amendment is specifically intended to bring Tesla's operations into full compliance with the conditions of the original special use permit, including the requirement that the primary activity on the Property shall be the selling and serving of new and used vehicles.

If there are special conditions and/or supplemental regulations, please write the condition/regulation (with the code section and number) and response in the box below.

Ordinance No. 16-085, Condition J: Upon violation of special conditions, the Village shall provide notice with a reasonable cure period. This amendment responds to the First Notice of Violation dated May 22, 2025 and establishes amended conditions including a designated parking/inventory plan and specific sales activity requirements to ensure ongoing compliance.

February 25, 2026

**Village of Westmont**

Community Development Department  
Attn: Sarah Williams, Senior Planner  
31 West Quincy Street, Westmont, Illinois 60559

**Re:** Application for Amendment to Special Use Permit (Ordinance No. 16-085)  
Property: 50 W. Ogden Avenue, Westmont, IL

Dear Ms. Williams and Members of the Planning and Zoning Commission:

On behalf of Tesla Motors, Inc. (“Tesla”), we respectfully submit this application for an amendment to the existing Special Use Permit (Ordinance No. 16-085), originally approved on May 26, 2016, which authorized Tesla to operate an automobile dealership at the above-referenced property within the B-2 General Business District.

This amendment seeks to modify the conditions of the existing special use permit to include a designated parking/inventory plan and establish specific conditions for the types of sales allowed on-site, as referenced in the First Notice of Violation of Special Use Ordinance dated May 22, 2025 from the Village Attorney. The special use is sought pursuant to Section 7.03(A)(8)(d) of the Westmont Zoning Ordinance (automobile sales, dealership) within the B-2 General Business District.

**PROPOSED USE & GENERAL OPERATIONS**

Tesla intends to resume and maintain automobile sales as the primary activity on the property while continuing its existing service operations within the constraints of the site’s parking capacity. The facility operates as a combined Tesla sales and service center, consistent with its original approved use.

**Number of Employees:** Approximately 20 associates across sales and service operations.

**Hours of Operation:**

- Service: Monday – Friday, 7:00 AM – 5:00 PM
- Sales: Monday – Saturday, 10:00 AM – 7:00 PM

Sales operations consist of customer consultations, test drives, and vehicle delivery. Service operations include scheduled maintenance, warranty repairs, and general vehicle service. All vehicle inventory is stored on-site within designated parking/inventory areas as outlined in the submitted site plan.

Tesla respectfully requests that the Village accept this application and schedule the matter for review before the Planning and Zoning Commission at the earliest available meeting date. Should you have any questions, please do not hesitate to contact us.

Respectfully submitted,

**Commercial Permits Inc.**

Authorized Agent for Tesla Motors, Inc.

April 13, 2026

Scott R. Williams, AICP  
Senior Planner, Community Development Department  
Village of Westmont  
31 West Quincy Street  
Westmont, IL 60559

**RE: PZC 008-2026 – 50 West Ogden Avenue – Response to Findings of Fact**

Dear Mr. Williams,

On behalf of Tesla Motors, Inc. (the “Petitioner”), this letter is submitted in response to the Village of Westmont’s review comments dated April 10, 2026, regarding the above-referenced application for an amended special use permit at 50 West Ogden Avenue, Westmont, IL 60559.

Tesla Motors, Inc. has reviewed the draft Findings of Fact prepared by the Village Attorney in connection with this application. The Petitioner confirms that the revised language contained in the Findings of Fact, addressing Criteria Nos. 1 through 6, is acceptable and accurately reflects the Petitioner’s use of and operations on the property.

Tesla Motors, Inc. hereby approves the Findings of Fact as drafted and respectfully requests that they be forwarded to the Planning and Zoning Commission and Village Board for consideration.

Should you require any additional information or clarification, please do not hesitate to contact the undersigned.

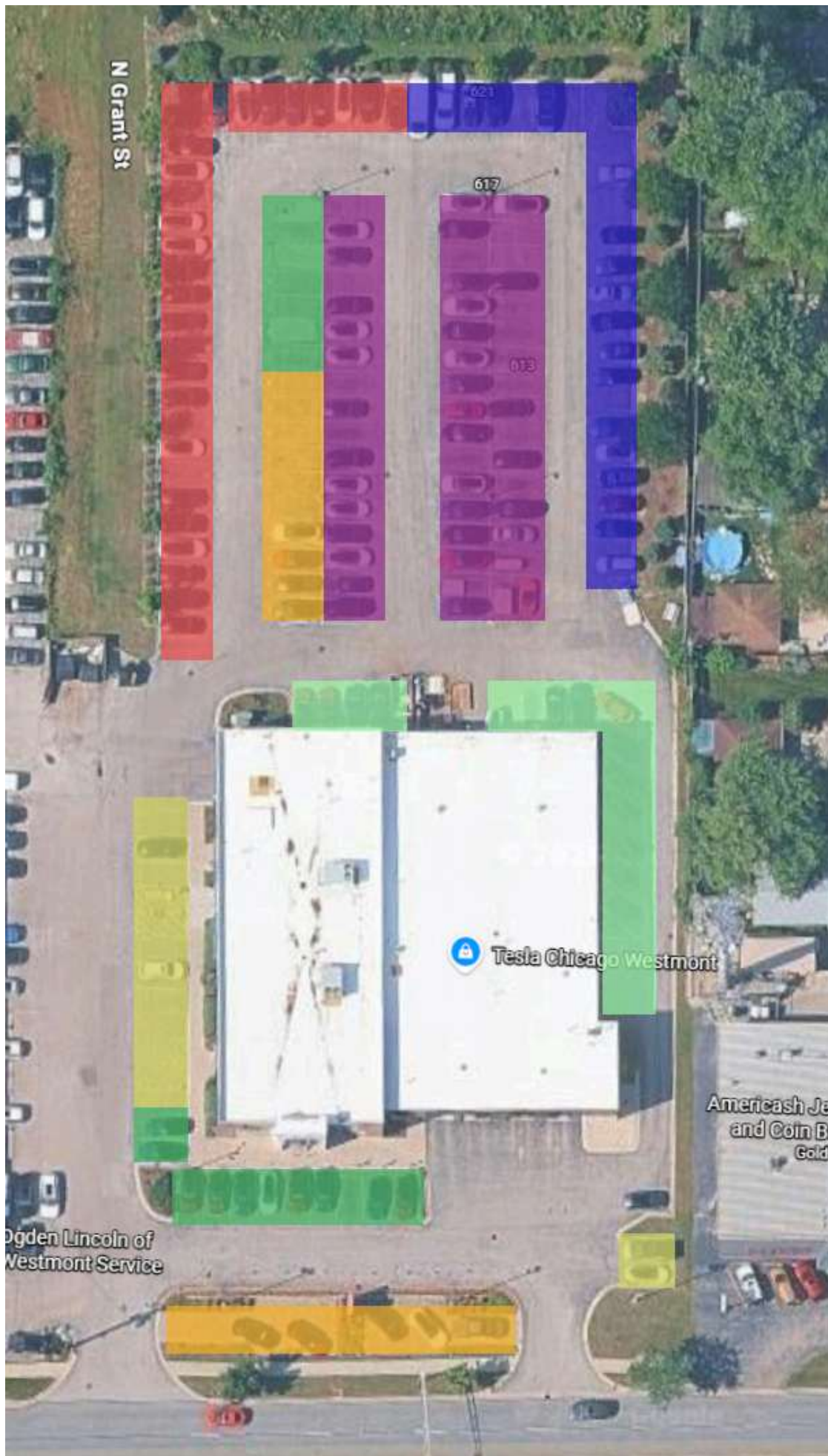
Sincerely,








Amina Taj

---

Authorized Representative  
Tesla, Inc.

**cc:** Ryan Kumar, Commercial Permits



-  - **Demo Vehicles**
-  - **Customer Parking**
-  - **Vehicles Available for Purchase**
-  - **Vehicles Awaiting Pick Up**
-  - **Vehicles Awaiting Service**
-  - **Employee Parking**
-  - **Charging**



PROTOTYPE USED, AUGUST 2024



ARCHITECTURAL GROUP INTERNATIONAL  
1900 South Main Street, Suite 200  
Westmont, IL 60559  
www.agi.com

Always follow local code requirements.



DATE: 02/13/2025

EXPIRES: 11-30-2028

**Testa Center  
WESTMONT, IL  
INTERIOR RESET**

50 WEST OGDEN AVE.  
WESTMONT, IL 60559

ISSUE / REVISION

BEFORE BID AWARD

AFTER BID AWARD

DRAWING TITLE

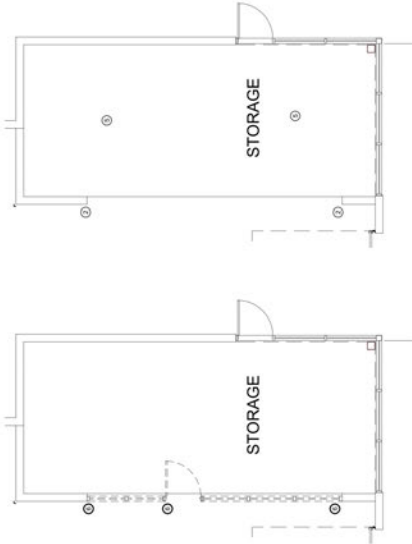
**FIRST FLOOR PLAN,  
WALL SECTIONS,  
DOOR SCHEDULE**

SCALE: PROJECT NUMBER: 251104

**A1.1**

**KEYED NOTES**

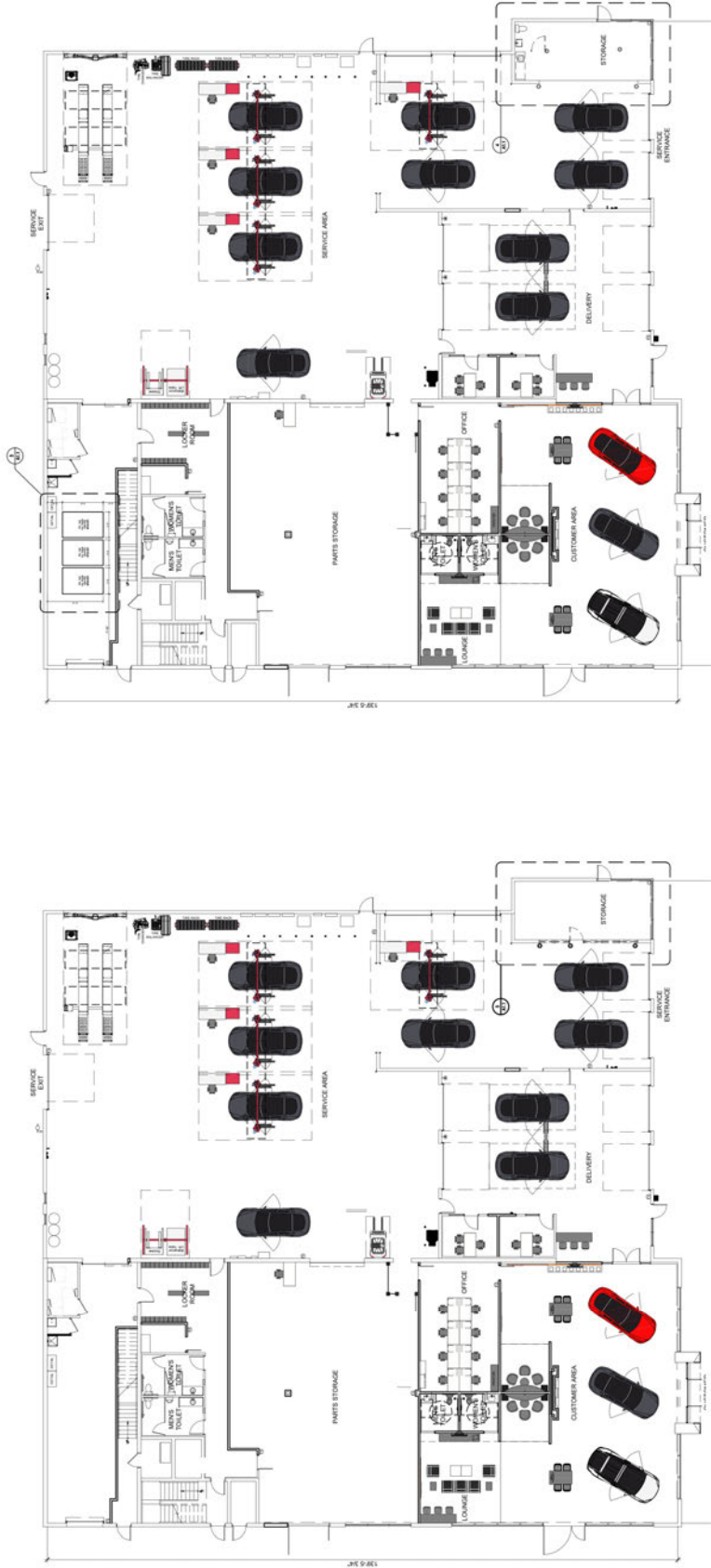
- 1 PROPOSED BATTERY PACK STORAGE
- 2 DEMO AND REPAIR ADJACENT SURFACES TO MATCH THE CURRENT LEVEL
- 3 DEMO AND REPAIR ADJACENT SURFACES TO MATCH THE CURRENT LEVEL
- 4 NOT USED
- 5 NOT USED
- 6 MODIFY SPRINKLER IN THE CONFERENCE ROOM FROM LIGHT HAZARD TO ORDINARY HAZARD
- 7 REMOVE WINDOWS AND DOOR AT OPENING



**3 BATTERY STORAGE**  
SCALE: 1/4" = 1'-0"

**5 CONF. ROOM DEMO**  
SCALE: 3/16" = 1'-0"

**4 PROPOSED STORAGE**  
SCALE: 3/16" = 1'-0"



**DEMOLITION FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

**FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

1

2



PROTOTYPE USED: AUGUST 2016



ARCHITECTURAL GROUP OF WESTMONT, ILL.  
 100 WEST OGDEN AVE  
 WESTMONT, IL 60591  
 TEL: 630.331.1100  
 WWW.ESJARCHITECTS.COM



DATE: 02/03/2025  
 DATE: 11-20-2024

Tesla Center  
 WESTMONT, IL  
 INTERIOR REAR

30 WEST OGDEN AVE  
 WESTMONT, IL 60591

BEFORE BID AWARD
AFTER BID AWARD
DRAWING TITLE
SITE PLAN
EXIST. FOR REFERENCE
AS NOTED

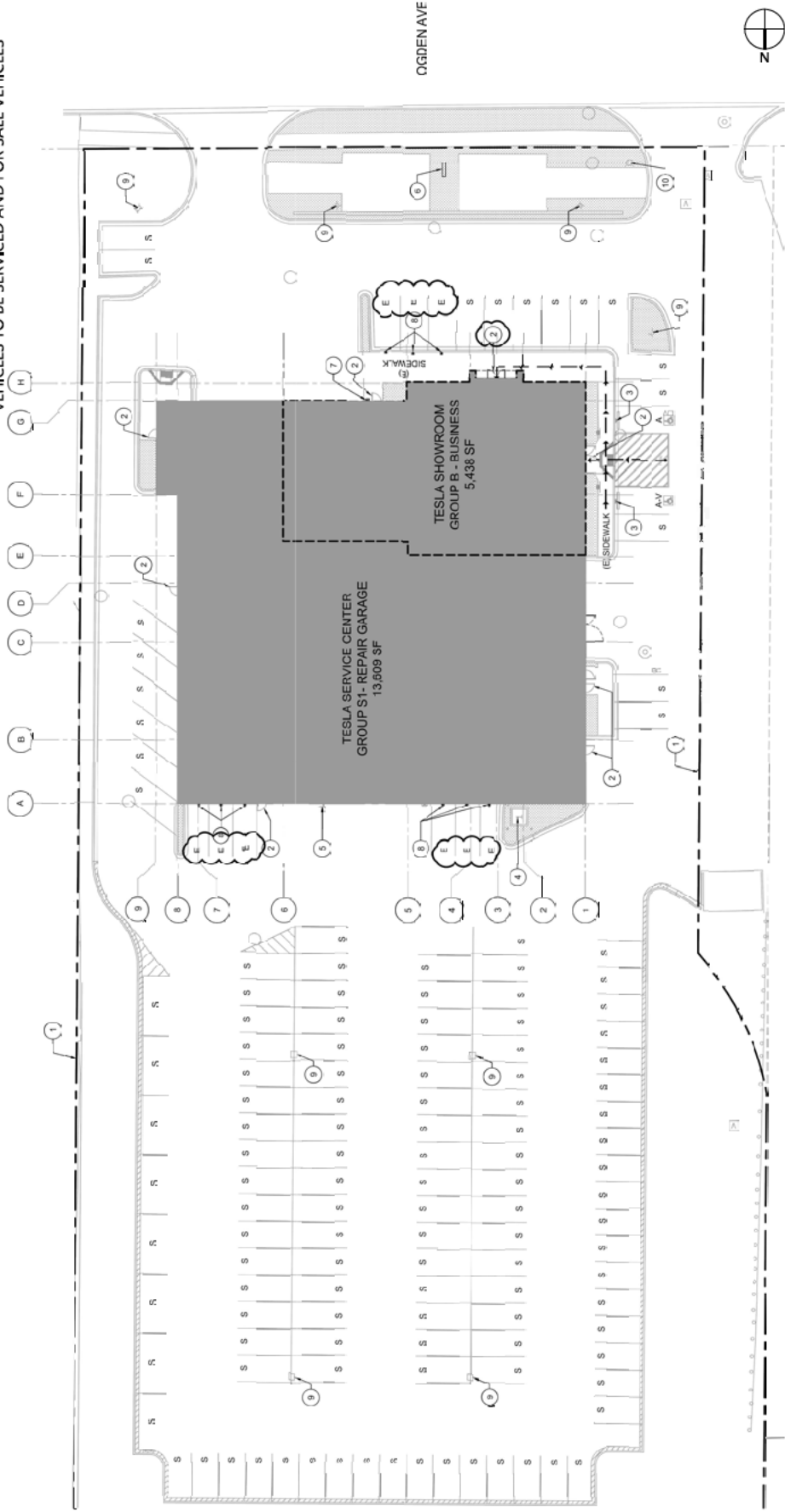
SCALE: AS NOTED  
 PROJECT NUMBER: 251104

C1.0 E

KEY NOTES

- 1 PROPERTY LINE
- 2 EXISTING EGRESS DOOR
- 3 ACCESSIBLE PARKING SPACE
- 4 ELECT. TRANSFORMER
- 5 SERVICE METER, SEE ELECTRICAL DRAWINGS
- 6 BRAND SIGN
- 7 BEL-COUNTAINED NIGHT DROP BOX, WALL MOUNTED, TOP EDGE OF UNIT AT 4'-0" A.F.F., VERIFY LOCATION WITH TESLA, D.A. (SEE DIMA01)
- 8 RECOMMENDED ELECTRICAL DRAWINGS, INSTALL PER MANUFACTURERS RECOMMENDATIONS, SEE DETAIL W142
- 9 LIGHT STANDARD
- 10 FIRE HYDRANT

NOTE: THIS SITE SHALL BE USED FOR THE DELIVERY OF VEHICLES TO BE SERVICED AND FOR SALE VEHICLES



SITE PLAN SCALE: 1/8" = 1'-0" 1



**VILLAGE OF WESTMONT**  
**Board of Trustees Memorandum**  
**May 28, 2026**

---

**Item for Board of Trustees Consideration:**

Board to consider an ordinance approving a request from Tesla, Inc. (Petitioner), and Ogden Avenue LLC (Owner) for the property at 50 West Ogden Avenue, Westmont, Illinois, 60559, for the following:

1. Special Use Permit amendment to allow modified operations and conditions for an existing Vehicle Sales or Rentals business engaged in vehicle sales and minor vehicle repair and maintenance in the B-2 General Business District.

**Planning & Zoning Commission recommendation:**

The Planning & Zoning Commission held public hearings for these requests on May 13 2026, The Commission recommended approval of the request unanimously (7-0) with the recommended conditions 1-8 as listed in III(C) of this Memorandum.

---

**I. BACKGROUND OF ITEM**

- A. Location: Situated between North Adams Street and North Lincoln Street, 50 West Ogden Avenue covers approximately 2.85 acres and features a commercial building, a parking lot, and stormwater management systems. The business on the property is owned and operated by Tesla, Inc. (“Tesla”), who received a special use permit in 2016 to operate an automobile dealership. This special use permit allowed Tesla to sell new and used automobiles and to perform related automobile repair and maintenance. Although Tesla initially operated an automobile dealership from the property that was primarily engaged in the sale of Tesla vehicles, Tesla changed the scope of its operations in recent years and converted its use of the property to a service and repair business. The property is bordered by Ogden Lincoln of Westmont to the east and Americash Jewelry and Coin Buyers (located in unincorporated DuPage County) to the west. Residential townhomes in the Village of Westmont are adjacent to the north, while portions of the eastern border adjoin single-unit detached residences within unincorporated DuPage County.



**Aerial Map - 50 West Ogden Avenue (source: DuPage County Parcel Viewer)**





**Street View - 50 West Ogden Avenue (source: Google Street View)**

**II. PETITIONER REQUEST:**

The petitioner requests an amendment to its 2016 Special Use Permit to facilitate its modified operations as a vehicle service use, and with new and amended conditions related to its vehicle sales use within the B-2 General Business District.

**III. ZONING ANALYSIS**

**A. Zoning and Comprehensive Plan Designations**

The current zoning district of the property is B-2 General Business, which is intended to provide for a mix of supporting uses in the downtown area. The Comprehensive Plan designates the future land use in this area as Corridor Commercial, which should “... *provide for businesses to both serve the daily needs of Westmont residents as well as a destination for the larger market.*” The Plan further recommends, “*Development within the Corridor Commercial areas can consist of both standalone buildings/sites such as big box retail and auto dealers or a multitenant building in a mall or plaza.*”

**B. Entitlement Request**

The petitioner has provided a project narrative and supporting documentation for the following request, including the necessary responses to the Special Use Standards. Any corresponding standards for entitlement approval consideration can be referenced in item V(B) below.

- **Special Use Permit amendment to allow modified operations and conditions for an existing Vehicle Sales or Rentals business engaged in vehicle sales and minor vehicle repair and maintenance in the B-2 General Business District.**

On May 26, 2016 the Village approved a special use permit which allowed Tesla Motors, Inc. (now Tesla, Inc.) to operate a new automobile sales dealership on the property. During the public hearing before the Planning and Zoning Commission and during the Village Board meeting to consider Tesla’s special use request, Tesla represented that its principal business on the property would be an automobile dealership that sold Tesla automobiles. Tesla further represented that it would list the Village as the point of sales for sales tax purposes for all automobile sales. Notably, the Zoning Ordinance in effect in 2016 required a different special use permit for a business that was primarily engaged in vehicle service and repairs. Tesla did not apply for such a special use permit, and it did not represent that its primary business would be vehicle service and repairs. The Village’s approval of Tesla’s special use permit for an automobile dealership was subject to the following special conditions per Or. No. 2016-085 (attached):

- A. The landscaping and fencing shown on the approved Landscaping Plan shall be maintained at all times by Applicant or its successor in interest;*

- B. No loud speakers shall be used on the Subject Property;*
- C. No automobile racks or other forms of elevation shall be permitted to display automobiles for sale;*
- D. No streamers, balloons or other promotional devices shall be permitted upon the Subject Property, and any owner or operator shall restrain from painting or affixing oversized letter or numbering (such as year or price information) on the vehicles for sale, other than standards dealer-issued stickers and information;*
- E. No test driving of automobiles shall be permitted on residential streets.*
- F. Parking and display of automobiles shall be limited in number to the parking spaces shown on the previously-approved Site Plan of the former Lamborghini dealership upon the Subject Property, except that Applicant may double-stack vehicle inventory along the rear (south) line of parking stalls only.*
- G. Applicant shall not perform or permit an automobile body work or painting to occur on the Subject Property.*
- H. No employee parking on residential or public streets is allowed in or around the area of the dealership.*
- I. The primary activity of the Applicant upon the Subject Property shall be the selling and servicing of new and used vehicles. As a condition of receiving a certificate of occupancy from the Village for this use, the Applicant must provide proof that it has obtained an automobile dealer new car license from the State of Illinois for the Subject Property.*
- J. Upon a violation of any of these special conditions, the Village shall provide notice to the Applicant with a reasonable time period to cure the violation. In the event that Applicant fails to timely cure the violation, or in the event there are a total of three separate incidences of violations by Applicant of these special conditions, the Village Board shall hold a hearing upon notice to the Applicant and an opportunity for Applicant to be heard to determine whether this special use permit should be revoked.*

Beginning in 2024, the Village observed a noticeable decline in sales tax revenues paid to the Village from the Tesla dealership. The sales tax revenues that were paid to the Village by Tesla in 2024 and thereafter originated almost entirely from the sales of vehicle parts related to Tesla's vehicle service activities rather than from vehicle sales.

The Village met with Tesla in March 2025 to discuss their vehicle sales activities on the property, and Tesla informed the Village that its business operations had shifted to a vehicle service and repair facility, and that it was only sporadically selling new Tesla vehicles. As a result of this information, on May 22, 2025, the Village sent the First Notice of Violation of Special Use Ordinance to Tesla asserting that Tesla had ceased operating as a new and used automobile dealership on the property, as its principal use, in violation of Ord. No. 2016-085 and in violation of its representations to the Village. Instead, Tesla's principal use of the Property was for vehicle maintenance and repairs. This Notice threatened that the ultimate remedy available to the Village for this violation was the revocation of Tesla's special use permit.

On December 3, 2025, after further discussions with Tesla, the Village sent a follow-up letter to Tesla Motors, Inc. that detailed the special use permit amendment that was needed to resolve the violation and to not subject Tesla to a Second Notice of Violation. The petitioner has complied with the request and submitted a zoning application seeking an amendment to its existing special use permit to specifically allow it to operate a vehicle service use on the property and to resume vehicle sales operations under specified conditions.

C. Recommended Conditions

Consistent with the Village's 12/03/25 letter to Tesla, Village Staff recommends including the following special conditions:

1. Tesla must continuously keep on the property an inventory of at least ten (10) new Tesla vehicles that it offers for sale to customers.
2. For all sales of new Tesla vehicles from the inventory kept on the property, Tesla must finalize the sales documentation/customer payment from the Property, and it must designate/list the Village of Westmont as the point of sales for sales tax purposes for all such vehicles that are sold.
3. Tesla must allow this dealership to accept the delivery to the property of newly-purchased Tesla vehicles when purchased on-line, where the customer designates the property as the pick-up location, or when ordered from another Tesla location and delivered to Westmont, and Tesla must allow customers to finalize the sale and pick-up of such Tesla vehicles from the property. In finalizing such sales of delivered vehicles, Tesla must designate/list the Village of Westmont as the point of sales for sales tax purposes.
4. Tesla must employ or retain at least one (1) vehicle salesperson who regularly operates from the property and who is able to and does finalize the sales of Tesla vehicles from the property (including both the sale of Tesla vehicles from the inventory kept on the property and the sale of Tesla vehicles that are delivered to the property).
5. Tesla shall not allow the final sale of any new Tesla vehicle that is stored on or delivered to the property to take place at any other Tesla dealership location or other off-site location.
6. Tesla shall modify its website, other means of advertising, and other internal operating systems to designate and advertise the property as (a) a location where new Tesla vehicle inventory is maintained and available for sale, and (b) a location where newly-purchased Tesla vehicles can be delivered for final sale and pick-up by customers.
7. Tesla must adhere to its Parking Plan for the property that it submitted with its zoning application showing the following:
  - (a) the location of the parking spaces where the minimum of 10 new Tesla vehicles will be stored on the Property (note: we previously discussed designating 10 parking spaces along the west property line of the Property);
  - (b) the location of the parking spaces where demo vehicles will be displayed and parked on the Property;
  - (c) the location of the parking spaces where vehicles awaiting service/repairs and pick-up following service/repairs will be parked on the Property;
  - (d) the location of the parking spaces where customers will park on the Property;
  - (e) the location of the parking spaces where Tesla employees will park on the Property; and
  - (f) the location of parking spaces that will be used for other purposes not identified above, including a description of such other purpose/use.
8. Tesla shall comply with other standard conditions that are typically imposed by the Village in conjunction with automobile dealerships, such as prohibiting the use of external loud speakers, prohibiting the use of promotional sales balloons or inflatables, etc.

The petitioner has provided a marked-up version of the existing site plan that is to be included as an exhibit to the amended special use.

The marked-up site plan currently depicts the location and use of each parking space as follows updated per the provided parking plan:

- Demo Vehicles - 18 Spaces
- Customer Parking - 12 Spaces
- Vehicles Available for Purchase - 15 Spaces
- Vehicles Awaiting Pick Up - 27 Spaces
- Vehicles Awaiting Service - 51 Spaces
- Employee Parking - 25 Spaces
- Charging - 14 Spaces

#### **IV. SUMMARY**

The petitioner requests a Special Use Permit amendment to facilitate modified operations and updated conditions for the existing Vehicle Sales or Rentals establishment, which now specializes in minor vehicle repair and maintenance services, along with accessory automotive sales within the B-2 General Business District. To facilitate these modifications, Village Staff and the Village Attorney have provided recommended special conditions to be placed on the amended special use permit, and the petitioner has agreed to those conditions.

#### **V. LEGAL**

- A. Notification: A legal notice was published in Westmont Suburban Life on April 23, 2026.
- B. Code References: Chapter 95, Sections 6.01; 14.04

#### **VI. DOCUMENTS ATTACHED:**

1. Findings of Fact
2. Publication notice appearing in the April 23, 2026 Westmont Suburban Life.
3. Petitioner Attachments received March 4, 2026 (Edited for PZC):
  - a. Planning & Zoning Development Application, with responses to the Special Use Standards
  - b. Project Narrative and Letter
  - c. Proposed Marked-Up Parking Plan
  - d. Existing Site Plan

PZC Case Number (office use only):	PZC 011-2026
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**Petitioner**

Petitioner Name:	ERIC BATTLE	Property Owner Name:	KAREN BACEY MEYER DAVID MEYER
Petitioner Address:	[REDACTED]	Owner Address:	[REDACTED]
City, State and Zip	[REDACTED]	City, State and Zip:	[REDACTED]
Phone:	[REDACTED]	Phone:	[REDACTED]
Email:	[REDACTED]	Email:	[REDACTED]

**Subject Property**

Property Address (Subject Property):		300 W 60 <sup>th</sup> ST					
Property Identification Number(s) PIN(s):		09-14-300-18					
Lot Width	120	Lot Depth	297	Lot Area:	35,640	Lot Acreage:	0.818
Current Zoning:	R-3		Current Use:	SINGLE FAMILY			
Description of Request/Project Title:		300 W 60 <sup>th</sup> ST SUBDIVISION					
Legal Description - often found on a Plat of Survey - MUST BE TYPED HERE (or sent in Docx format):  Pictures or screenshots of the legal description, or writing it by hand will NOT be accepted.		Lot 15 in block 2 in Fairview Acres, being a subdivision of the north half of the southwest quarter (also known as lot 6) of section 16, township 38 north, range 11, east of the third principal meridian, according to the plat thereof recorded April 9, 1936 as document 368165, in DuPage County, Illinois.					

**Project Team - please provide if known, otherwise it is not required**

Name:	ERIC BAILEY
Title:	OWNER
Company:	BAILEY BUILDS
Address:	[REDACTED]
City, State and Zip	[REDACTED]
Phone:	[REDACTED]
Email:	[REDACTED]

Name:	
Title:	
Company:	
Address:	
City, State and Zip	
Phone:	
Email:	

Name:	
Title:	
Company:	
Address:	
City, State and Zip	
Phone:	
Email:	

Name:	
Title:	
Company:	
Address:	
City, State and Zip	
Phone:	
Email:	

## Signature(s)

By signing below, the Petitioner certifies that all of the above statements in this Application and statements on any documents or drawings submitted with this Application are true and correct to the best of my (our) information and belief.

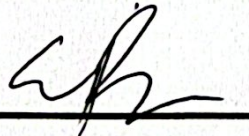
BY SIGNING BELOW, THE PROPERTY OWNER (1) GRANTS PERMISSION TO THE PETITIONER (IF DIFFERENT THAN THE PROPERTY OWNER) TO SUBMIT THIS APPLICATION AND TO SEEK THE ZONING AND DEVELOPMENT APPROVALS CONTAINED IN THE APPLICATION FOR THE PROPERTY, AND (2) AGREES TO BE BOUND BY AND TO COMPLY WITH ANY CONDITIONS ESTABLISHED BY THE VILLAGE FOR THE DEVELOPMENT/USE OF THE PROPERTY.

By signing below, the petitioner and property owner acknowledge that the **Application fees are non-refundable** and that submitting this form is not a guarantee that the requests will appear before the Planning and Zoning Commission or Village Board. The petitioner and property owner further acknowledge that all items to be considered by the Planning and Zoning Commission shall receive technical reviews by Village Staff or consultants, as deemed appropriate by the zoning administrator, before being considered by the Planning and Zoning Commission.

**PETITIONER SIGNATURE:**

Eric Bailey

Print Name of Petitioner

 4/5/26

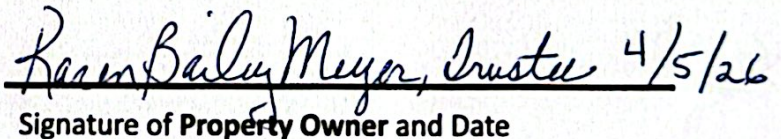
Signature of Petitioner and Date

**OWNER SIGNATURE**

*(if different than the petitioner):*

Karen Bailey Meyer Trust

Print Name of Property Owner

 4/5/26

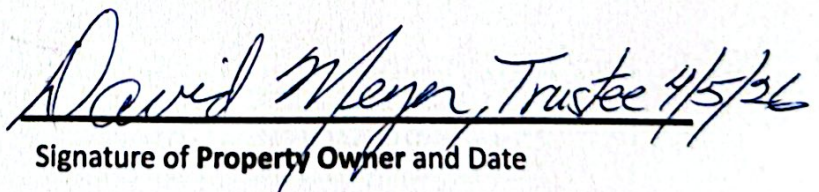
Signature of Property Owner and Date

**OWNER SIGNATURE**

*(if different than the petitioner):*

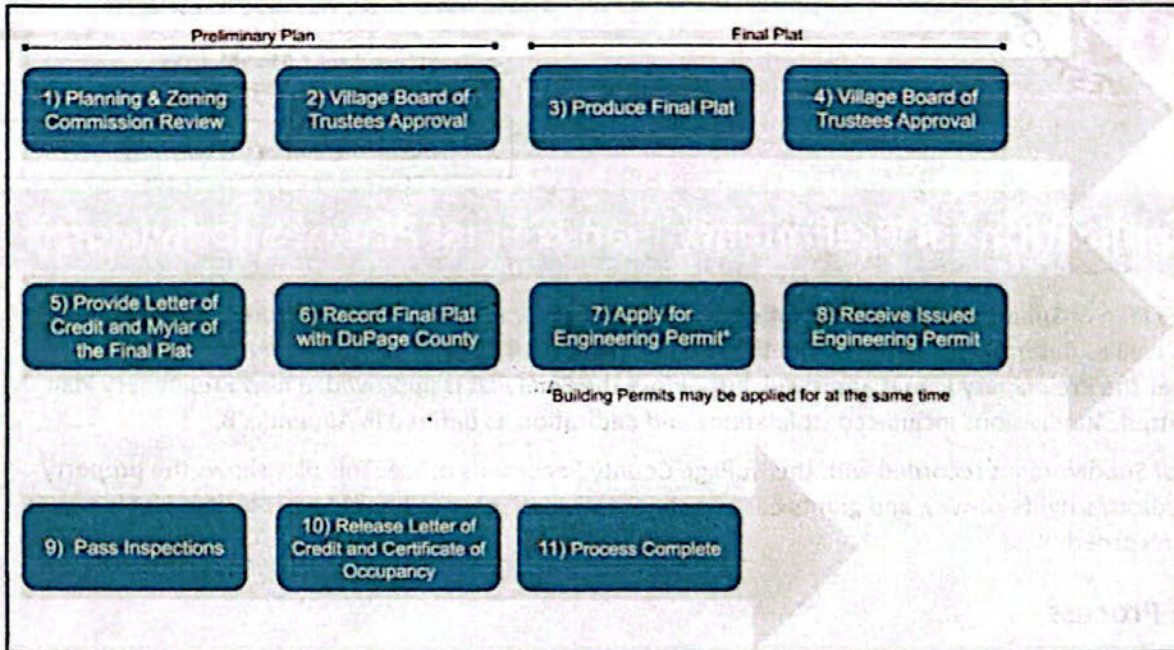
David P. Meyer Trust

Print Name of Property Owner

 4/5/26

Signature of Property Owner and Date

**Preliminary Plan and Final Plat Separately Process (Generally)**



**Proposed Project Detailed Description**

Provide an overview of the requested subdivision, including the number of lots, access points, and other relevant information.

Subdivide property 300 W 60th Street into two separate lots, each 60' wide.

Each lot would service as a single family residences with two homes approximately 3,400 SF each with 4 bedrooms in each.

Access to the homes would still be served off of 60th Street.

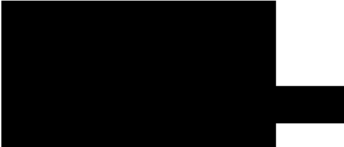


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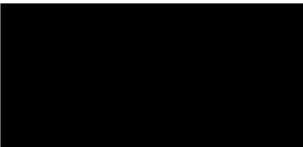
**300 W 60<sup>th</sup> Street – Subdivision Application**

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**Karen Bailey Meyer and David Meyer**  
Property Owner



**Eric Bailey**  
Contractor



**Subdivision Request**

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Subdivision of the property at 300 W 60<sup>th</sup> Street to create two individual lots for single family home construction.

**Application Contents**

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- Pg 2 SD-2 Proposed Project Detailed Description
- Pg 3 PZ-5 Fee Schedule
- Pg 4 PZ-6 Petitioner and Subject Property
- Pg 5 PZ-7 Project Team
- Pg 6 PZ-8 Application Signatures
- Pg 7 Original Plat of Survey by Exacta Land Surveyors, LLC
- Pg 9 Recorded Deed
- Pg 11 Escrow Agreement
- Pg 13 Existing Topography
- Pg 14 Preliminary Plan
- Pg 15 Final Plat of Subdivision
- Pg 16 Proof of Credit
- Pg 17 First Review Comment Responses

**LOCATION MAP**



**PRELIMINARY PLAN - EXISTING CONDITIONS PLAN**

FOR  
**300 WEST 60TH STREET SUBDIVISION**  
**300 60th ST. - WESTMONT, IL**



**LEGAL DESCRIPTION**  
 LOT 15 IN BLOCK 2 IN FAIRVIEW ACRES, BEING A SUBDIVISION OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 (ALSO KNOWN AS LOT 6) OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 9, 1936 AS DOCUMENT 368165, IN DUPAGE COUNTY, ILLINOIS.

**SUBDIVISION AREA:** 35640 S.F. ( 0.818 ACRES)

**ENGINEER'S ESTIMATE OF PROBABLE COST**

ITEM	UNITS	UNIT PRICE	QUANTITY	COST
DEMO EXISTING STRUCTURES	L.S.	\$8000	1	\$8000
EROSION CONTROL	L.S.	\$5000	1	\$5000
GRADING	L.S.	\$5000	1	\$5000
TOPSOIL	S.Y.	\$3	1500	\$4500
SEEDING & BLANKET	S.Y.	\$2	1500	\$3000
STREET SWEEPING	L.S.	\$1000	1	\$1000
<b>TOTAL COST</b>				<b>\$26500</b>

**OWNER INFORMATION**  
 KAREN BAILEY MEYER TRUST  
 DAVID P. MEYER TRUST  
 123 HUDSON STREET  
 WESTMONT, IL 60559

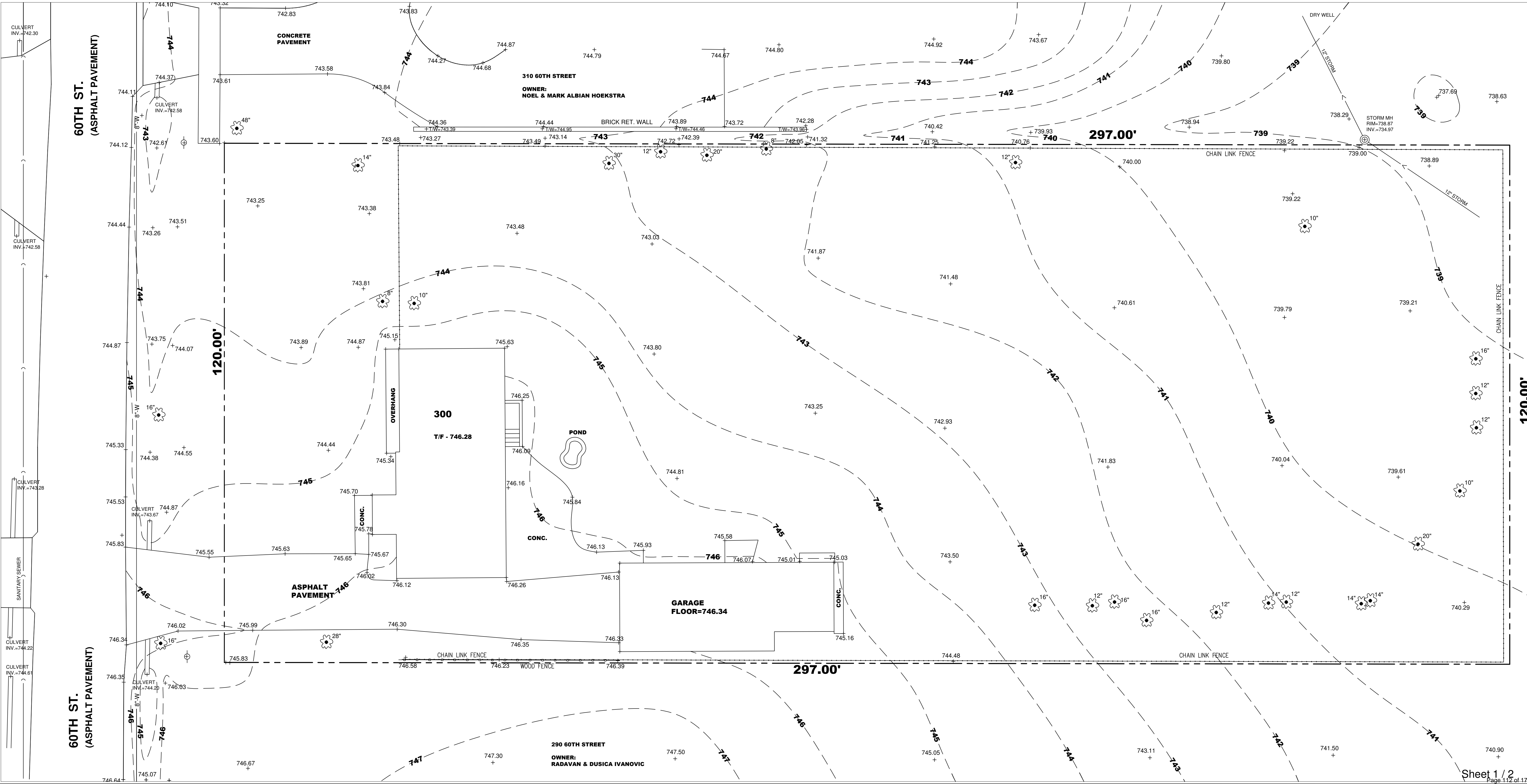
**ADJOINING PROPERTY OWNER INFORMATION**  
 310 60TH STREET: NOEL & MARK ALBIAN HOEKSTRA  
 290 60TH STREET: RADAVAN & DUSICA IVANOVIC  
 325 59TH STREET: GRANT & LAURA SMITH  
 321 59TH STREET: LTC MDD06-018  
 301 59TH STREET: KRISTINE CURRIER

**ZONING INFORMATION**  
 ADDRESS:                      ZONING DISTRICT  
 300 60TH STREET:              R-3  
 310 60TH STREET:              R-3  
 290 60TH STREET:              R-3  
 325 59TH STREET:              R-3  
 321 59TH STREET:              R-3  
 301 59TH STREET:              R-3

**LEGEND**

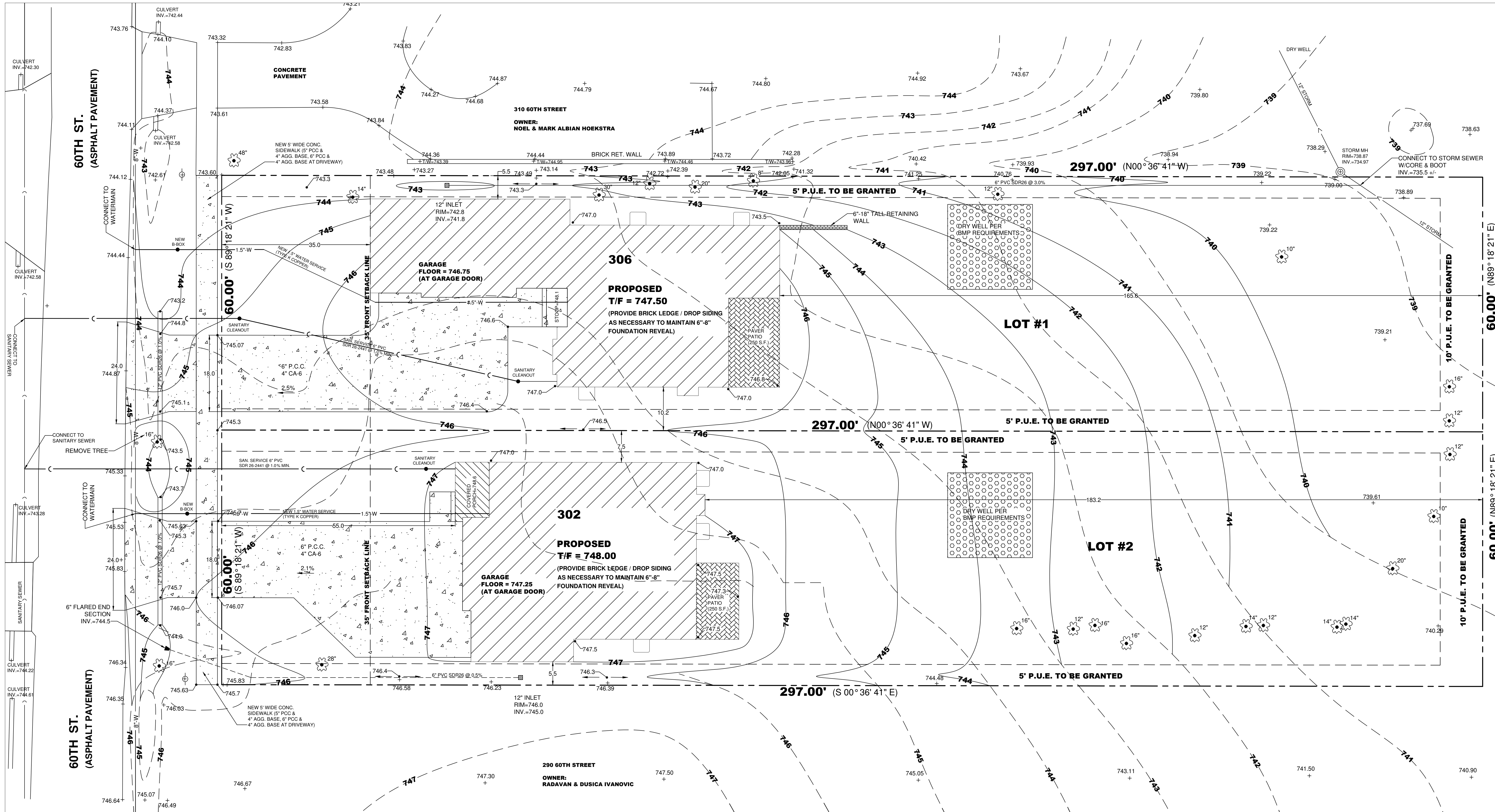
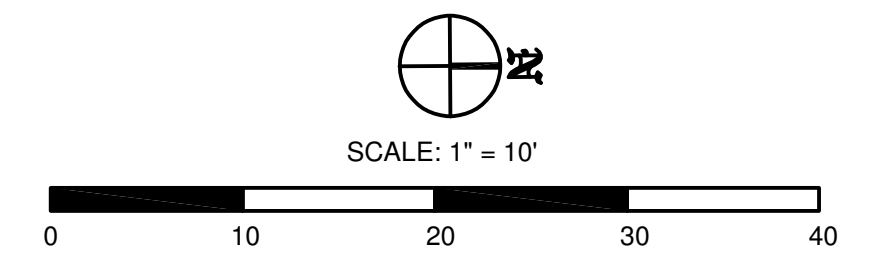
Existing	Proposed
Sanitary Sewer	Sanitary Sewer
Storm Sewer	Storm Sewer
Watermain	Watermain
Contour Lines	Contour Lines
Spot Elevations	Spot Elevations
Fence	Fence
Fire Hydrant	Fire Hydrant
Manhole	Manhole
Light Pole	Light Pole
Power Pole	Power Pole
B-Box	B-Box
San. Cleanout	San. Cleanout
Tree	Tree
Shrubs	Shrubs
Drainage Pattern	Drainage Pattern
Silt Fence	Silt Fence

**BENCHMARK INFORMATION**  
 DUPAGE COUNTY BENCHMARK HDGN17001: LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF MAIN STREET AND 55TH STREET. STATION IS 26.5 FEET SOUTH OF THE CENTERLINE OF 55TH STREET, 51.0 FEET WEST OF THE CENTERLINE OF MAIN STREET, AND 15.0 FEET EAST OF A POWER POLE "W-75 SP 6 4 40". MONUMENT IS A BRONZE DISK IN THE SOUTHEAST SIDE OF A CONCRETE TRAFFIC SIGNAL BASE. ELEVATION = 756.72 (NAVD 88)  
 SITE BENCHMARK: STORM MANHOLE LOCATED ON THE NORTHWEST CORNER OF SUBJECT PROPERTY. RIM ELEVATION = 738.87 (NAVD 88)  
**SITE PLAN PREPARED BASED ON TOPOGRAPHIC SURVEY PREPARED BY NEKOLA SURVEY, INC.**



# PRELIMINARY PLAN - GRADING & UTILITY PLAN

FOR  
**300 60TH STREET SUBDIVISION**  
**300 60TH ST. - WESTMONT, IL**



UPDATED 4/24/26 PER VILLAGE COMMENTS  
 UPDATED 5/06/26 PER VILLAGE COMMENTS



This is to certify that I, ALECS C. HUR, a registered Professional Engineer of Illinois hereby certify that these plans and specifications have been prepared under my personal direction and supervision.

Dated this 10th day of March, 2026 at Elmhurst, Illinois.

*Alecs C. Hur*  
 ALECS C. HUR  
 062-054937

Illinois Professional Engineer Number 062-054937  
 My License Expires on November 30, 2027

# FINAL PLAT OF SUBDIVISION 300 WEST 60TH STREET SUBDIVISION

A SUBDIVISION OF LOT 15 IN BLOCK 2 IN FAIRVIEW ACRES, BEING A SUBDIVISION OF THE NORTH HALF OF THE SOUTHWEST QUARTER (ALSO KNOWN AS LOT 6) OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 9, 1936 AS DOCUMENT 368165, IN DUPAGE COUNTY, ILLINOIS.

PLAT SUBMITTED FOR RECORDING BY:  
VILLAGE OF WESTMONT  
OWNER:  
KAREN BAILEY MEYER TRUSTS  
DAVID P. MEYER TRUSTS  
123 S HUDSON STREET  
WESTMONT, IL 60559  
SUBDIVIDED BY:  
ERIC BAILEY  
BAILEY BUILDS, LLC  
4712 FOREST AVENUE  
DOWNERS GROVE, IL 60515

FAIRVIEW ACRES  
SUBDIVISION DOC.  
NO. 368165

COMMONLY KNOWN AS:  
300 W 60TH STREET  
DOWNERS GROVE, ILLINOIS

### COUNTY RECORDER CERTIFICATE

STATE OF ILLINOIS)  
COUNTY OF DUPAGE)SS  
THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. AS DOCUMENT NUMBER \_\_\_\_\_

RECORDER OF DEEDS

### SCHOOL DISTRICT STATEMENT

STATE OF ILLINOIS)  
COUNTY OF DUPAGE)SS  
THE UNDERSIGNED DO HEREBY CERTIFY THAT, AS OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND KNOWN AS \_\_\_\_\_ TO THE BEST OF THEIR KNOWLEDGE, IS LOCATED WITHIN BOUNDARIES OF THE HIGH SCHOOL DISTRICT \_\_\_\_\_ ELEMENTARY SCHOOL DISTRICT \_\_\_\_\_ IN DUPAGE COUNTY, ILLINOIS.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

BY \_\_\_\_\_ ATTEST \_\_\_\_\_

### CERTIFICATE OF PLANNING AND ZONING COMMISSION

STATE OF ILLINOIS)  
COUNTY OF DUPAGE)SS  
I, \_\_\_\_\_ CHAIRMAN OF THE VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION, CERTIFY THAT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_ THIS PLAT OF SUBDIVISION WAS DULY APPROVED BY THE PLANNING AND ZONING COMMISSION.

DIRECTOR OF COMMUNITY DEVELOPMENT

SECRETARY

### OWNER'S CERTIFICATE:

STATE OF ILLINOIS)  
COUNTY OF DUPAGE) SS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS (ARE) THE OWNER(S) OF THE LAND DESCRIBED IN THE ATTACHED PLAT AND HAS (HAVE) CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN BY THE PLAT FOR USES AND PURPOSES AS INDICATED THEREIN AND DOES (DO) HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREIN INDICATED.

DATED AT \_\_\_\_\_, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

OWNER: \_\_\_\_\_

OWNER: \_\_\_\_\_

### NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS)  
COUNTY OF DUPAGE)SS

I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT WHO IS (ARE) PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNER(S), APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE (SHE) (THEY) SIGNED AND DELIVERED THE SAID INSTRUMENTS AS HIS (HER) (THEIR) OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

NOTARY PUBLIC

### COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)  
COUNTY OF DUPAGE)SS

I, \_\_\_\_\_ COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

COUNTY CLERK

### PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF WESTMONT, ILLINOIS AND THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE VILLAGE OF WESTMONT, INCLUDING, BUT NOT LIMITED TO, COMED, AT&T, NICOR, AND COMCAST, AND (FLAGG CREEK WATER RECLAMATION DISTRICT OR DOWNERS GROVE) SANITARY DISTRICT, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, OVER ALL OF THE AREAS MARKED "PUBLIC UTILITY AND DRAINAGE EASEMENT" OR MARKED "P.U. & D.E." ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE, AND AUTHORITY TO INSTALL, CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN, OPERATE, AND REMOVE, FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS, INCLUDING ELECTRICITY, SOUNDS AND SIGNALS, GAS PIPELINES, WATER PIPELINES, STORM AND SANITARY SEWERS, AND STORMWATER DRAINAGE PATHS, TOGETHER WITH RIGHT OF ACCESS ACROSS THE PROPERTY AS NECESSARY. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM, OR REMOVE ANY TREES, ROOTS, SHRUBS, OR OTHER PLANTS ON SAID INDICATED EASEMENTS, AS MAY REASONABLY BE REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, THAT INTERFERE WITH THE OPERATION OF THE DRAINAGE PATH OR UTILITY, AND THE RIGHT TO ENTER UPON THE PROPERTY FOR ALL SUCH PURPOSES.

NO PERMANENT BUILDINGS OR OBSTRUCTIONS SHALL BE PLACED ON SAID INDICATED EASEMENTS, WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEEES, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SAID EASEMENT SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF. WHERE SAID INDICATED EASEMENTS ARE USED IN BOTH FOR DRAINAGE, SEWERS, AND OTHER UTILITIES, THE OTHER UTILITY INSTALLATION (S) SHALL BE SUBJECT TO THE ORDINANCES OF THE VILLAGE OF WESTMONT.

### VILLAGE ENGINEER CERTIFICATE

STATE OF ILLINOIS)  
COUNTY OF DUPAGE) SS

I, \_\_\_\_\_ VILLAGE ENGINEER OF THE VILLAGE OF WESTMONT, ILLINOIS, HEREBY CERTIFY THAT THE IMPROVEMENTS DESCRIBED IN THIS PLAT AND THE PLANS AND SPECIFICATIONS THEREOF MEET THE MINIMUM REQUIREMENTS OF SAID VILLAGE AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION THEREOF. DATED AT WESTMONT, DU PAGE COUNTY, ILLINOIS,

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_

VILLAGE ENGINEER

### CERTIFICATE AS TO SPECIAL ASSESSMENTS

STATE OF ILLINOIS)  
COUNTY OF DUPAGE) SS

I, \_\_\_\_\_ VILLAGE TREASURER OF THE VILLAGE OF WESTMONT, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPOINTED AGAINST THE TRACT OF LAND INCLUDED IN THE PLAT, DATED AT WESTMONT, DU PAGE COUNTY, ILLINOIS,

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_

VILLAGE TREASURE

### VILLAGE CLERK CERTIFICATE

STATE OF ILLINOIS)  
COUNTY OF DUPAGE)SS

I, \_\_\_\_\_ VILLAGE CLERK OF THE VILLAGE OF WESTMONT, ILLINOIS, HEREBY CERTIFY THAT THIS PLAT WAS PRESENTED TO AND BY RESOLUTION DULY APPROVED BY THE BOARD OF TRUSTEES OF SAID VILLAGE AT ITS MEETING HELD ON \_\_\_\_\_, 20\_\_\_\_, AND THAT THE REQUIRED BOND OR OTHER GUARANTEE HAS BEEN POSTED FOR THE COMPLETION OF THE IMPROVEMENTS REQUIRED BY SAID VILLAGE.

IN WITNESS WHEREOF I HAVE HERETO SET MY HAND AND SEAL OF THE VILLAGE OF WESTMONT, ILLINOIS,

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

SECRETARY

### SANITARY DISTRICT CERTIFICATE

STATE OF ILLINOIS)  
COUNTY OF DUPAGE)SS

I, \_\_\_\_\_ COLLECTOR OF THE DOWNERS GROVE SANITARY DISTRICT, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPOINTED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

COLLECTOR

### SURVEYORS CERTIFICATE

STATE OF ILLINOIS)  
COUNTY OF WILL)SS

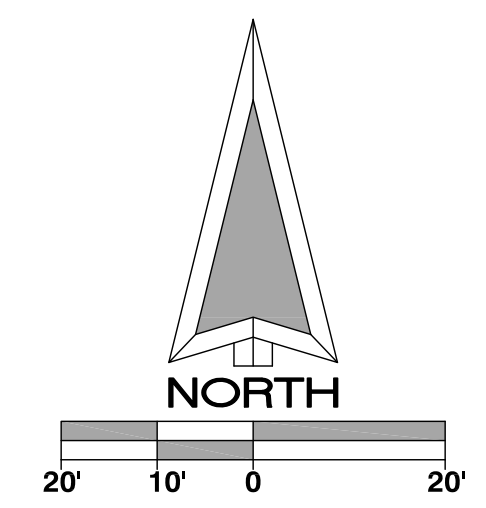
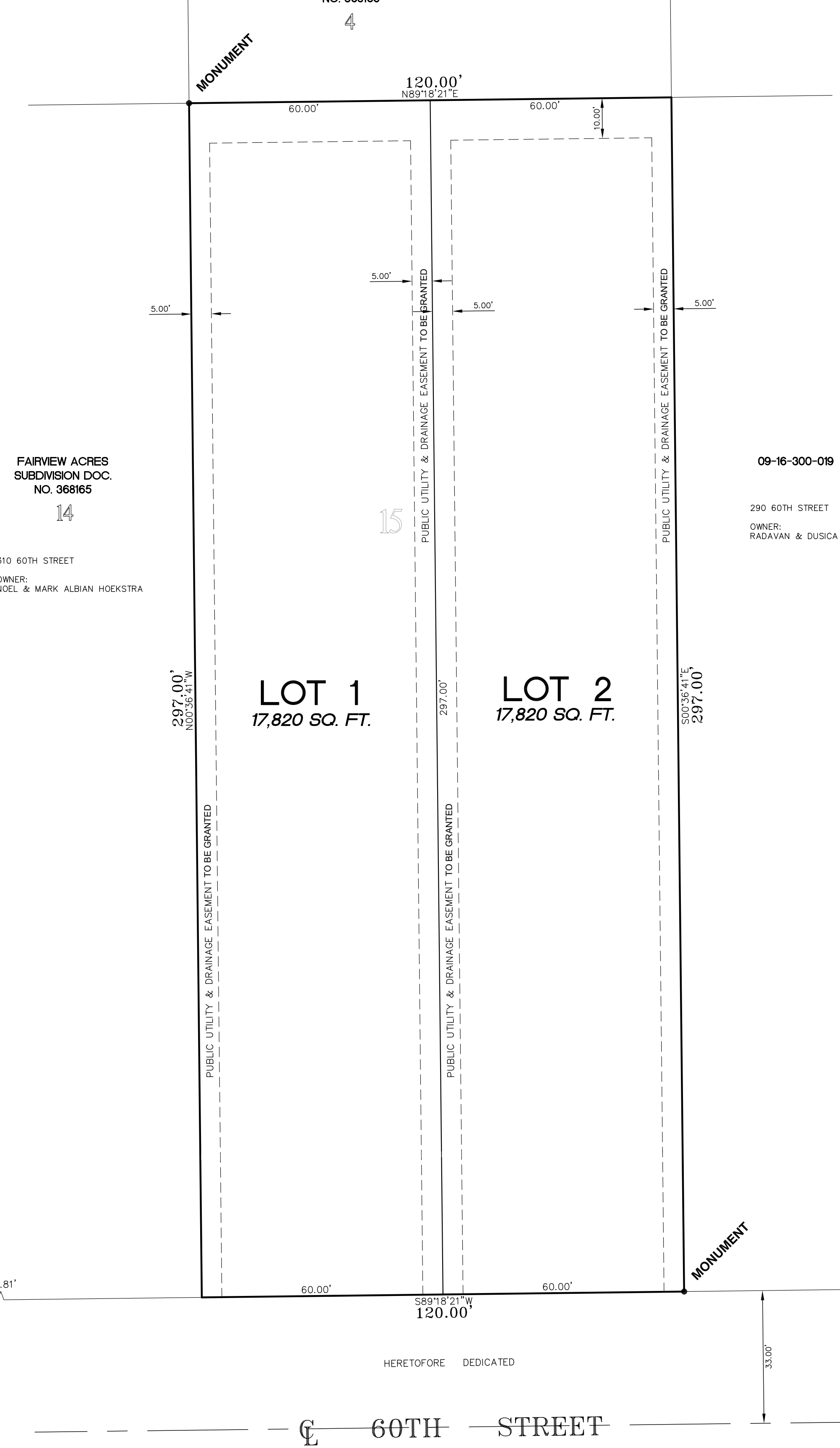
THIS IS TO CERTIFY THAT I, WAYNE W. NEKOLA, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAS SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

LOT 15 IN BLOCK 2 IN FAIRVIEW ACRES, BEING A SUBDIVISION OF THE NORTH HALF OF THE SOUTHWEST QUARTER (ALSO KNOWN AS LOT 6) OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 9, 1936 AS DOCUMENT 368165, IN DUPAGE COUNTY, ILLINOIS.

AS SHOWN BY THE ANNEXED PLAT WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. I FURTHER CERTIFY THAT ALL REGULATIONS ENACTED BY THE VILLAGE OF WESTMONT RELATIVE TO PLATS AND SUBDIVISIONS HAVE BEEN COMPLIED WITH IN THE PREPARATION OF THIS PLAT.

GIVEN UNDER MY HAND AND SEAL THIS 29TH DAY OF APRIL, 2026.

WAYNE W. NEKOLA I.P.L.S. NO.: 2923  
LICENSE RENEWAL DATE: 11/30/2026



- LEGEND
- R - RECORD
- M - MEASURED
- D - DEED
- L - ARC LENGTH
- R - RADIUS
- CH - CHORD
- - STAKED MONUMENT
- - PROPERTY BOUNDARY
- - - - - EASEMENT LINES
- - - - - LOT LINES

DATE PREPARED: MAY 13, 2026  
JOB NO.: 26-01-0903 DRAWN BY: KAB  
**NEKOLA SURVEY, INC.**  
PROFESSIONAL LAND SURVEYING SERVICES  
WWW.NEKOLASURVEY.COM  
400 N. SCHMIDT RD., STE. 203  
BOLINGBROOK, ILLINOIS 60440  
(630) 226-1530 PHONE (630) 226-1430 FAX  
DESIGN FIRM NO. 184.005564  
© COPYRIGHT NEKOLA SURVEY INC., 2026 "ALL RIGHTS RESERVED"



LN2 5033375 1/2  
ADMINISTRATOR'S DEED

ELIZABETH M. CHAPLIN  
RECORDER  
DUPAGE COUNTY, IL  
12/23/2025 02:38 PM  
RHSP  
COUNTY TAX 220.00  
STATE TAX 440.00  
DOC NO. R2025-082993  
PAGES: 2

**Name of Grantor(s):**

HANA HEGEROVA KOP, as Supervised Administrator of the Estate of Laddie Frank Kop a/k/a Laddie F. Kop, Deceased, pursuant to Letters of Office issued on August 22, 2025, by the Eighteenth Judicial Circuit, DuPage County, Illinois, Probate Case No. 2025PR000558, under and by authority of an Order of the Court entered on the 2<sup>nd</sup> day of December, 2025, in a proceeding wherein said Administrator petitioned said court for leave to sell the real estate or interest therein which is hereinafter described, and wherein said Court approved said Administrator's Report of Sale to:

\* of [REDACTED]  
Karen Bailey Meyer and David P. Meyer, Trustees of the Karen Bailey Meyer Trust dated December 7, 2002, and any amendments thereto. AND DAVID P. MEYER AND KAREN BAILEY MEYER, TRUSTEES OF THE DAVID P. MEYER TRUST DATED DECEMBER 7, 2002, AND ANY AMENDMENTS THERETO \*

GRANTEE, whose address is 300 60<sup>th</sup> Street, Downers Grove, IL 60516 does for an in consideration of the sum of \$440,000.00, in hand paid, hereby grant and convey to said Grantees, their heirs and assigns, forever the interest of said deceased in the following described Real Estate situated in the County of DuPage in the State of IL, to wit:

LOT 15 IN BLOCK 2 IN FAIRVIEW ACRES, BEING A SUBDIVISION OF THE NORTH 1/2 OF THE SOUTH WEST 1/4 (ALSO KNOWN AS LOT 6, OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 9, 1936 AS DOCUMENT 368165, IN DUPAGE COUNTY, ILLINOIS.

Permanent Real Estate Index Number(s): 09-16-300-018  
Address(es) of Real Estate: 300 60th Street, Downers Grove, IL 60516

Dated this 11<sup>th</sup> day of December, 2025.

The Estate of Laddie Frank Kop a/k/a Laddie F. Kop, Deceased;

By: Hana Hegerova Kop  
Hana Hegerova Kop, Supervised Administrator

STATE of ILLINOIS, COUNTY of DuPAGE ss.

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

Given under my hand and official seal, this 11<sup>th</sup> day of December, 2025

[Signature] (Notary Public)



Prepared by:  
T. Paul S. Chawla  
OAK BROOK LEGAL, P.C  
3908 N. Cass Avenue  
Westmont, IL 60559

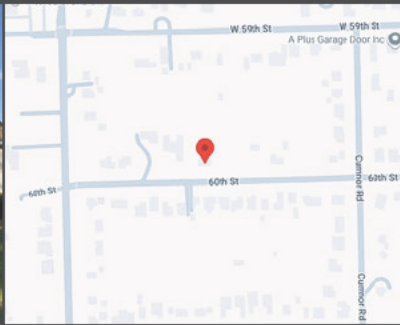
Mail to:

Amanda K. Venditti  
Hawbecker & Garver, LLC  
26 Blaine St.  
Hinsdale, IL 60521

Name and Address of Taxpayer:  
Karen Bailey Meyer and David P Meyer



**OAK BROOK LEGAL™**  
ATTORNEYS AT LAW



**PROPERTY ADDRESS:**  
300 60TH STREET, DOWNERS GROVE, ILLINOIS 60516

**SURVEY NUMBER:** 2511.2020

**DATE SIGNED:** 11/14/25

**FIELD WORK DATE:** 11/13/2025

**REVISION DATE(S):**  
(REV.1 11/14/2025)

**POINTS OF INTEREST**  
NONE VISIBLE

STATE OF ILLINOIS }  
COUNTY OF GRUNDY } SS

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE  
CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS  
FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND  
SEAL.

*Michael J. Lopez*



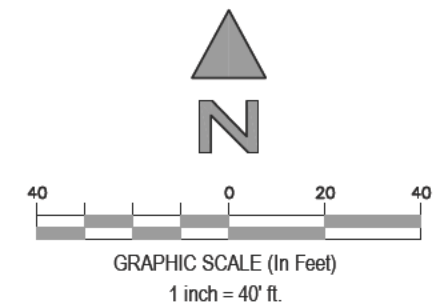
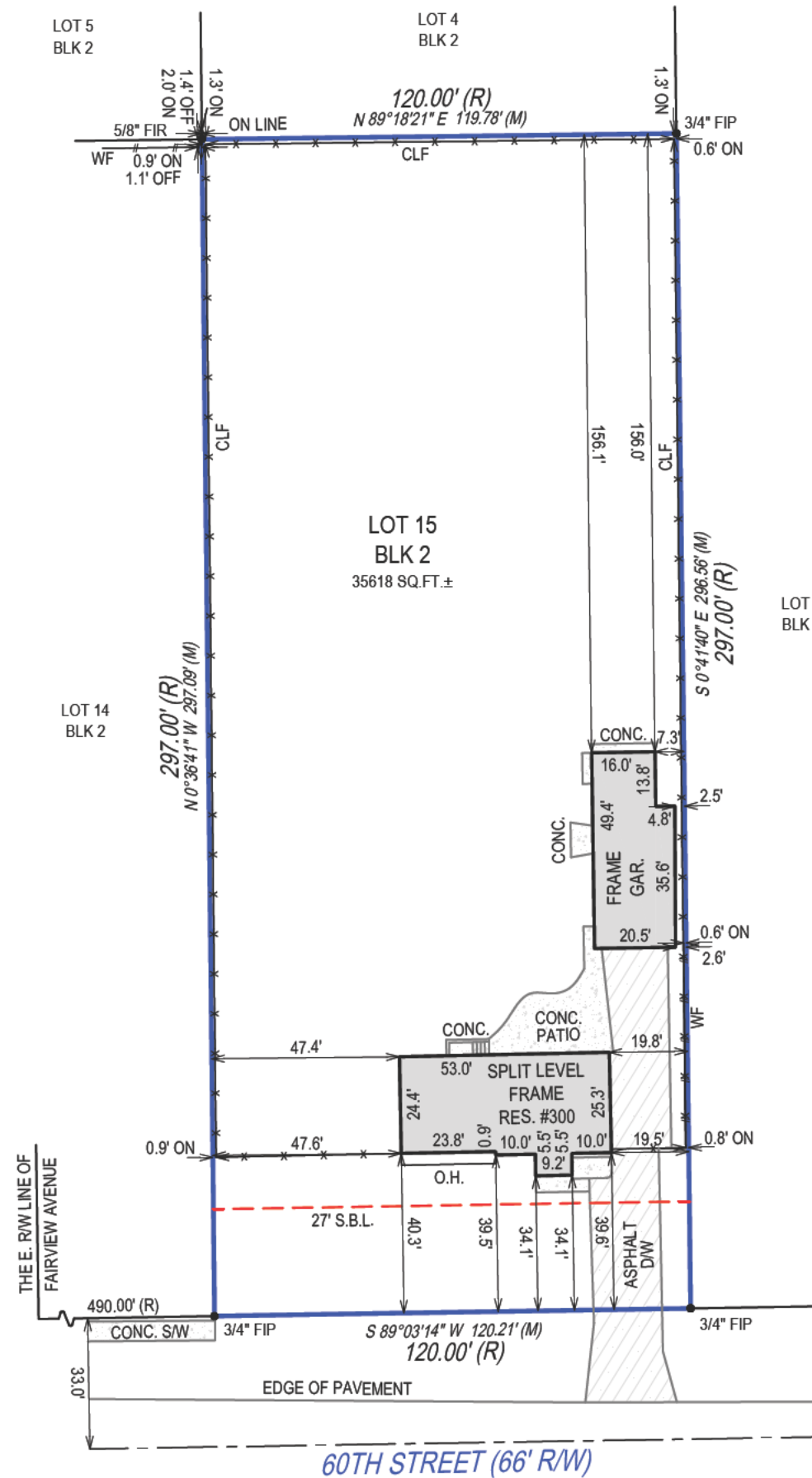
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 035-3229  
LICENSE EXPIRES 11/30/2026  
EXACTA LAND SURVEYORS, LLC  
PROFESSIONAL DESIGN FIRM 184008059-0008



Exacta Land Surveyors, LLC  
PDF # 184008059  
o: 773.305.4011  
316 East Jackson Street | Morris, IL 60450



2511.2020  
PLAT OF SURVEY  
DUPAGE COUNTY, ILLINOIS



SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION  
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES

**PROPERTY ADDRESS:**  
300 60TH STREET, DOWNERS GROVE, ILLINOIS 60516

**SURVEY NUMBER:** 2511.2020

**CERTIFIED TO:**  
VALBON & MEREME DERVISHI; LANDTRUST; CASH

**DATE OF SURVEY:** 11/14/25

**BUYER:** Valbon & Mereme Dervishi

**LENDER:** CASH

**TITLE COMPANY:** LANDTRUST

**COMMITMENT DATE:** NOT REVIEWED    **CLIENT FILE NO:**

**LEGAL DESCRIPTION:**  
LOT 15 IN BLOCK 2 IN FAIRVIEW ACRES, BEING A SUBDIVISION OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 (ALSO KNOWN AS LOT 6) OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 9, 1936 AS DOCUMENT 368165, IN DUPAGE COUNTY, ILLINOIS.

**FLOOD ZONE INFORMATION:**

**JOB SPECIFIC SURVEYOR NOTES:**

- GENERAL SURVEYORS NOTES:**
- The Legal Description used to perform this survey was supplied by others. This survey does not determine nor imply ownership of the lands or any fences shown hereon. Unless the Title Commitment Number and Date is referenced on this survey, an examination of the abstract of title was NOT performed by the signing surveyor to determine which instruments, if any, are affecting this property.
  - The purpose of this survey is to establish the boundary of the lands described by the legal description provided and to depict the visible improvements thereon for a pending financial transaction. Underground footings, utilities, or other service lines, including roof eave overhangs were not located as part of this survey. Unless specifically stated otherwise the purpose and intent of this survey is not for any construction activities or future planning.
  - If there is a septic tank or drain field shown on this survey, the location depicted hereon was either shown to the surveyor by a third party or it was estimated by visual above ground inspection. No excavation was performed to determine its location.
  - This survey is exclusively for a pending financial transaction and only to be used by the parties to whom it is certified.
  - Alterations to this survey map and report by other than the signing surveyor are prohibited.
  - Dimensions are in feet and decimals thereof.
  - Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain said data was performed at [www.fema.gov](http://www.fema.gov) and may not reflect the most recent information.
  - Unless otherwise noted "SIR" indicates a set iron rebar, 5/8 inch in diameter and twenty-four inches long.
  - The symbols reflected in the legend and on this survey may have been enlarged or reduced for clarity. The symbols have been plotted at the approximate center of the field location and may not represent the actual shape or size of the feature.
  - Points of Interest (POI's) are select above-ground improvements, which may appear in conflict with boundary, building setback or easement lines, as defined by the parameters of this survey. These POI's may not represent all items of interest to the viewer. There may be additional POI's which are not shown or called-out as POI's, or which are otherwise unknown to the surveyor.
  - Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
  - The information contained on this survey has been performed exclusively by and is the sole responsibility of Exacta Land Surveyors, LLC. Additional logos or references to third party firms are for informational purposes only.
  - Due to varying construction standards, building dimensions are approximate and are not intended to be used for new construction or planning.
  - Surveyor bearings are used for angular reference and are used to show angular relationships of lines only and are not related or orientated to true or magnetic north. Bearings are shown as surveyor bearings, and when shown as matching those on the subdivision plats on which this survey is based, they are to be deemed no more accurate as the determination of a north orientation made on and for those original subdivision plats. North 00 degrees East is assumed and upon preparation of this plat, the resulting bearing between found points as shown on this survey is the basis of said surveyor bearings as defined and required to be noted by Illinois Administrative Code Title 68, Chapter VII, Sub-Chapter B, Part 1270, Section 1270.56, Paragraph B, Sub-Paragraph 6, Item k.
  - THIS SURVEY IS A PROFESSIONAL SERVICE IN COMPLIANCE WITH THE MINIMUM STANDARDS OF THE STATE OF ILLINOIS. NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. PLEASE REFER ALSO TO YOUR DEED, TITLE POLICY AND LOCAL ORDINANCES. THIS DOCUMENT MAY ONLY BE USED BY THE PARTIES TO WHICH IT IS CERTIFIED.

**SURVEYORS LEGEND:**

LINETYPES	
	Boundary Line
	Center Line
	Chain Link or Wire Fence
	Easement
	Edge of Water
	Iron Fence
	Overhead Lines
	Structure
	Survey Tie Line
	Vinyl Fence
	Wall or Party Wall
	Wood Fence
SURFACE TYPES	
	Asphalt
	Brick or Tile
	Concrete
	Covered Area
	Water
	Wood
SYMBOLS	
	Benchmark
	Center Line
	Central Angle or Delta
	Common Ownership
	Control Point
	Catch Basin
	Elevation
	Fire Hydrant
	Find or Set Monument
	Guywire or Anchor
	Manhole
	Tree
	Utility or Light Pole
	Well

<p><b>ABBREVIATIONS</b></p> <p>(C) - Calculated (D) - Deed (F) - Field (M) - Measured (P) - Plat (R) - Record (S) - Survey A/C - Air Conditioning AE - Access Easement ANE - Anchor Easement ASBL - Accessory Setback Line B/W - Bay/Box Window BC - Block Corner BFP - Backflow Preventer BLDG - Building BLK - Block BM - Benchmark BR - Bearing Reference BRL - Building Restriction Line BSMT - Basement C - Curve C/L - Center Line C/P - Covered Porch C/S - Concrete Slab CATV - Cable TV Riser CB - Concrete Block CH - Chord Bearing CHIM - Chimney CLF - Chain Link Fence CME - Canal Maintenance Easement CO - Clean Out CONC - Concrete COR - Corner CS/W - Concrete Sidewalk CUE - Control Utility Easement CVG - Concrete Valley Gutter D/W - Driveway DE - Drainage Easement DF - Drain Field DH - Drill Hole DUE - Drainage &amp; Utility Easement ELEV - Elevation EM - Electric Meter ENCL - Enclosure ENT - Entrance EOP - Edge of Pavement EOW - Edge of Water ESMT - Easement EUB - Electric Utility Box F/DH - Found Drill Hole FCM - Found Concrete Monument FF - Finished Floor</p>	<p><b>FIP</b> - Found Iron Pipe <b>FIPC</b> - Found Iron Pipe &amp; Cap <b>FIR</b> - Found Iron Rod <b>FIRC</b> - Found Iron Rod &amp; Cap <b>FN</b> - Found Nail <b>FN&amp;D</b> - Found Nail &amp; Disc <b>FRRSPK</b> - Found Rail Road Spike <b>GAR</b> - Garage <b>GM</b> - Gas Meter <b>ID</b> - Identification <b>IE/EE</b> - Ingress/Egress Easement <b>ILL</b> - Illegible <b>INST</b> - Instrument <b>INT</b> - Intersection <b>IRRE</b> - Irrigation Easement <b>L</b> - Length <b>LAE</b> - Limited Access Easement <b>LB#</b> - License No. (Business) <b>LBE</b> - Limited Buffer Easement <b>LE</b> - Landscape Easement <b>LME</b> - Lake/Landscape Maintenance Easement <b>LS#</b> - License No. (Surveyor) <b>MB</b> - Map Book <b>ME</b> - Maintenance Easement <b>MES</b> - Mitered End Section <b>MF</b> - Metal Fence <b>MH</b> - Manhole <b>MHWL</b> - Mean High Water Line <b>NR</b> - Non-Radial <b>NTS</b> - Not to Scale <b>NAVD88</b> - North American Vertical Datum 1988 <b>NGVD29</b> - National Geodetic Vertical Datum 1929 <b>OG</b> - On Ground <b>ORB</b> - Official Records Book <b>ORV</b> - Official Record Volume <b>O/A</b> - Overall <b>O/S</b> - Offset <b>OFF</b> - Outside Subject Property <b>OH</b> - Overhang <b>OHL</b> - Overhead Utility Lines <b>OHWL</b> - Ordinary High Water Line <b>ON</b> - Inside Subject Property <b>P/E</b> - Pool Equipment <b>PB</b> - Plat Book <b>PC</b> - Point of Curvature <b>PCC</b> - Point of Compound Curvature <b>PCP</b> - Permanent Control Point <b>PI</b> - Point of Intersection <b>PLS</b> - Professional Land</p>	<p>Surveyor <b>PLT</b> - Planter <b>POB</b> - Point of Beginning <b>POC</b> - Point of Commencement <b>PRC</b> - Point of Reverse Curvature <b>PRM</b> - Permanent Reference Monument <b>PSM</b> - Professional Surveyor &amp; Mapper <b>PT</b> - Point of Tangency <b>PUE</b> - Public Utility Easement <b>R</b> - Radius or Radial <b>R/W</b> - Right of Way <b>RES</b> - Residential <b>RGE</b> - Range <b>ROE</b> - Roof Overhang Easement <b>RP</b> - Radius Point <b>S/W</b> - Sidewalk <b>SBL</b> - Setback Line <b>SCL</b> - Survey Closure Line <b>SCR</b> - Screen <b>SEC</b> - Section <b>SEP</b> - Septic Tank <b>SEW</b> - Sewer <b>SIRC</b> - Set Iron Rod &amp; Cap <b>SMWE</b> - Storm Water Management Easement <b>SN&amp;D</b> - Set Nail and Disc <b>SQFT</b> - Square Feet <b>STL</b> - Survey Tie Line <b>STY</b> - Story <b>SV</b> - Sewer Valve <b>SWE</b> - Sidewalk Easement <b>TBM</b> - Temporary Bench Mark <b>TEL</b> - Telephone Facilities <b>TOB</b> - Top of Bank <b>TUE</b> - Technological Utility Easement <b>TWP</b> - Township <b>TX</b> - Transformer <b>TYP</b> - Typical <b>UE</b> - Utility Easement <b>UG</b> - Underground <b>UP</b> - Utility Pole <b>UR</b> - Utility Riser <b>VF</b> - Vinyl Fence <b>W/C</b> - Witness Corner <b>W/F</b> - Water Filter <b>WF</b> - Wood Fence <b>WM</b> - Water Meter/Valve Box <b>WV</b> - Water valve</p>
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Exacta Land Surveyors, LLC  
PDF # 184008059  
o: 773.305.4011  
316 East Jackson Street | Morris, IL 60450

**SEE PAGE 1 OF 2 FOR MAP OF PROPERTY**  
**PAGE 2 OF 2 - NOT VALID WITHOUT ALL PAGES**



**VILLAGE OF WESTMONT**  
**Board of Trustees Memorandum**  
**May 28, 2026**

---

**Item for Board of Trustees Consideration:**

Board to consider an ordinance approving a request from the Karen Bailey Meyer Trust and the David P. Meyer Trust for the property at 300 West 60th Street, Downers Grove, Illinois, 60516, for the following:

1. Preliminary Plan and Final Plat of Subdivision to subdivide one (1) lot into two (2) lots in the R-3 Single-Unit Residential District.

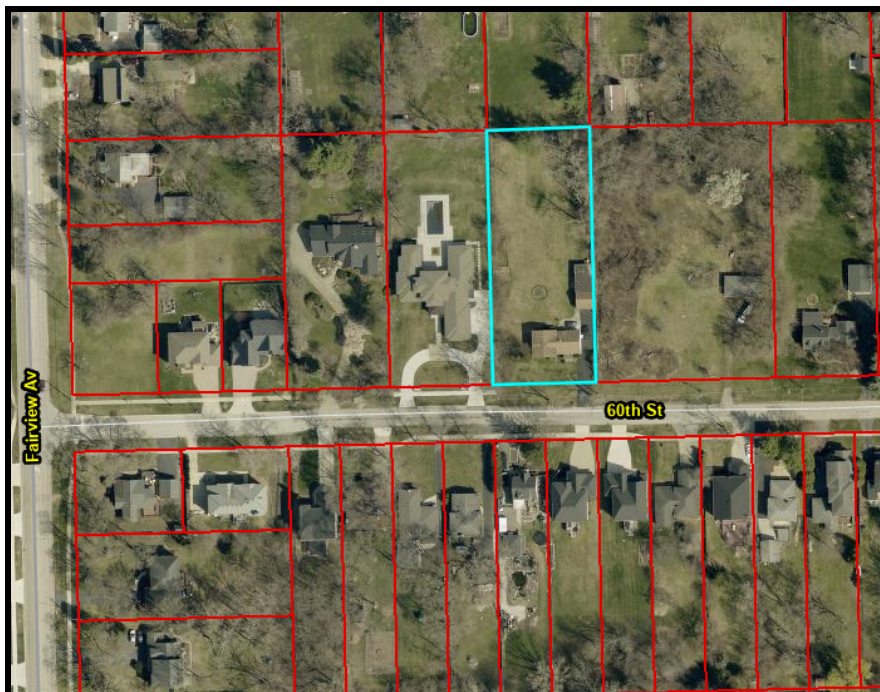
**Planning & Zoning Commission Recommendation:**

The Planning & Zoning Commission only reviews the preliminary plan of subdivision. At their regular meeting on May 13, 2026, the Commission unanimously recommended approval of the preliminary plan (7-0). The final plat of subdivision is not reviewed by the Planning & Zoning Commission.

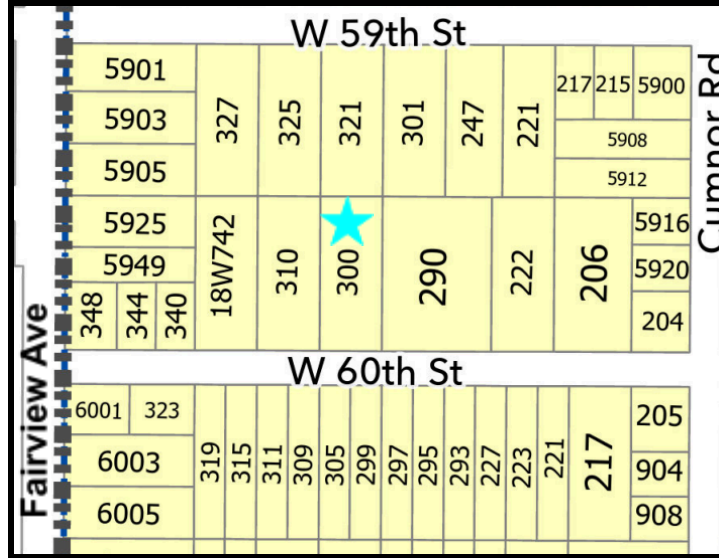
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**I. BACKGROUND OF ITEM**

- A. Location: 300 West 60th Street is located on the northside of 60th Street between Fairview Avenue and Cumnor Road. The subject property is currently improved with a detached house and separate garage. If the subdivision request is approved, both buildings will be demolished to allow for two new detached houses to be built. The lot is currently 120 feet wide by 297 feet deep, for an area of 35,640 square feet, or 0.82 acres. Though this property has a Downers Grove zipcode, it is fully under the jurisdiction of the Village of Westmont, having been annexed under Ordinance 03-109 in 2003.



Aerial Map - 300 West 60th Street (source: DuPage County Parcel Viewer)



Zoning Map - 300 West 60th Street

- B. Zoning Designations:  
**SUBJECT PROPERTY** R-3 Single-Unit Residential District  
**ALL ADJACENT PROPERTIES** R-3 Single-Unit Residential District

C. Neighborhood Characteristics  
 The lot is located in the Fairview Acres Subdivision, which was recorded in 1936. At the time of subdivision, the prominent lot size in this subdivision is 120 feet wide by 297 feet deep, like the subject property. Over the last 90 years, a majority of the properties to the south and east were subdivided into two 60 foot wide lots. All adjacent properties are zoned R-3 and improved with detached houses, although there are multi-unit residential complexes within a quarter-mile.



Street View - 300 West 60th Street

- II. **PETITIONER REQUEST:**  
 The petitioner has requested a Preliminary Plan of Subdivision to subdivide one (1) lot into two (2) lots in the R-3 Single-Unit Residential District.

**III. ZONING ANALYSIS**

**A. Zoning and Comprehensive Plan Designations**

The current zoning district of the property is R-3 Single-Unit Residential District, which is intended to create, maintain, and promote detached houses (f.k.a. single-family homes).

The Comprehensive Plan designates the future land use in this area as Single Family Detached Residential. Through this designation, the plan recommends that the design of new detached homes “...consider the established character of surrounding single-family areas.” The plan also recommends preserving and enhancing the Village’s housing stock through appropriately designed and scaled new construction.

**B. Entitlement Request**

The petitioner has provided a project narrative and supporting documentation for the following request. Any corresponding code sections for entitlement approval consideration can be referenced in item V(B) below.

- **Preliminary Plan of Subdivision to subdivide one (1) lot into two (2) lots in the R-3 Single-Unit Residential District.**

The submitted preliminary plan demonstrates substantial compliance with the applicable requirements of Appendix B - Land Development. The table below lists the minimum lot width, depth, and area requirements for lots in the R-3 district, and shows that the proposed preliminary plan exceeds all minimums.

***Chapter 95, Sec. 2.05: Lot and Building Regulations***

<b>R-3 Single-Unit Residential</b>	<b>Minimum Required</b>	<b>Proposed (both lots)</b>	<b>Compliance</b>
<b>Lot Width</b>	50 ft.	60 ft.	Minimum met
<b>Lot Depth</b>	125 ft.	297 ft.	Minimum met
<b>Lot Area</b>	7,800 sq. ft.	17,280 sq. ft.	Minimum met

The preliminary plan contains draft designs of two detached homes, both of which largely meet the applicable zoning setbacks and bulk regulations. The designs shown on the plan are not final, so the homes built may be different.

When a property is subdivided, impact fees are collected for the new lot(s) and are paid to the Westmont Park District, Westmont Library District, and the school districts serving the subject property. In this case, only one new lot is created, so only one set of impact fees must be paid. Each lot will pay ½ of the fee. The dollar amount is dependent on the bedroom count, and will be determined when a building permit is applied for.

Although stormwater detention is not required for a subdivision of this size, Best Management Practices (BMPs) will be required. To meet this requirement, the petitioner proposed to build a dry well on each property. Further details on the dry well and BMPs will be worked out when a building permit is submitted.

The Planning & Zoning Commission unanimously recommended approval of the preliminary plan, as the plan complies with the applicable Village codes.

- **Final Plat of Subdivision to subdivide one (1) lot into two (2) lots in the R-3 Single-Unit Residential District.**

The final plat of subdivision is reviewed by the Village Board only, hence no recommendation on the final plat from the Planning & Zoning Commission. This document gets signed by various governmental entities before being recorded with the DuPage County Recorder's Office.

The plat largely demonstrates substantial compliance with the regulations of Appendix B - Land Development. However, there are a handful of minor text errors in the signature blocks, as listed in the staff comments attached to this memorandum. Should the Village Board approve the final plat, staff will not direct the petitioner to produce a mylar until all text errors have been rectified.

#### **IV. SUMMARY**

The petitioner has requested approval of a preliminary plan and final plat of subdivision to subdivide 300 West 60th Street from one (1) lot into two (2) lots. The proposed plan meets the zoning and land development requirements for lots in the R-3 Single-Unit Residential district, and is consistent with the recommendations of the Comprehensive Plan.

In accordance with the attached staff comments, the petitioner will need to work with staff to address minor text errors in a few signature lines on the final plat of subdivision. If approved, staff will direct the petitioner to produce the mylar after the outstanding comments are resolved.

#### **V. LEGAL**

- A. Notification: No notification is required for subdivisions.
- B. Code References: Appendix B

#### **VI. DOCUMENTS ATTACHED:**

1. Staff Comments dated May 20, 2026
2. Petitioner Attachments received March 24, 2026 (Edited for VB):
  - a. Planning & Zoning Development Application
  - b. Project Narrative
  - c. Preliminary Plan of Subdivision
  - d. Final Plat of Subdivision
  - e. Proof of Ownership
  - f. Plat of Survey



## Village of Westmont COMMUNITY DEVELOPMENT

31 West Quincy Street, Westmont, Illinois 60559

cd@westmont.il.gov | 630-981-6250  
westmont.illinois.gov | 630-981-6200

May 20, 2026

Eric Bailey  
[REDACTED]

Karen Bailey Meyer & David Meyer  
[REDACTED]

RE: PZC 011-2026 - 300 West 60th Street - Comments 03

**via email**

Eric, Karen, and David,

The Village of Westmont has received a zoning application for a request related to the property at 300 West 60th Street. Village staff and our outside consultants have reviewed your submission and based on the submitted documents received have provided comments below in Part 1 and as attached.

**Part 1--Review Comments**

Items in Part 1 are broken out into two types: Action items and recommendation/notes. Action items are underlined below.

**Community Development Department  
Planning and Zoning (Adam Walsh) & Community Development Engineering (James Patterson)**

*Entitlements Required:*

1. *Request for a Preliminary Plan of Subdivision*
2. *Request for a Final Plat of Subdivision*

---

1. *General Comments*

- a. Please note a tree survey and tree preservation plan will be required prior to issuance of the required demolition permit. A response to this comment is not necessary.
  - b. Village Code requires right-of-way improvements along the front property line of subdivisions on roads with rural cross-sections (drainage ditches, no curbs, etc.). A fee-in-lieu of construction of the right-of-way improvements will be assessed. The fee-in-lieu is calculated as the product of the length of the front property line and \$100/LF. Therefore, the fee-in-lieu of right-of-way improvements to be assessed will be \$12,000.00 prior to the final plat being recorded.
2. *Request for a Preliminary Plan of Subdivision*
    - a. No comments.
  3. *Request for a Final Plat of Subdivision*
    - a. Sec. 3.02(c)(3) – Add the FEMA statement into the Surveyor’s Certificate.



## Village of Westmont COMMUNITY DEVELOPMENT

31 West Quincy Street, Westmont, Illinois 60559

cd@westmont.il.gov | 630-981-6250  
westmont.illinois.gov | 630-981-6200

- b. Sec. 3.02(c)(4) – Replace “Director of Community Development” with “Chairman” in the PZC Certificate signature line.
- c. Sec. 3.02(c)(7) – Replace “Treasure” with “Treasurer” in the Special Assessments Certificate signature line.
- d. Sec. 3.02(c)(9) – Replace “Secretary” with “Village Clerk” in the Village Clerk Certificate signature line.
- e. These comments are minor in nature, **and must be rectified prior to producing a mylar of the final plat of subdivision for recording with DuPage County.** The final plat may proceed to a Village Board agenda.

### Part 2--Next Steps

Based on the submitted documents and staff review:

1. Revisions to all documents and plans as requested (electronic files may be accepted)
2. Response letters to all items noted above and in the attached reviews.
3. Please note that additional fees may be incurred for reviews by our third-party consultants.
4. All revisions must be submitted as a single package, staff will not accept incomplete submittals.

Should the Village Board approve both plats, a revised final plat of subdivision will need to be resubmitted for staff to review against comments (3)(a-d) above. Once all text on the final plat is compliant with Appendix B, staff will direct the petitioner to produce a mylar and obtain non-Village signatures and provide direction on next steps.

All commenters' phone numbers have been included above if there is any specific clarification needed on comments.

Regards,

Adam Walsh, Planner  
[awalsh@westmont.il.gov](mailto:awalsh@westmont.il.gov)  
(630) 981-6262  
Community Development Department  
Village of Westmont



# Village of Westmont Planning and Zoning Application and Instructions

Community Development Department  
31 West Quincy Street  
Westmont, Illinois 60559  
630-981-6260

<i>Office Use Only</i>
Date Received: _____
By: _____

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PROJECT NAME: cass ave townhomes

Subject Property Street Address: 5628 S. Cass Ave.

PIN Number(s): 09-16-207-012

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**PETITIONER / BILLING CONTACT (Agent and Project Manager for the Petition):**

Petitioner (and corporation if applicable): 5628 CASS, LLC

Address: 15W154 60TH ST - BURR RIDGE, IL 6527

312-489-9370

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

Email: ADARWISH@IBJI.COM

Relationship of Petitioner to Property Owner: ARCHITECT OF RECORD

PROJECT DESCRIPTION: CONSTRUCTION OF 4 TOWNHOME DWELLINGS WITH  
OVERALL AREA OF 8,892 SF WITH BASEMENT S BELOW  
EACH UNIT, PROPOSED TYPE V-B CONSTRUCTION

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN PETITIONER):

Property owner(s): 5628 CASS, LLC

Address: 15W154 60TH ST BURR RIDG , ILLINOIS 60527

Phone: 312-489-9370

Email: ADARWISH@IBJI.COM

BUSINESS OWNER INFORMATION (IF DIFFERENT THAN PETITIONER and PROPERTY OWNER):

Property owner(s): 5628 CASS llc

Address: 15W154 60TH STREET BURR RDG, IL 60527

312-489-9370

Phone:

Email: ADARWISH@IBJI.COM

By signing below, the applicant and/or property owner acknowledge that the **Application fees are non-refundable** and that filling out this form is not a guarantee that the item will appear before the Planning and Zoning Commission. The applicant and/or property owner further acknowledge that all items recommended by Village planning staff for consideration by the Planning and Zoning Commission must have received technical approvals from the Consulting Engineer, the Consulting Landscape Architect, the Consulting Architect, the Village Forester and/or other Village staff, as deemed appropriate by the Community Development Department, before being recommended for consideration by the Planning and Zoning Commission. For this reason, while this is not a requirement, it is highly recommended that the applicant/property owner hire licensed professional engineers or architects when preparing their application materials.

**PETITIONER SIGNATURE: ASHRAF DARWISH**

Type or print name: 5628 Cass, LLC ; Ashraf Darwish

Signature: [Handwritten Signature]

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 25 DAY OF OCTOBER 2025, 2025

[Handwritten Signature]  
Notary Public



**OWNER SIGNATURE:**

Type or print name: ASHRAF DARWISH  
5628 Cass, LLC

Signature: [Handwritten Signature]

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 20<sup>th</sup> DAY OF October, 2025

[Handwritten Signature]  
Notary Public



**MAJDI DARWISH**  
**M I DARWISH ARCHITECT, LLC**  
18400 GREENLEAF CT  
TINLEY OARK, IL 60487

**Date:** [Insert Date]

**To: SCOTT WILLIAMS**  
Village of Westmont  
Planning & Zoning Department  
31 W. Quincy Street  
Westmont, IL 60559

**Subject:** Proposal for Approval of 4-Unit Townhome Subdivision

Dear [Planning & Zoning Department],

On behalf of THE OWNER 5628 LLC, we respectfully submit this proposal for the development of a 4-unit townhome subdivision at 5628 S CASS AVE. Each unit is approximately 1,800 square feet. The project has been designed to comply with the Village of Westmont's zoning and development standards, as summarized below: We are not seeking any variances, the design meets all requirements under the current village of Westmont zoning ordinance

<b>Site Data / Requirement</b>	<b>Required</b>	<b>Proposed / Actual</b>
Zoning District	R-4	R-4
Minimum Land Area	12,000 SF	19,200 SF
Minimum Lot Width	60'	104'
Floor Area Ratio (FAR)	0.75 / 14,400 SF	8,892 SF
Number of Dwellings	3-BR units per 4,500 SF	4 units
Height	35'	29'-10½"
Lot Coverage	No restriction	N/A
Parking	2 per townhouse + 0.5 guest	Compliant
Front Setback	30'	Compliant
Rear Setback	30'	Compliant
Side Setback	15'	Compliant

The proposed development conforms to all applicable zoning regulations, lot coverage, height, and setback requirements, while providing adequate parking. The project will provide high-quality residential units and positively contribute to the neighborhood.

We respectfully request the Village's review and approval of this 4-unit townhome subdivision. We are happy to provide additional plans, renderings, or documentation to facilitate the approval process.

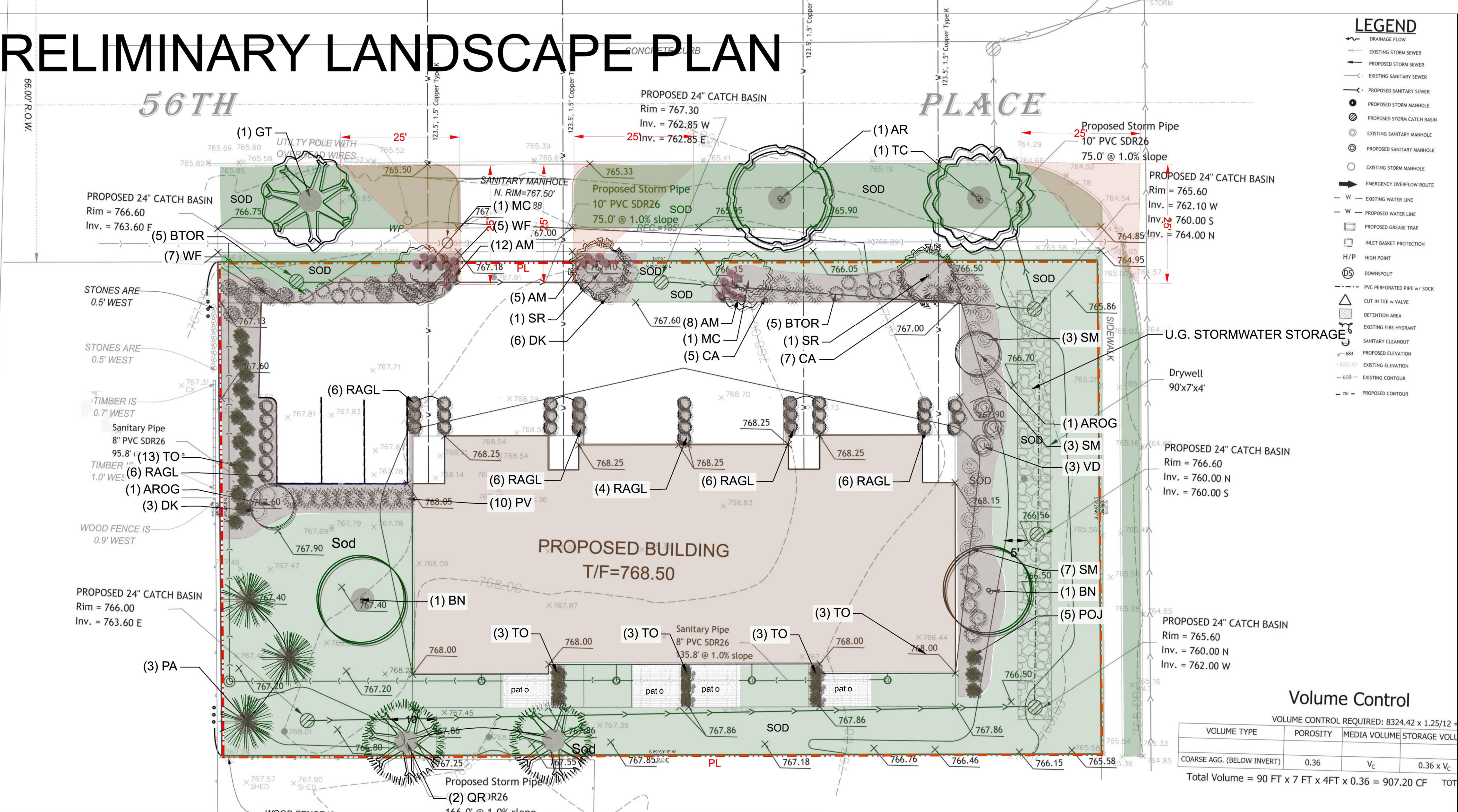
Thank you for your consideration.

Sincerely,

MAJDI DARWISH

M I DARWISHH ARCHITECT

# PRELIMINARY LANDSCAPE PLAN



## LEGEND

- DRAINAGE FLOW
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- PROPOSED STORM MANHOLE
- EXISTING STORM MANHOLE
- PROPOSED SANITARY MANHOLE
- EXISTING SANITARY MANHOLE
- EMERGENCY OVERTFLOW ROUTE
- W EXISTING WATER LINE
- W PROPOSED WATER LINE
- PROPOSED GREASE TRAP
- INLET BASKET PROTECTION
- H/P HIGH POINT
- DS DOWNSPOUT
- PVC PERFORATED PIPE w/ SOCK
- △ CUT IN TEE w VALVE
- ▭ DETENTION AREA
- EXISTING FIRE HYDRANT
- SANITARY CLEANOUT
- 684 PROPOSED ELEVATION
- 609 EXISTING ELEVATION
- 781 PROPOSED CONTOUR

Project: \_\_\_\_\_ Date: \_\_\_\_\_ Scale: \_\_\_\_\_

Fluenta Consulting  
201 E. Lakeside Dr.  
Vernon Hills, IL 60061  
Tel: 773-349-5881

PH: (708) 301-2090

12720 W. 159TH ST.  
HOMER GLEN, IL. 60491

**SIM Development Group**  
5628 S. Cass Ave  
Westmont, Illinois 60555

DATE ISSUED:  
AUGUST 4, 2025

REVISION DATE:  
1. Oct. 29, 2025 per Weber review dated Oct. 17, 2025  
2. Jan. 13, 2026 per Weber review dated Dec. 16, 2026  
3. Feb. 20th, 2026 per Weber review dated Feb. 11, 2026  
4. March 5th, 2026

DESIGNED BY: GS

CHECKED BY: GP

EXPIRES: 8/31/2027

GREG STEVENS, PLA  
ILLINOIS REG. NO. LA157001001  
(FOR THE FIRM)

SHEET TITLE:

**PRELIMINARY LANDSCAPE PLAN**

SHEET NUMBER:

**LP-101**

## Volume Control

VOLUME CONTROL REQUIRED: 8324.42 x 1.25/12 = 867.12 CF

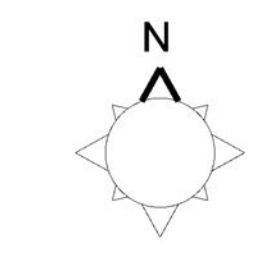
VOLUME TYPE	POROSITY	MEDIA VOLUME	STORAGE VOLUME	VOLUME PROVIDED
COARSE AGG. (BELOW INVERT)	0.36	V <sub>c</sub>	0.36 x V <sub>c</sub>	907.20 CF
Total Volume = 90 FT x 7 FT x 4FT x 0.36 = 907.20 CF				TOTAL 907.20 CF

## Plant Legend

Symbol	Qty	Key	Common	Botanical	Size	Symbol	Qty	Key	Common	Botanical	Size
	25	AM	Millenium Ornamental Allium	Allium hybrid	1 gal.		5	POJ	Amber Jubilee Ninebark	Physocarpus opulifolius 'Jefam'	3 gal.
	1	AR	Autumn Blaze Maple	Acer rubrum 'Autumn Blaze'	3" Cal.		10	PV	Northwind Switch Grass	Panicum virgatum 'Northwind'	2 gal.
	2	AROG	October Glory Red Maple	Acer rubrum 'October Glory'	2.5" Cal.		2	QR	Red Oak	Quercus rubra	2" Cal.
	2	BN	River birch	Betula nigra	6' Clump		34	RAGL	Gro-low Fragrant Sumac	Rhus aromatica 'Gro-Low'	5 gal.
	12	BTOR	Orange Rocket Barberry	Berberis thunbergii 'Orange Rocket'	3 gal.		13	SM	Dwarf Korean Lilac	Syringa meyeri 'Palibin'	3 gal.
	12	CA	Karl Foerster Feather Reed Grass	Calamagrostis x acutiflora 'Karl Foerster'	3 gal.		2	SR	Ivory Silk Japanese Lilac Tree	Syringa reticulata 'Ivory Silk'	6' Clump
	9	DK	Kodiak Orange honeysuckle	Diervilla x 'Kodiak Orange'	3 gal.		1	TC	Greenspire Linden	Tilia cordata	3" Cal.
	1	GT	Skyline Honey Locust	Gleditsia triacanthos 'Skycole'	3" Cal.		27	TO	Emerald Green Arborvitae	Thuja occidentalis 'Emerald Green'	6'
	2	MC	Coral Burst Crabapple	Malus 'Coral Burst'	2.5" Cal.		3	VD	Chicago Lustre Viburnum	Viburnum dentatum 'Chicago Lustre'	5 gal.
	3	PA	Norway Spruce	Picea abies	6'		12	WF	Wine and Roses Weigela	Weigelia florida 'Wine and Roses'	3 gal.

## NOTES:

- THERE ARE NO EXISTING ON-SITE TREES THAT WILL BE PRESERVED
- LANDSCAPE REQUIREMENTS ARE BEING MET WITH 3 (3" CAL.) SHADE TREES BEING PLANTED ALONG 56TH PLACE AND 4 (6' CLUMP EQUIVALENT TO 3" CAL.) UNDERSTORY TREES BEING PLANTED ALONG 56TH PLACE. THERE ARE ALSO 3 (6' TALL) SPRUCE AND SEVERAL 6' ARBORVITAE TREES ALONG THE SIDE LOT.



SCALE: 1"=10'



C A S S R D

5 6 T H P L A C E

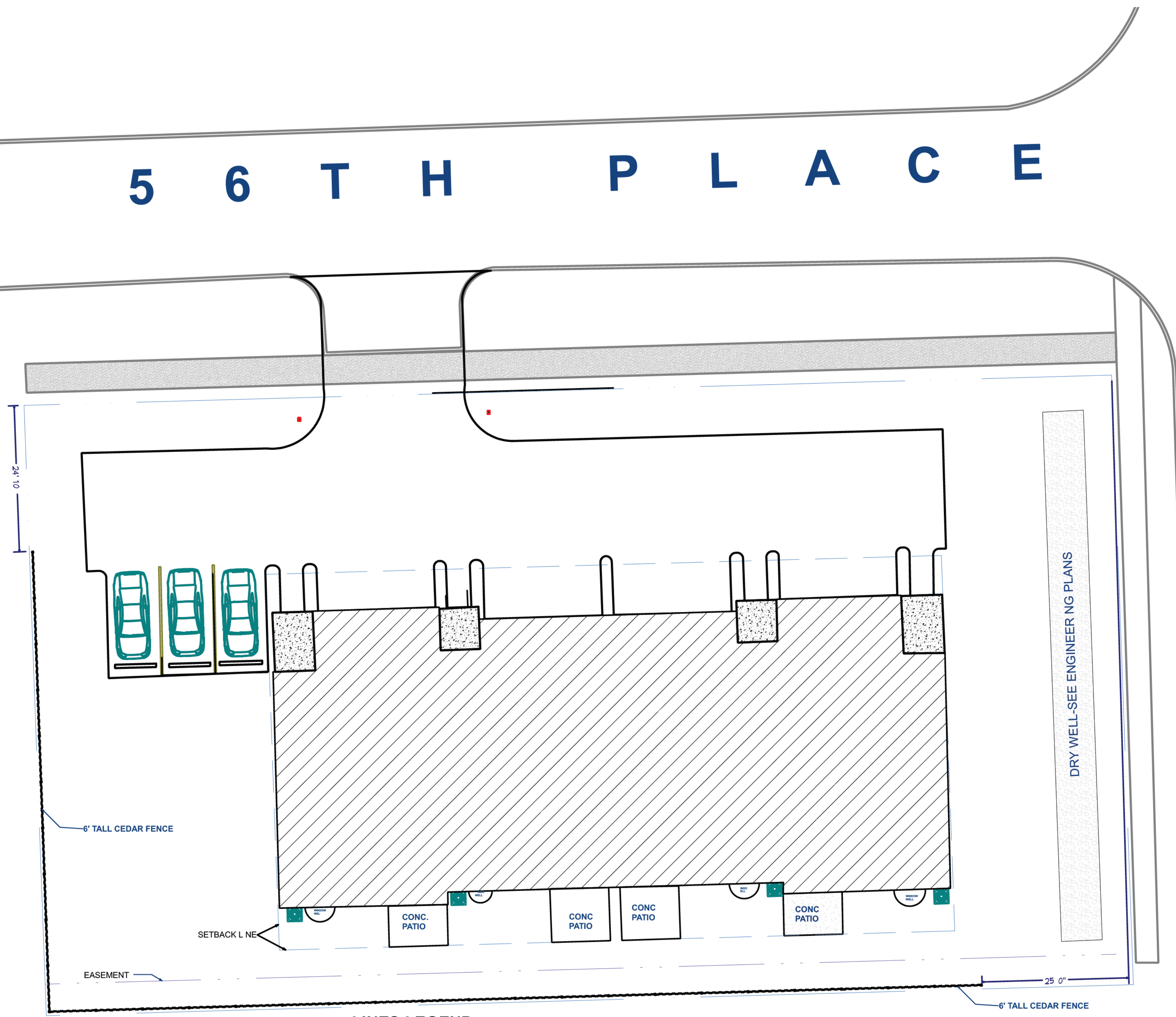
**SITE DATA**

Site Data Summary – 5628 S. Cass Avenue

Category	Requirement	Actual / Proposed
Zoning District	R 4	R 4
Minimum Land Area	12 000 sq ft	19 200 sq ft
Minimum Lot Width	60 ft	104 ft
Floor Area Ratio (FAR)	Max 0.75 (14 351 sq ft allowed)	8 892 sq ft
Dwelling Units Allowed	1 unit per 4 500 sq ft (3 bedroom)	4 units (19 200 + 4 500)
Maximum Height	35 ft	29' 10 1/2"
Lot Coverage	No restriction	N/A
Parking Requirement	2 per townhouse + 0.5 per unit (guest)	2 guest spaces required 3 provided
Front Setback (Cass Ave)	30 ft	30 ft
Rear Setback (West side)	30 ft (40 ft per footnote #3)	40 ft
Side Setback (Street side 56th Pl)	25 ft	25 ft
Interior Side Setback (South side)	10' 15 ft required	10 ft provided

Property Yard Summary

- 5628 S. Cass Avenue
- Front Yard (Cass Avenue): 30 ft setback (includes 25 ft base + 5 ft supplemental Cass Ave. setback)
  - Side Yard (56th Place): 25 ft setback
  - Interior Side Yard (South side): 10 ft setback
  - Rear Yard (West side): 40 ft setback (per Footnote #3 of bulk table)
  - Maximum Building Height: 35 ft
  - Minimum Lot Area: 4 500 sq ft per 3 bedroom dwelling
  - Minimum Lot Depth: 125 ft required for residential properties
  - Parking:
    - 2 off street spaces required 3 PROVIDED
    - Parking cannot encroach into front (Cass Ave.) or street side (56th Place) yards
    - Parking may encroach into rear or interior side yards



**LINES LEGEND**

- PROPERTY LINE
- SETBACK LINE
- EASEMENT
- PRIVACY FENCE

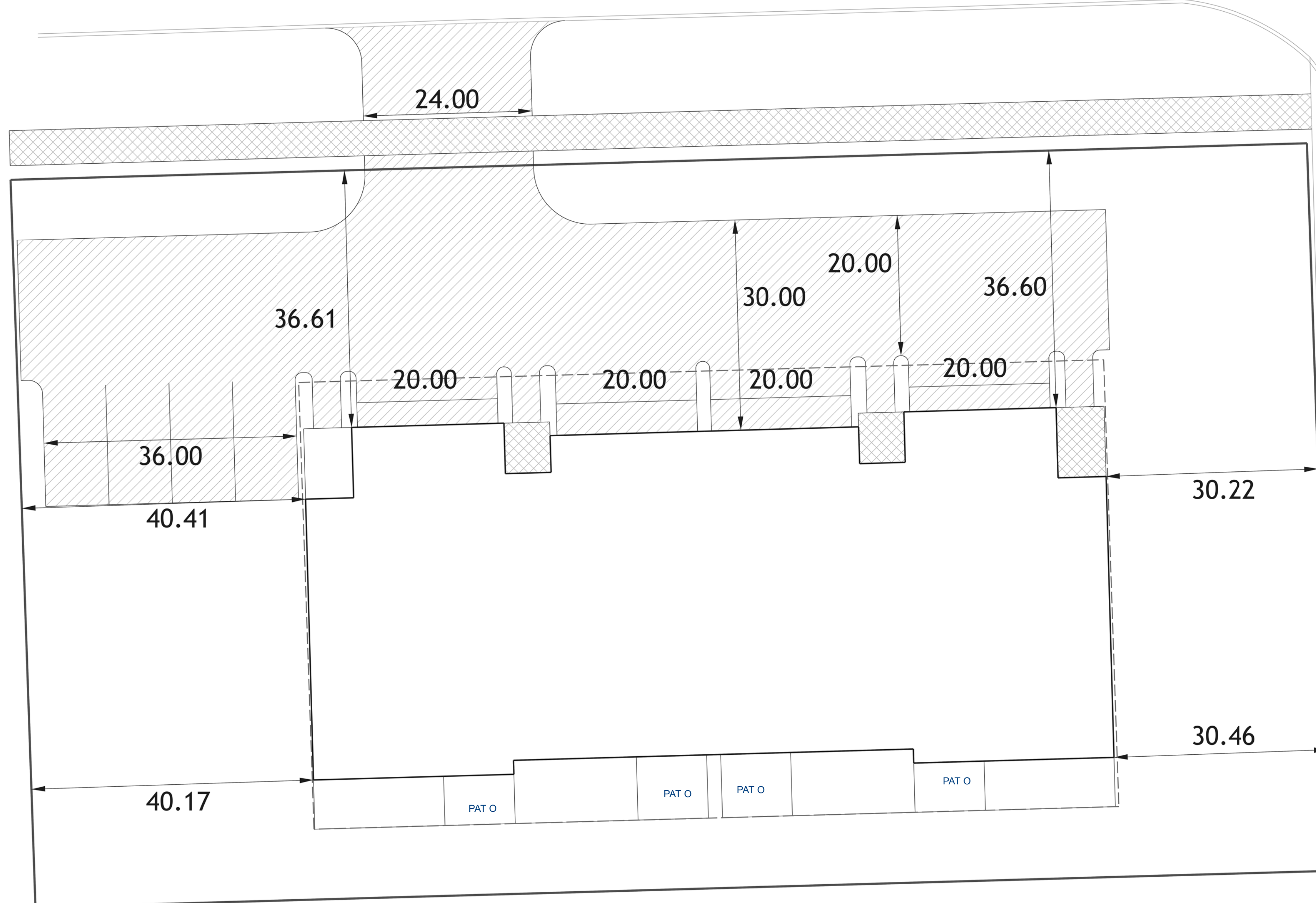
The Village of Westmont has adopted model codes: 2021 ICC I-Codes; 2021 2021 IECC  
 NFPA Life Safety 101;  
 2020 NEC with related local ordinance language and amendment changes.  
 Accordingly, and as of the writing of these comments, see Municipal Code Section 18-62 for "Deletions, additions, deletions, insertions and changes" as well as the following specific subsections of pertinent local amendments.

56TH

PLACE

S. CASS

ROAD



**LEGEND**

- PROPOSED CONCRETE PAVEMENT
- BITUMINUS SURFACE
- Proposed Deck PERMEABLE PAVERS
- CURB AND GUTTER B6.12
- EXISTING CURB AND GUTTER
- AC UNIT

**GENERAL NOTES:**

1. ALL CURB AND GUTTER TO BE B6.12 CURB & GUTTER UNLESS OTHERWISE SPECIFIED, SEE DETAIL.
2. ALL PROPERTY AREAS AND DIMENSIONS ARE APPROXIMATE AND SUBJECT TO CHANGE PER FINAL SURVEY.
3. ALL DIMENSIONS ARE FACE OF CURB UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE FACE OF CURB UNLESS OTHERWISE NOTED.
5. SEE ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING ALL EXISTING PAVEMENT DAMAGED DURING CONSTRUCTION WHICH IS NOT CALLED OUT ON A DEMOLITION PLAN
7. ALL EXISTING CONDITIONS SHOWN ON THE PLANS ARE PER SURVEY.
8. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS BEFORE START OF CONSTRUCTION. IF ANY DISCREPANCIES EXIST NOTIFY THE ENGINEER AT ONCE
9. SITE BOUNDARY LINES, BOUNDARY DIMENSIONS AND BOUNDARY BEARINGS ARE FOR REFERENCE ONLY. ACTUAL SITE CONDITIONS MAY VARY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR INSPECTING THE SITE AND FIELD VERIFYING ACTUAL GRADES, ELEVATIONS, DIMENSIONS AND DECLINATIONS.
10. THE CONTRACTOR SHALL CALL THE UTILITY LOCATING SERVICE AND HAVE THEM MARK THE LOCATION OF EXISTING UTILITIES AT LEAST TWO WORKING DAYS PRIOR TO BEGINNING OF WORK.
11. CONTRACTOR SHALL NOT INTERRUPT CURRENT TRAFFIC ACCESS PATTERNS TO EXISTING ADJACENT PROPERTIES MAINTAIN ACCESS FOR FIRE DEPARTMENT AND DELIVERY VEHICLES.
12. CONTRACTOR SHALL ERECT AND MAINTAIN BARRICADES, WARNING SIGNS AND TRAFFIC CONES PER LOCAL REQUIREMENTS. TRAFFIC CONTROL MEASURES SHALL BE APPROVED BY LOCAL JURISDICTION AND IN PLACE PRIOR TO CONSTRUCTION.
13. CONTRACTOR SHALL PERFORM THE WORK IN A WORKMANLIKE MANNER IN STRICT CONFORMANCE WITH THE BEST STANDARD PRACTICES USING QUALIFIED WORKER AND IN STRICT ACCORDANCE WITH THE DRAWING AND SPECIFICATIONS. ALL WORK SHALL MEET THE CODE REQUIREMENTS CURRENTLY ADOPTED BY GOVERNING AUTHORITY.
14. BUILDING DIMENSIONS AND STAKING OF BUILDING MUST BE VERIFIED BY GENERAL CONTRACTOR WITH PLANS PRIOR TO CONSTRUCTION.
15. EQUIPMENT AND MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURE'S RECOMMENDATIONS.
16. A HANDICAP RAMP SHALL BE INSTALLED AT ALL LOCATIONS WHERE A SIDEWALK ABUTS A DRIVE, CROSSWALK, OR OTHER PEDESTRIAN ACCESS LOCATION AS WELL AS ALL OTHER LOCATIONS NOTED ON PLANS.
17. CONTRACTOR SHALL REPAIR ANY EXISTING PAVEMENT, CONCRETE, LANDSCAPING ETC. DAMAGED DURING CONSTRUCTION.

**IMPERVIOUS AREA CALCULATIONS:**

TOTAL LOT AREA : 19123.23 SF

	EXISTING	PROPOSED
BUILDING AREA =	1089.32 SF	5267.10 SF
DRIVEWAY AREA =	768.69 SF	4831.30 SF
PATH AREA =	554.33 SF	239.04 SF
PATIO AREA =	0.00 SF	891.00 SF
GARAGE AREA =	491.68 SF	0.00 SF
<b>IMPERVIOUS TOTAL =</b>	<b>2904.02 SF</b>	<b>11228.44 SF</b>

Sheet  
**C2**

Project  
Date  
Scale 1" = 10'

Fluenta Consulting  
201 E. Lakeside Dr.  
Vernon Hills, IL 60061  
Tel: 773-349-5881



Site Plan

No.	Revision/Issue	Date

**PROPOSED 4-UNIT TOWN-HOMES BUILDING**  
 5628 S CASS AVE  
 WESTMONT, IL 60559



The Village of Westmont has adopted model codes: 2021 ICC I-Codes; 2021 IECC 2021 IECC NFPA Life Safety 101; 2020 NEC with related local ordinance language and amendment changes. Accordingly, and as of the writing of these comments, see Municipal Code Section 18-62 for "Deletions, Additions, deletions, insertions and changes" as well as the following specific subsections of pertinent local amendments.

PAGE:

PROJECT: 5628 S CASS AVE  
 WESTMONT, IL 60559

SIGNATURE:  
 M. Darwish

SCALE: SEE VIEW

DATE: 4/7/2026

TITLE:

**M I DARWISH ARCHITECT**  
 ARCHITECTURE · INTERIOR DESIGN · CONSTRUCTION DOCUMENTS

TINLEY PARK, IL · 708.932.3294 · MAJDI.DARWISH@YAHOO.COM

JOB NUMBER:  
 00-2022-09



PROJECT DATA: SEAL

GENERAL NOTES SCHEDULE	
3	ALUM NUM GLAD CASEMENT W/NDOWS
4	ASPHALT ROOF SH NGLES
5	NSULATED MEAL PANELS GARAGE DOORS
6	PAT O DOOR
7	RED FACE BR CK
8	VERT CAL BOARD CEMENTAT ON S D NG
9	6' TALL CEDAR PR VACY FENCE



1  
A-5 **PROPOSED FRONT ELEVATION**  
SCALE: 3/16"=1'-0"



A-5

PAGE:

PROJECT: SAJ DESIGN/ARCHITECT GROUP  
8203 S. CLAY AVE  
WESTMONT, IL 60559

TITLE: **PROPOSED FRONT  
ELEVATION**

SIGNATURE:

SCALE: SEE VIEW

DATE: 4/7/2026

M. Darwish

**M I DARWISH ARCHITECT**  
ARCHITECTURE - INTERIOR DESIGN - CONSTRUCTION DOCUMENTS

TINLEY PARK, IL • 708.932.3294 • MAJDI.DARWISH@YAHOO.COM

JOB NUMBER:

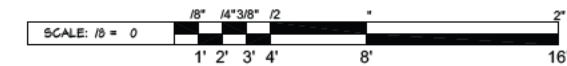
00-2022-09

PROJECT DATA: SEAL

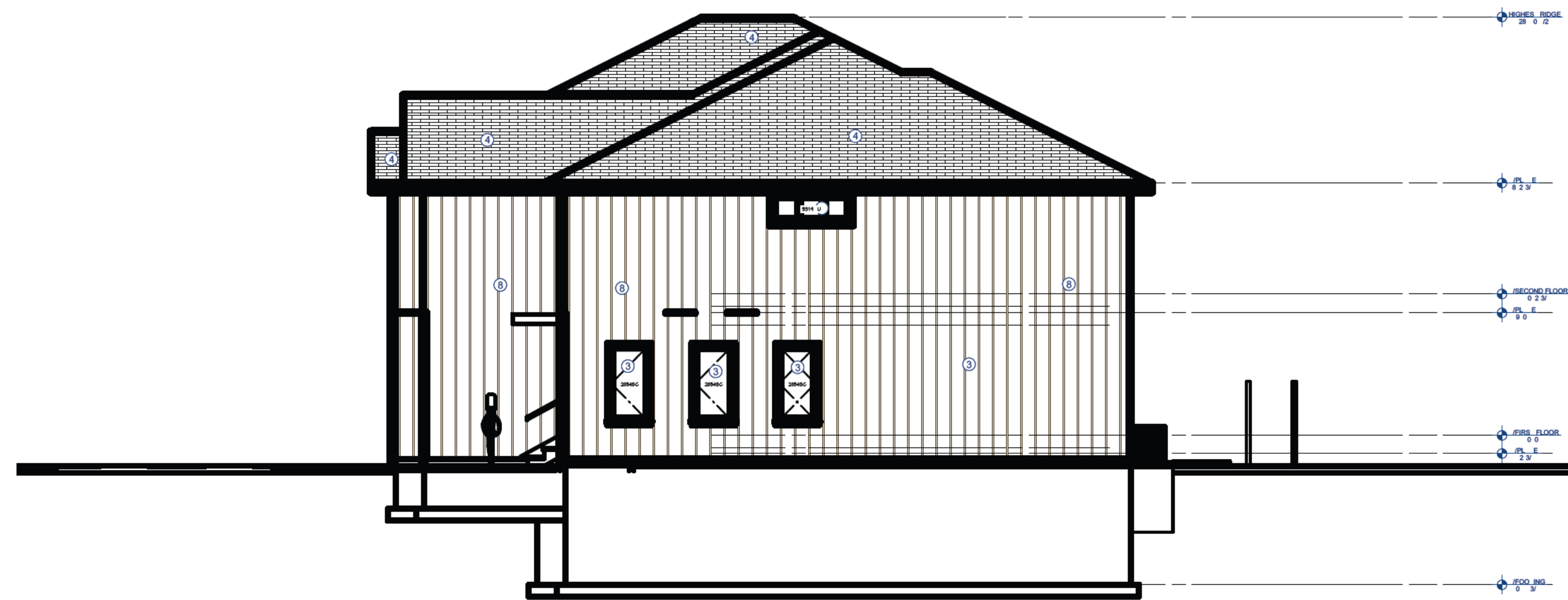




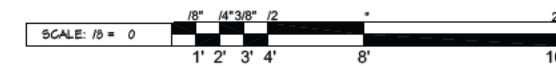
1  
A-6  
**PROPOSED BACK/SOUTH ELEVATION**



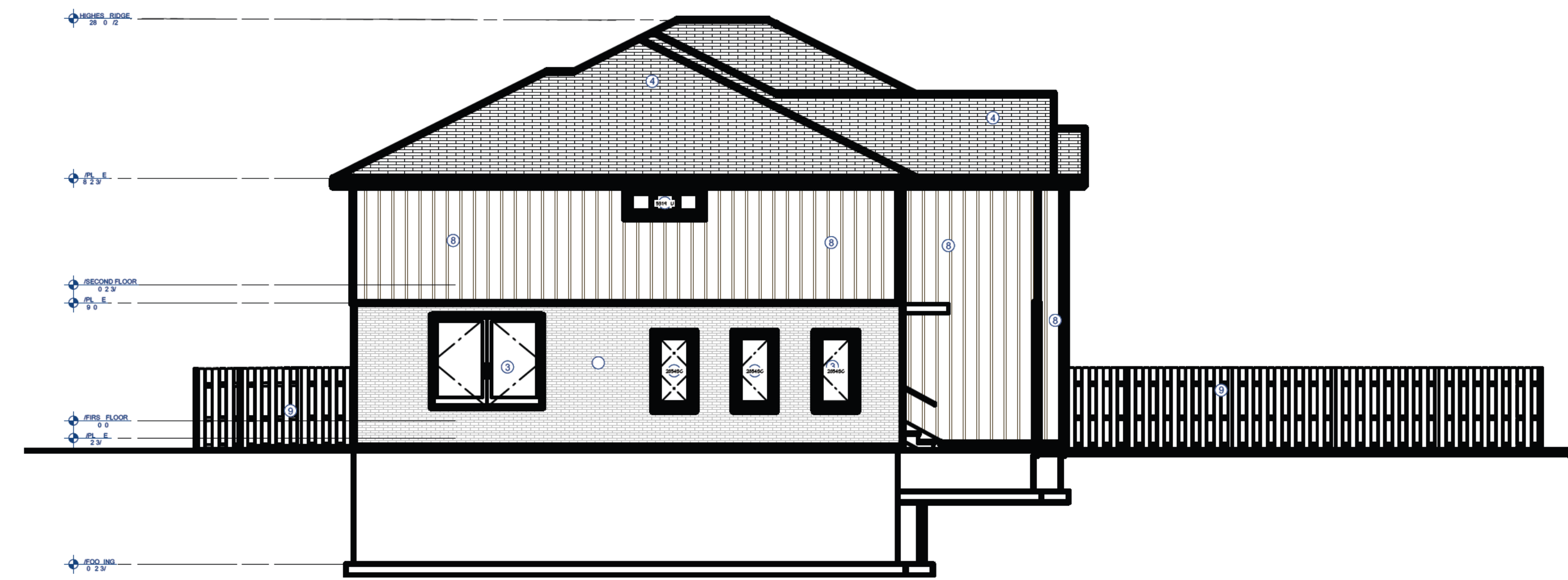
SCALE: 1/8=1'-0"



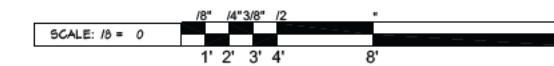
2  
A-6  
**PROPOSED LEFT/EAST ELEVATION**



SCALE: 1/8=1'-0"



3  
A-6  
**PROPOSED RIGHT/WEST ELEVATION**



SCALE: 1/8=1'-0"







**VILLAGE OF WESTMONT**  
**Board of Trustees Memorandum**  
**May 28, 2026**

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**Item for Board of Trustees Consideration:**

Board to consider an ordinance approving a request from 5628 SOUTH CASS LLC for the property at 5628 South Cass Avenue, Westmont, Illinois, 60559, for the following:

1. Major Site Plan Approval for a Multi-Unit Building containing four (4) dwellings in the R-4 General Residential District.

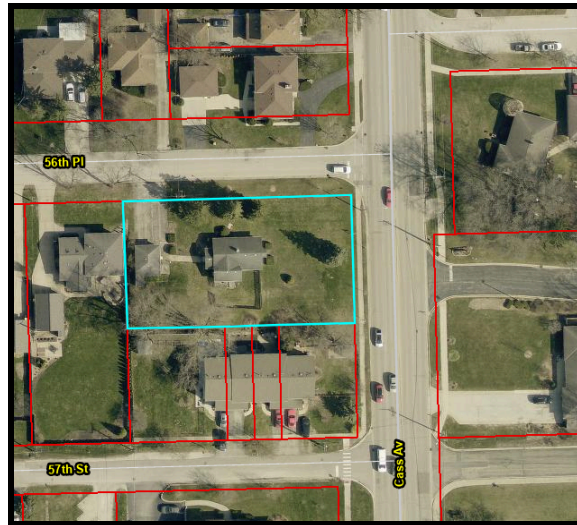
**Planning & Zoning Commission recommendation:**

The Planning & Zoning Commission held public hearings for this request on May 13, 2026, The Commission recommended approval of the request unanimously (7-0).

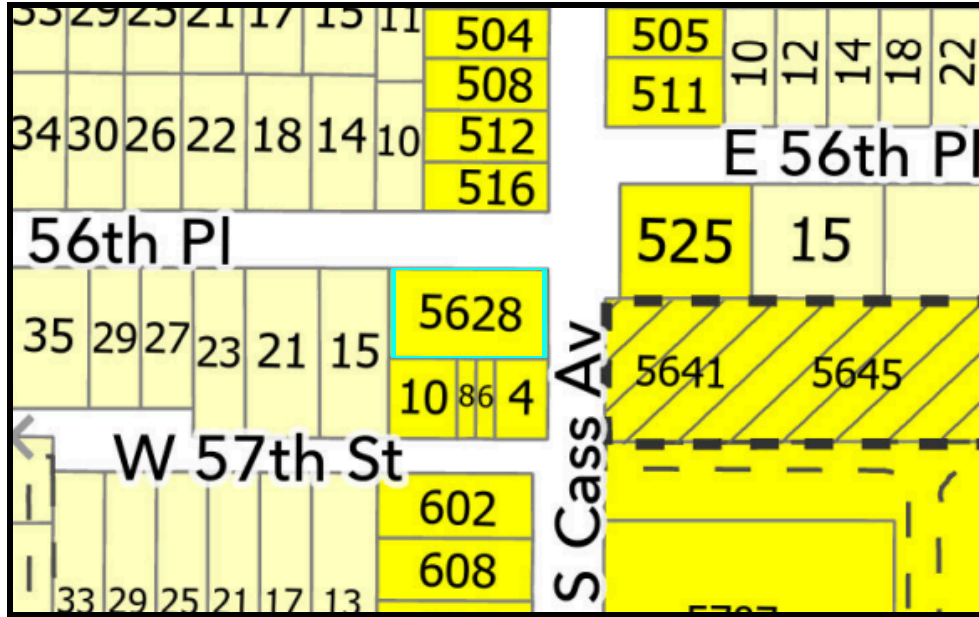
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**I. BACKGROUND OF ITEM**

- A. Location: 5628 South Cass Avenue is located at the southwest corner of Cass Avenue and 56th Place. The subject property is 104 feet wide by 185 feet deep, for an area of 19,240 square feet or 0.44 acres. Currently, the property is improved with a roughly 1,200 square foot detached home and a detached garage.



**Aerial Map - 5628 South Cass Avenue (source: DuPage County Parcel Viewer)**



Zoning Map - 5628 South Cass Avenue

B. Zoning Designations:

<b>SUBJECT PROPERTY</b>	R-4 General Residential
<b>NORTH</b>	R-4 General Residential & R-3 Single-Unit Residential
<b>EAST</b>	R-4 General Residential & R-4 General Residential/Planned Development
<b>WEST</b>	R-3 Single-Unit Residential
<b>SOUTH</b>	R-4 General Residential

C. Neighborhood Characteristics

The lot is located in Nicholas' Subdivision, which was recorded in 1921. Properties adjacent to Cass Avenue from Dallas Street to 59th Street are almost completely zoned R-4 General Residential. Housing types range in this corridor from detached homes to multi-unit residential buildings, which serves as a buffer from Cass Avenue to the adjacent detached homes. Most multi-unit developments have around four to six dwelling units, except for larger condominium developments southeast of the subject property.



Street View - 5628 South Cass Avenue (view from 56th Place)



**Street View - 5628 South Cass Avenue (view from Cass Avenue)**

**II. PETITIONER REQUEST:**

The petitioner has requested approval of a major site plan for a Multi-Unit Building containing four (4) dwellings in the R-4 General Residential District.

**III. ZONING ANALYSIS**

**A. Zoning and Comprehensive Plan Designations**

The current zoning district of the property is R-4 General Residential District, which is intended to create, maintain, and promote a variety of housing opportunities for individual households and to maintain and promote the desired physical character of residential neighborhoods in accordance with the comprehensive plan. The Comprehensive Plan designates the future land use in this area as Single Family Attached Residential, which should “...provide for single-family homes that share a common wall such as duplexes, townhomes, and rowhomes.” The Plan further recommends in the “Residential Land Use Policies” section that “...a range of quality housing types that serve residents in all stages of life...” be provided.

**B. Entitlement Request**

The petitioner has provided a project narrative and supporting documentation for the following request. Any corresponding standards for entitlement approval consideration can be referenced in item V(B) below.

- **Major Site Plan for a Multi-Unit Building containing four (4) dwellings in the R-4 General Residential District.**

Site Plan approval is mandated by Chapter 95, Section 14.05 when certain thresholds are met. This specific application requires a major site plan review because the total gross floor area of the building and outdoor area exceeds 10,000 square feet. Site plans involve the adoption of the site plan, landscaping plan, and building elevations by the Village Board.

Final action to approve or deny a major site must be based on whether the new or modified improvements shown on the site plan, as proposed, comply with the regulations of the zoning

ordinance and all other applicable village ordinances and regulations. In reviewing and acting on major site plans, review and decision-making bodies may also consider and be guided in the reasonable exercise of their discretion by the following standards and criteria (Ch. 95, Sec. 14.05(G)(1)):

- (a) Whether the proposed plans will protect the public health, safety, and welfare;*
- (b) Whether the proposed plans will avoid substantial injury to the value of other property in the area;*
- (c) Whether the proposed plans will provide for protection of community appearance and the function of the natural environment, including floodplains, soil and geologic characteristics, and preservation of vegetation;*
- (d) Whether the proposed plans comply with all applicable village and county stormwater regulations; and*
- (e) Whether the proposed plans comply with adopted building and site design guidelines*

**Principal Use:**

The proposed Multi-Unit Residential building is a permitted use in the R-4 General Residential District. The building type is considered Multi-Unit due to more than 3 dwelling units that share a common wall. However, the more commonly acknowledged housing style is townhomes.

**Building and Site:**

The proposed building features a 5,267 square foot footprint and reaches a height of 29' 10" at its peak. The building consists of four 3-bedroom units with individual exterior entrances fronting onto 56th Place to the north.

The property boundaries are defined with the Cass Avenue frontage to the east serving as the front, 56th Street as the street side to the north, the rear to the west, and an interior side to the south. The zoning ordinance defines the front lot line as the lot line having the shortest length abutting a street line (Ch. 95, Sec. 17.05), regardless of which direction the building faces.

The proposed development complies with all applicable bulk standards, including setbacks and height requirements. The building utilizes a mixed palette of materials, including red face brick, vertical board cementitious siding, and insulated metal panels. Additional building elements feature aluminum clad casement windows, and asphalt roof shingles, with additional architectural details along street facing facades.

The proposed site plan also includes a rear patio that complies with the minimum setbacks for the district. Additionally, the site plans include a 630 square foot drywell to satisfy DuPage County's Post Construction Best Management Practices (PCBMP) requirement in the front yard, along Cass Avenue.

During rounds of staff review, the petitioner revised the building location, but did not provide a revised photometric plan. All outdoor lighting must meet the Village's standards, and will be verified when building permits are submitted.

**Parking:**

The site consists of a single vehicular access point on 56th Place and a shared drive aisle connecting a parking area and individual garages. The single access point currently has a guyed wires and a utility pole that may need to be relocated or buried to provide access driveway apron.

Minimum off-street parking requirements are calculated based on the number of bedrooms in the unit. For a 3 bedroom unit, 2 parking spaces are required per dwelling unit. The proposed floor plans indicate two parking spaces being provided in each garage and three additional "guest" parking spaces for a total 11 parking spaces being provided when only 8 are required.

**Landscaping:**

The proposed landscape plan provides substantial screening to visible rights-of-way and the rear property line providing a landscape buffer to the single family home to the west. The landscape plan substantially complies with the minimum requirements.

The developer and owner will need to create a homeowners association and provide details related to the declaration of Covenants, Conditions, and Restrictions documents at the time of permitting. A draft has been provided by the petitioner and is attached for reference, but is subject to change.

**IV. SUMMARY**

The petitioner has requested approval of a major site plan for a Multi-Unit Building containing four (4) dwellings in the R-4 General Residential District. The proposed plans substantially complies with both the Village's Comprehensive Plan and Zoning Ordinance.

**V. LEGAL**

- A. Notification: No notification is required for this request.
- B. Code References: Chapter 95, 14.05

**VI. DOCUMENTS ATTACHED:**

- 1. Petitioner Attachments (Edited for VB):
  - a. Planning & Zoning Development Application
  - b. Project Narrative
  - c. Proposed Landscape Plan prepared by SIM Development Group(For Approval)
  - d. Proposed Site Plan Prepared by MI Darwish Architects (For Approval)
  - e. Proposed Engineering Site Plan prepared by Fluent Consulting (For Approval)
  - f. Proposed Building Elevations by MI Darwish Architects (For Approval)
  - g. Plat of Survey



**VILLAGE OF WESTMONT**  
**Board of Trustees Memorandum**  
**May 28, 2026**

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**Item for Board of Trustees Consideration:**

Board to consider an ordinance approving requests from the Village of Westmont for the following:

1. Zoning Ordinance text amendments to Chapter 95 – Zoning, of the Westmont Code of Ordinances, Section 6.01, regarding the addition of Video Gaming, Accessory as a permitted use in the B-1(A) Downtown Core and B-1 Downtown Edge Zoning Districts.
2. Zoning Ordinance text amendments to Chapter 95 – Zoning, of the Westmont Code of Ordinance, Section 6.04, regarding the deletion of certain supplemental use regulations for Video Gaming, Accessory.

**Planning & Zoning Commission recommendation:**

The Planning & Zoning Commission held public hearings for these requests on May 13, 2026, The Commission recommended approval of the request unanimously (7-0).

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**I. BACKGROUND OF ITEM**

A. Background:

Village staff began to re-examine the regulations regarding accessory video gaming in the downtown area due to increased interest from potential new businesses. Currently, accessory video gaming is not permitted in the B-1 and B-1(A) zoning districts per Section 6.04(F)(3)(a) of the zoning ordinance. Similarly, Chapter 10 - Alcoholic Beverages of the municipal code prohibits the issuance of new Class 23 liquor licenses (for video gaming) to businesses in the B-1 district.

The Village regulates accessory video gaming through two separate sets of regulations: Licensing (Municipal Code Chapter 10 - Alcoholic Beverages) and the Zoning Ordinance.

At the April 2nd Administration and Finance Committee (“AFC”) meeting, staff was directed to prepare text amendments to both codes. This staff report solely focuses on the Zoning regulations as they relate to accessory video gaming. Municipal code amendments to Chapter 10 are solely reviewed by the Village Board.

B. Previous Zoning Regulations on Accessory Video Gaming

Zoning regulations on video gaming have been amended a few times since initially being allowed in 2015. Below is a summary of the various amendments:

- **Ord. 15-156 (October 2015):** The first text amendment allowed for accessory video gaming in the B-1, B-2, B-3, C-1, M, and O/R districts with a 500 foot distance separation requirement.
- **Ord. 16-036 (March 2016):** Following a Community Development Committee discussion, the 500 foot separation distance requirement was removed.
- **Ord. 18-176 (December 2018):** This amendment allowed for video gaming cafes to be a principal use in the B-2 district, subject to Special Use Permit approval. Video gaming

cafes are when the principal use of the property is video gaming, whereas accessory video gaming is an accessory use to a principal use, often a restaurant.

- **Ord. 2022-166 (December 2022):** This ordinance prohibited new video gaming cafes in the B-2 district and prohibited new accessory video gaming in the B-1 district. Specific allowances were made for existing businesses affected by this amendment to continue their operations.
- **Ord. 2025-105 (August 2025):** A part of the comprehensive zoning ordinance updates, this amendment kept the regulations found in Ordinance 2022-166, and expanded on them to clarify that video gaming is not allowed in the B-1(A) Downtown Core district.

### C. Proposed Text Amendments

The following provides an overview of the proposed text amendments. The complete documentation, which includes the precise language (with all additions and deletions), is attached for a detailed review.

- **Zoning Ordinance text amendments to Chapter 95 – Zoning, of the Westmont Code of Ordinances, Section 6.01, regarding the addition of Video Gaming, Accessory as a permitted use in the B-1(A) Downtown Core and B-1 Downtown Edge Zoning Districts.**

Following the AFC’s direction, the first text amendment is to allow accessory video gaming as a permitted accessory use in both the B-1(A) Downtown Core and B-1 Downtown Edge districts. Like establishments in the B-2, B-3, C-1, O/R, and M districts, any business seeking to add accessory video gaming must apply for the appropriate liquor license, which requires Village Board approval.

- **Zoning Ordinance text amendments to Chapter 95 – Zoning, of the Westmont Code of Ordinance, Section 6.04, regarding the deletion of certain supplemental use regulations for Video Gaming, Accessory.**

The second text amendment is to remove parts of the supplemental use regulations for accessory video gaming from Sec. 6.04(F)(3)(a). These supplemental regulations were created to allow businesses in the downtown that already offered accessory video gaming the ability to sell their business with the gaming and make adjustments to the location and number of gaming terminals within their business, while prohibiting new businesses from offering accessory gaming. These regulations are applicable only to the B-1(A) and B-1 districts. For new businesses in the downtown to offer accessory video gaming, these supplemental regulations must be removed.

The proposed text amendments do not alter any zoning regulations on video gaming cafes. New cafes will continue to not be allowed, and existing cafes will remain subject to existing zoning ordinance regulations.

## II. **SUMMARY**

After being approached by a restaurant looking to open in the downtown area and offer accessory video gaming, staff was directed by the Administration & Finance Committee to prepare text amendments to the zoning ordinance. The proposed amendments allow for accessory video gaming as a permitted accessory use in the B-1(A) Downtown Core and B-1 Downtown Edge districts.

A separate municipal code amendment to Chapter 10 - Alcoholic Beverages may be proposed by the Administration Department to allow accessory video gaming liquor licenses to be available to businesses. Municipal code amendments are not reviewed by the Planning & Zoning Commission, instead being reviewed solely by the Village Board.

**III. LEGAL**

- A. Notification: A legal notice was published in Westmont Suburban Life on April 23, 2026.
- B. Code References: Chapter 95 - Zoning, Sections 6.01, 6.04, and 14.02.

**IV. DOCUMENTS ATTACHED:**

- 1. Legal notice was published in Westmont Suburban Life on April 23, 2026.
- 2. Proposed Text Amendment Additions & Strikethroughs

Certificate of the Publication

Westmont Suburban Life

Description: ACCESSORY VIDEO GAMING TA  
2319715

VILLAGE OF WESTMONT  
31 W QUINCY ST  
WESTMONT IL 60559

Shaw Media certifies that it is the publisher of the Westmont Suburban Life. The Westmont Suburban Life is a secular newspaper, has been continuously published weekly for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the Village of Westmont, County of DuPage, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published one time(s) in the Westmont Suburban Life, namely one time per week for one successive week(s). Publication of the notice was made in the newspaper, dated and published on 04/23/2026

This notice was also placed on a statewide public notice website as required by 715 ILCS 5/2.1.

In witness, Shaw Media has signed this certificate by Jennifer Heintzelman, its Director of Public Notices, at Westmont, Illinois, on 23rd day of April, A.D. 2026

Shaw Media By:

Shaw Media, Director of Public Notices

By: Jennifer Heintzelman  
its Director of Public Notices

Account Number 10074602

Amount \$113.42

**PUBLIC NOTICE**  
LEGAL NOTICE / PUBLIC NOTICE VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION NOTICE OF PUBLICATION  
NOTICE IS HEREBY GIVEN that a public hearing has been scheduled before the Westmont Planning and Zoning Commission to be held on Wednesday, May 13, 2026 at 6:00 P.M. in the Westmont Village Hall, 31 W. Quincy St., Westmont, Illinois 60559. The purpose of the meeting is to conduct a public hearing is to consider requests from Village of Westmont, for the following:  
1. Zoning Ordinance text amendments to Chapter 95-Zoning, of the Westmont Code of Ordinances, Section 6.01, regarding the addition of Video Gaming, Accessory as a permitted use in the B-1 (A) Downtown Core and B-1 Downtown Edge Zoning Districts.  
2. Zoning Ordinance text amendments to Chapter 95-Zoning, of the Westmont Code of Ordinance, Section 6.04, regarding the deletion of certain supplemental use regulations for Video Gaming, Accessory. Village Code(s) Applicable: Chapter 95-Zoning, Sections 6.01, 6.04, and 14.02. Additional information, including meeting materials, may be available on the Village's Website following the publication of the meeting agenda.  
Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact the ADA Compliance Officer, 8:00 A.M. to 4:00 P.M. Monday through Friday, Village of Westmont, Illinois, 60559; or telephone (630) 981-6210, voice, within a reasonable time before the meeting. All interested persons in attendance will be allowed to express their views.  
WESTMONT PLANNING AND ZONING COMMISSION  
Doug Carmichael,  
Chairperson  
(Published in Westmont Suburban Life Apr. 23, 2026) 2319715

## Proposed Language

Amendments are indicated by underlined and shaded text; deletions are indicated by ~~strikeouts~~

### Sec. 6.01 Allowed Uses

\* \* \*

Table VI-1: Table of Allowed Uses

Uses USE GROUP Category Subcategory	Districts															Supplemental Regulations				
	R-1	R-1(A)	R-2	R-3	R-4	R-5	R-6	R-7	B-1(A)	B-1	B-2	B-3	C-1	O/R-1	O/R		M-1	M	P/I	
P = Permitted Use   S = Special Use Approval Required   - = Prohibited Use																				
Video Gaming, Accessory	-	-	-	-	-	-	-	-	P	P	P	P	P	-	P	-	P	-	P	<a href="#">Sec. 6.04(F)(3)(a)</a>
Video Gaming Cafe	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<a href="#">Sec. 6.04(F)(3)(b)</a>

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### Sec. 6.04 Commercial Use Group

\* \* \*

#### (3) Supplemental Use Regulations

##### (a) Video Gaming, Accessory

Video gaming is allowed only as an accessory use to an allowed principal use ~~Despite any nonconformity provisions to the contrary contained in Article XIII or elsewhere in this zoning ordinance:~~ provided all other requirements of the Westmont Code of Ordinances for video gaming are met.

~~i. A new owner of an existing establishment in a B-1(A) and B-1 zoning district with video gaming as an accessory use may continue to operate that accessory use if the new owner otherwise qualifies for and receives a village liquor license for that accessory use and qualifies for and receives a state video gaming license, and~~

~~ii. An existing establishment in a B-1(A) and B-1 zoning district with video gaming as an accessory use may expand its structure, expand its interior area where video gaming terminals are located, change the interior area where video gaming terminals are located and/or expand the number of video gaming terminals on the premises, provided that such actions comply with all other village ordinances and regulations and comply with all state laws and regulations.~~

(b) Video Gaming Cafe Despite any nonconformity provisions to the contrary contained in Article XIII or elsewhere in this zoning ordinance:

i. A new owner of an existing video gaming cafe may continue to operate that use if the new owner otherwise qualifies for and receives a village liquor license for the use and qualifies for and receives a state video gaming license, and

ii. An existing video gaming cafe may expand its structure, expand its interior area where video gaming terminals are located, change the interior area where video gaming terminals are located, and/or expand the number of video gaming terminals on the premises, provided that such actions comply with all other village ordinances and regulations and comply with all state laws and regulations.

May 19, 2026

Mr. Greg Ulreich, P.E., CFM  
Village of Westmont  
155 E. Burlington Avenue  
Westmont, Illinois 60559

Re: Professional Engineering Services Proposal  
**Residential Alley 14N Reconstruction Project**

Dear Mr. Ulreich:

Thomas Engineering Group, LLC (TEG) respectfully submits the following Proposal to the Village of Westmont for the Residential Alley 14N Reconstruction Project. TEG is excited about the opportunity to continue working with Village staff on this project. TEG has already assisted the Village with previous CBD and residential alley sections making TEG an excellent fit for this continued assignment. We will continue to investigate and evaluate best design and management practices to ensure that the Village's infrastructure investments are sustainable and cost effective.

**PROJECT UNDERSTANDING**

The Village of Westmont's Public Works Department is seeking professional engineering services for design services to review and survey current conditions, make recommendations, and provide a detailed design plan and profile, associated details and specifications, and a cost estimate for improvements to the alley section located between Chicago Avenue, Warwick Avenue, Burlington Avenue, and Linden Avenue. The Village desires to utilize HMA pavement with flush PCC edge curbs. The Village desires to install limited storm sewer as appropriate.

It is our understanding that the alley is located in rights-of-way that are 16 ft. wide, with the north-south alley being approximately 2,150 ft. in length and the east-west alley being approximately 350 ft. in length. The design drawing(s) will be incorporated into a plan set for a project scheduled for construction in spring 2027.

**WESTMONT - RESIDENTIAL ALLEY 14N RECONSTRUCTION**



The scope of engineering services includes the preparation of construction plans and specifications. Specific elements of the Project are listed below to convey a clear understanding of the target Project and required services.

1. A full topographic survey of the residential alleys, bound by Chicago Avenue, Warwick Avenue, Burlington Avenue, and Linden Avenue. Additional topographic survey is anticipated on Norfolk Street and Irving Street for new storm sewer connections and outlets. Hours for topographic survey and Right-of-way plotting are included in the detailed estimate of Design Fees provided herein.
2. Subconsultant costs for drilling and backfilling ten (10) pavement cores/soil borings along the alley are included in the detailed estimate of Design Fees provided herein. These will assist in the design and cost estimate of reconstructing the alley.
3. Where there are existing utility structures located within pavement (sanitary), existing structures will need to be adjusted to revised grades, removed, or abandoned along with associated infrastructure piping. Hours are included in the detailed estimate of Design Fees provided herein for manhole inspections and engineering of any necessary storm sewer.
4. TEG anticipates that the primary challenges of the project will include carefully planning coordination of construction activities with residents, garage access, and routine trash collection.
5. Another important challenge of this alley reconstruction program includes preserving the adjacent structures and preventing damage to private property.
6. Consideration has also been given to coordination with the adjacent residents, Flagg Creek Water Reclamation District, Nicor, ComEd, AT&T, and other utility owners that may be impacted by the proposed improvements.

### **PROJECT APPROACH**

TEG will initially engage Village staff to determine the specific concerns of the Project. TEG will compile this information and subsequently use our expertise to make recommendations that will best serve the Village. The TEG Team will perform the topographic field survey and begin developing alley improvement plans, specifications, and estimates in accordance with applicable standards and criteria based on the funding type. The following scope applies to an improvement funded entirely with local funds and is an overview of the typical scope of services that are anticipated for professional design engineering services for the Residential Alley 14N Reconstruction Project.

1. Data Collection/Project Initiation
2. Data Analyses
3. Development of Concept Plans and Estimates (30%)
4. Preliminary Plans, Specifications, and Estimates (PS&E) Submittal (60%) and Village Review
5. Pre-Final PS&E Submittal (90%) and Village Review
6. Project Advertisement/Bid Assistance



## **PHASE I – PRELIMINARY ENGINEERING**

The goal of the preliminary engineering is to gain an understanding of the Village's preferred alternative and to evaluate the most cost-effective and context-appropriate improvements that meet the Village's desires and budgetary needs. Our process will use the following steps of Data Collection, Project Initiation, and Data Analysis.

**STEP ONE – Data Collection/Project Initiation.** Before beginning the project design process, TEG will attend a preliminary meeting with the Village to discuss the purpose and need of the Project, decisions made during the Phase I process, the Project context, and to refine the scope as necessary to develop a shared understanding of the Project.

Data will be obtained from various Village Departments for development of the base drawings for the Project. The TEG Team will evaluate the conditions of relevant features and collect the necessary data required for determining the scope of construction for the existing conditions. TEG will use available surveys, aerials, as-builts, etc. and conduct any additional surveys necessary to prepare the required level of base mapping. The topographic survey will be performed throughout the alley ROW during this STEP. Other types of data that may have to be gathered include:

- a. As-builts/Record Drawings (if available)
- b. ROW plats
- c. Previous Studies
- d. Property Specific Data
- e. Utility Information
- f. Water and sewer main atlases

Upon TEG's completion of base mapping, we will assist the Village with early utility coordination beginning at this stage by sending a notice and base mapping plans to all utilities located within the limits of the affected ROW.

**STEP TWO – Data Analyses.** The TEG Team will evaluate construction details with Village staff using the data collected in STEP ONE to identify several cost-effective strategies for the preferred alternative. Stormwater conveyance issues will also be identified in this STEP and shared with Village staff to identify the preferred scope of improvements.

## **PHASE II – DEVELOPMENT OF CONSTRUCTION DOCUMENTS**

Construction documents will be developed following decisions made in the preliminary STEPS listed above. Review comments obtained from utility notices will be included in the plans for affected facilities. Estimates of cost and time will be prepared and maintained to track construction costs and schedules.

**STEP THREE – Development of Concept Plans and Estimates (30%).** TEG will advance the Project's design to a 30% completion level and base drawings will be prepared in the CAD format of the Village's preference. Sheet scales will be determined during their creation. The Project will be designed in English units. Following finalization of preliminary plans, a plan-in-hand review will be performed to verify their accuracy.



A standard set of construction plans and contract documents will be prepared for this Project and are anticipated to include the following items.

- a. **Cover Sheet:** Includes location map, index of drawings, index of IDOT highway standards, contact information, seal and signature blocks.
- b. **General Notes, Summary of Quantities, Schedules:** Includes all general notes applicable to this Project, list of all calculated quantities of construction materials with specialty item designations, IDOT pay code numbers, IDOT pay item descriptions, units, and total quantities.
- c. **Alignment, Ties, and Benchmarks:** Includes proposed alley alignment and side street alignments and necessary survey information to construct the improvements.
- d. **Typical Sections:** Includes existing and proposed typical sections with IDOT pay items and any other necessary details.
- e. **Plan & Profile Sheets:** Includes all details necessary for construction such as removals, restoration, geometry, and drainage.
- f. **Cross Sections:** Existing and proposed, plotted at 25 foot intervals and at driveways, including all details necessary for construction of proposed improvements within the existing ROW.
- g. **IDOT and Westmont Details:** Includes details applicable to the Project.
- h. **Special Provisions:** Includes the necessary IDOT and Village standard language for construction.

**STEP FOUR – Preliminary Plans, Specifications, and Estimates (PS&E) Submittal (60%) and Village Review.** With comments received from the field checks described in STEP THREE, TEG will advance the Project's design to a 60% completion level.

**STEP FIVE – Pre-Final PS&E Submittal (90%) and Village Review.** Once all preliminary review comments have been received, TEG will prepare plans, specifications, and estimates for the Pre-Final Submittal. During the 30% and 60% submittals, the various permits will be submitted in accordance with resource agency requirements and design schedule.

**STEP SIX – Project Advertisement/Bid Assistance.** Once all final review comments have been cleared and approved, TEG will engage the Village prior to advertisement. This proposed task will include the preparation of contract documents including plans and bid packages. TEG will duplicate and transmit all bid documents as necessary.

The TEG Team will attend required meetings including the pre-bid conference and bid opening as required by the Village.

#### **DESIGN SCHEDULE**

TEG has an excellent record of designing Projects within budget and scope as well as ensuring that Projects are delivered/completed on time. The proposed design schedule is as follows:

- |   |                |
|---|----------------|
| • Data Collection / Project Initiation                | June 2026      |
| • Data Analysis                                       | July 2026      |
| • Development of Concept Plans and Estimate (30%)     | August 2026    |
| • Preliminary PS&E Submittal (60%) and Village Review | September 2026 |
| • Pre-Final PS&E Submittal (90%) and Village Review   | October 2026   |
| • Project Advertisement                               | November 2026  |



**DESIGN FEES**

We have utilized a direct labor multiple (DLM) contract type and a factor of 3.0 to calculate our cost estimate of consultant services (CECS) based on the actual Hourly Rate of Pay for the individuals assigned to the Project.

Our geotechnical subconsultant will provide geotechnical soil testing. The geotechnical scope of services includes determining the existing subgrade rating in addition to investigating the soil environmental conditions.

The total hours and costs associated with the project are summarized below:

Scope Item	Job Hours	Total Cost
Base Scope (Excluding Geotechnical Analysis)	620 Hours	\$100,530.00
Geotechnical Soil Analysis	N/A	\$11,445.00
<b>TOTAL</b>		<b>\$111,975.00</b>

Additional details of our estimates can be found in the Schedule of Estimate of Hours and Schedule of Services and Fees in Exhibits "A" and "B". Please reference the following pages for greater detail of our estimate. While we believe that this estimate accurately reflects our best effort at understanding the scope of work as described in our proposal, we understand that the Village of Westmont may interpret the scope differently and may seek to add, subtract, or modify the scope or level of effort contained herein. TEG is excited to serve the Village of Westmont again and can negotiate the scope and effort to meet the expectations of the Village.

Please note that the hours and fee included above for this project are the total for the full Residential Alley 14N Reconstruction Phase I and II engineering design scope. If funding for the project is provided from one or more sources, the total amount necessary is the above regardless of the funding source and can be provided from multiple sources if needed.

If you have any questions or require additional information, please e-mail at [vincem@thomasengineering.com](mailto:vincem@thomasengineering.com) or call me at (630) 441-3761.

Sincerely,

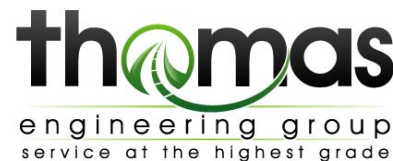
**thomas engineering group, llc**



Vincent J. Micek, P.E., CFM  
Project Manager



**EXHIBIT "A"**  
**Estimate of Hours**  
**Base Scope**



Project: Village of Westmont - Residential Alley 14N Recon  
 Prepared By: Thomas Engineering Group, LLC  
 Date: 05/19/26

**SHEET WORK**

Plan Sheet Task	Plan Sheet Description (- Clarification)	Scale (If Applicable)	Number of Sheets	Hours Per Sheet	Total Hours
1	Cover Sheet, Index of Sheets		1	2	2
2	General Notes, Summary of Quantities, Schedules		6	2	12
3	Alignment, Ties, and Benchmarks		2	4	8
4	Typical Sections - Includes proposed typical sections - Sections extend from existing ROW to ROW		1	4	4
5	Design Plan Sheets - Includes Removal Items (Plan-Plan Sheets) - Includes Proposed Geometry (Plan-Profile) - Includes Drainage and Utilities (Plan-Profile) - Includes Erosion Control Plan/Landscaping	1 in = 10 ft	25	8	200
6	Cross Sections - 25' spacing and driveways - Includes existing and proposed elements	25' Intervals	66	1	66
7	IDOT and Village Details		4	0.5	2
Plan Sheet Subtotal			105		294

**NON-SHEET WORK**

Non-Sheet Task	Non-Sheet Description	Submittals, Duration, Etc.	Total Hours
1	Data Collection/Eval of Ex. Conditions/Survey	1	150
2	Special Provisions/Opinion of Probable Cost	1	40
3	Drainage and Utilities	1	40
4	Utility Coordination/Nicor Relocation/FCWRD Repairs	1	40
5	Bid Opening, Bid Assistance, Pre-Con Meeting	1	8
6	QA/QC (4% of Total)	Entire Project	24
7	Administration and Management (4% of Total)	Entire Project	24
Non-Sheet Subtotal			326

**Total** 620

The TEG Team will attend required meetings including the pre-bid conference and bid opening as required by the Village. TEG will also attend the pre-construction meeting and provide complete bid assistance following with Request for Information (RFI) assistance during the construction of the Project.

**EXHIBIT "B"**  
**Schedule of Services and Fees**  
**Base Scope**



TO: Greg Ulreich, P.E., CFM  
 Village of Westmont  
 Public Works Department

Thomas Engineering Group, LLC		Residential Alley 14N Design Services							TOTAL	
		SHEET WORK								
		TASK 1	TASK 2	TASK 3	TASK 4	TASK 5	TASK 6	TASK 7		
TITLE	RATE	HOURS	HOURS	HOURS	HOURS	HOURS	HOURS	HOURS	JOB HOURS	DIRECT LABOR
PROJECT MANAGER	\$ 80.00	1				24	8	1	34	\$ 2,720.00
PROJECT ENGINEER	\$ 45.00		8	2	2	88	34	1	135	\$ 6,075.00
CHIEF SURVEYOR	\$ 90.00								0	\$ -
SURVEY/CADD TECHNICIAN	\$ 45.00	1	4	6	2	88	24		125	\$ 5,625.00
QA/QC	\$ 75.00								0	\$ -
TASK SUBTOTAL		2	12	8	4	200	66	2	<b>294</b>	
									<b>SUBTOTAL (SHEET WORK)</b>	<b>\$ 14,420.00</b>

Thomas Engineering Group, LLC		Residential Alley 14N Design Services							TOTAL	
		NON-SHEET WORK								
		TASK 1	TASK 2	TASK 3	TASK 4	TASK 5	TASK 6	TASK 7		
TITLE	RATE	HOURS	HOURS	HOURS	HOURS	HOURS	HOURS	HOURS	JOB HOURS	DIRECT LABOR
PROJECT MANAGER	\$ 80.00	6	16	16	16	4	4	24	86	\$ 6,880.00
PROJECT ENGINEER	\$ 45.00	6	24	24	24	4			82	\$ 3,690.00
CHIEF SURVEYOR	\$ 90.00	18							18	\$ 1,620.00
SURVEY/CADD TECHNICIAN	\$ 45.00	120							120	\$ 5,400.00
QA/QC	\$ 75.00						20		20	\$ 1,500.00
TASK SUBTOTAL		150	40	40	40	8	24	24	<b>326</b>	
									<b>SUBTOTAL (SHEET WORK)</b>	<b>\$ 19,090.00</b>
									<b>TOTAL DIRECT LABOR</b>	<b>\$ 33,510.00</b>

MULTIPLIER  
 3 \$ 100,530.00  
 DIRECT COSTS (SUBCONSULTANT - GEOTECHNICAL) \$ 11,445.00  
**TOTAL \$ 111,975.00**

**BASE SCOPE PROPOSAL \$ 111,975.00**

May 19, 2026

To: Vince J. Micek, P.E., CFM  
Thomas Engineering Group  
P: 630.441.3761

Re: Proposal - Geotechnical Exploration  
Proposed Residential Alley 14N  
Reconstruction in Westmont, Illinois

Proposal No. Q26.277g\_REV1

Via email: [VinceM@thomas-engineering.com](mailto:VinceM@thomas-engineering.com)

Dear Mr. Micek,

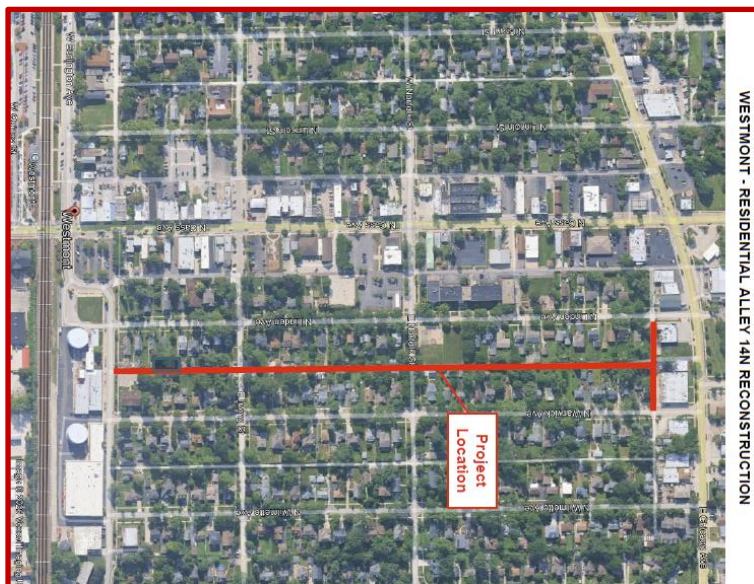
Rubino Engineering, Inc. (Rubino) is pleased to submit the following proposal to provide geotechnical engineering services for the above referenced project. Rubino received a request for proposal from Vince J. Micek, P.E., CFM of Thomas Engineering Group via email on May 14th, 2026.

### PROJECT UNDERSTANDING

Rubino understands that Thomas Engineering Group is planning to aid in the reconstruction of residential alley 14N in Westmont, Illinois. The project location is the north/south and east/west alley bounded by Chicago Avenue, Warwick Avenue, Burlington Avenue, and Linden Avenue. Reconstruction of the alley will include new HMA pavement and PCC edge restraints.

#### Information received:

- RFP email from Vince J. Micek, P.E., CFM of Thomas Engineering Group on May 14th, 2026.
- Project Location Drawing : “2026.05.13\_DW\_TEG\_Res Alley 14N\_Location Map.pdf” – Included in RFP email (shown below)
- Email from Vince J. Micek on May 19, 2026 requesting additional CCDD testing



<b>Field Services Scope of Services Summary</b>	
Additional Scope discussion can be found in subsequent pages of this proposal	
<b>Client Notification Needed prior to mobilization</b>	Please notify Rubino if this is needed upon project authorization
<b>Site Access</b>	Open site – Gravel Alley
<b>Field Equipment Proposed</b>	Track-mounted Geoprobe Drill Rig & Core Machine
<b>Soil Sampling and Purpose</b>	<b>SPT Borings</b> <ul style="list-style-type: none"> <li>• Drilling/SPT: 2 ½ ft to 10 feet                             <ul style="list-style-type: none"> <li>○ Full Analytical at B-01, B-07, and B-10</li> <li>○ pH on one sample per boring (IEPA Lab)</li> <li>○ Moisture content on each sample (In-House)</li> </ul> </li> </ul>
<b>Soil Sampling Intervals</b>	SPT – 2 ½ ft to 10 feet
<b>Backfill Needs</b>	Cuttings, excess spoils remain on site
<b>Patching</b>	Cold Patch
<b>Site Protection or Restoration included</b>	None
<b>Groundwater Readings</b>	During drilling and upon auger removal
<b>CCDD</b>	663 – Wash spoons and bag extra sample samples at B-01, B-07, and B-10. pH at all other borings

Boring Depths

To obtain data to evaluate subsurface conditions within the proposed development/construction areas. Rubino proposes the drilling scope of work as detailed below:

NUMBER OF BORINGS	DEPTH (FEET BEG*)	LOCATION	SPT SAMPLING INTERVALS	SOIL CLASSIFICATION METHOD
10	10	Alley 14N** (B-01 thru B-10)	2 ½ ft to 10 ft	USCS

**10 Total Borings      100 Total Lineal Feet**

**\*\*Final boring locations to be verified by Thomas Engineering Group prior to mobilization and layout**

CCDD Soil Sampling

NUMBER SAMPLES FOR CCDD TESTING	TARGET DEPTH (FEET BEG*)	ANALYTICAL TESTS
7 Total: B-02, B-03, B-04, B-05, B-06, B-08, and B-09	1 – 5	pH
3 Total: B-01, B-07, and B-10	1 – 5	VOC's, SVOC, RCRA, Metals, pH

\*BEG = below existing grade

Should any of the information on which this proposal has been based, including as described above, be inconsistent with the planned construction, Rubino requests to be contacted immediately in order to make any necessary changes to this proposal and scope of work.

### **SCOPE OF SERVICES DISCUSSION**

The following sections outline the scope of services developed based on the information provided by the client and the information listed above in order to provide a geotechnical exploration the planned project. The exploration will be performed in general accordance with both the requested proposal information and Rubino's current understanding of the project.

#### **Site Access**

Based on current site topography, surface conditions, and project discussions, Rubino anticipates that the project site will be accessible to track-mounted Geoprobe drilling equipment.

#### **Boring Locations**

The approximate proposed boring locations are shown below. Rubino recommends that the borings be located and surveyed for elevation by others prior to drilling. If the borings cannot be surveyed, Rubino will locate the borings in the field by measuring distances from known, fixed site features.



#### **SPT - Soil Sampling**

Soil sampling will include split-barrel samples (ASTM D 1586) or thin-walled tube samples on cohesive soils (ASTM D 1587) at 2 ½ - foot intervals to a depth of 10 feet.

#### **Completion of Borings**

Upon completion of drilling, the borings will be backfilled with soil cuttings and capped with asphalt cold patch. Some damage to ground surface may result from the drilling operations near the work areas and along ingress/egress pathways. Rubino will attempt to minimize such damage, but no restoration other than backfilling the soil test borings is included.

It should be noted that over time, some settlement may occur in the bore hole. If Rubino is requested to return to the site for the purpose of filling any bore holes that may have settled, additional time and material charges may apply.

#### **Geotechnical Laboratory Testing**

The soil samples obtained during the field exploration program will be transported to the laboratory for classification and a limited number of laboratory tests. The nature and extent of the laboratory testing program is at the discretion of Rubino Engineering, Inc. and will depend upon the subsurface conditions encountered during drilling.

Laboratory testing will be performed in accordance with ASTM procedures and may include examination of selected samples to evaluate the soils' index properties and relative strength characteristics.

Based on the proposed quantity of soil borings, anticipated depths, and project type, a list of the anticipated laboratory tests is summarized below.

Laboratory Test	Estimated Quantity	Sample Type
Natural Moisture Content	40	Split spoon
Atterberg Limits	2	Split spoon
Organic Content	2	Split spoon

**CCDD TESTING – LPC 663 ONLY**

Rubino will obtain a “Potential Impacted Property” (PIP) evaluation of the area near the proposed improvements. Rubino will perform PID testing on the soil samples and soil analytical testing in general compliance with the IEPA CCDD requirements. Laboratory testing will be at the discretion of the environmental professional based on knowledge of the location of the borings.

LPC 663 Testing Scope
<ul style="list-style-type: none"> <li>• PIP Evaluation (Historical &amp; Regulatory)                             <ul style="list-style-type: none"> <li>○ 2 Eris Reports</li> </ul> </li> <li>• pH Only Tests (<b>7 estimated</b>)</li> <li>• Soil Analytical Tests (<b>3 estimated, B-01, B-07, and B-10</b>):                             <ul style="list-style-type: none"> <li>○ Volatile Organic Compounds (VOCs), Semi-Volatile Organic Compounds (SVOCs) Resource Conservation Recovery Act (RCRA) Metals, pH</li> <li>○ TCLP / SPLP RCRA Metal (<b>only if necessary</b>)</li> </ul> </li> <li>• P.E. / P.G. Review &amp; Certification (LPC #663)</li> <li>• <i>LPC-663 CCDD Certification, as applicable</i></li> </ul>

If the analytical testing indicates the soils are contaminated, additional testing and an additional disposal source may be necessary (Composite Non-Hazardous Non-Special Waste Analytical for landfill disposal if necessary).

Please note that CCDD certification requirements vary depending on the dump site. The above scope should be reviewed by the proposed dump site to determine compliance with the site's specific requirements.

## GEO REPORT

Upon completion of field and laboratory work, Rubino will prepare a geotechnical engineering report using the collected data. The geo report will include the following:

- *Summary of client-provided project information and report basis*
- *Overview of encountered subsurface conditions*
- *Overview of field and laboratory tests performed including results*
- *Geotechnical recommendations pertaining to:*
  - *Subgrade preparation and stability in accordance with the IDOT subgrade stability manual*

An electronic copy of the report will be provided. The report will be addressed to Thomas Engineering Group.

## PROJECT SCHEDULE

Rubino proposes to initiate work on this project within 5 working days after receiving written authorization to proceed and we will follow the schedule below in order to complete the project:

Task	Number of Working Days
Utility clearance and rig mobilization	5 – 10
Field work including site layout and drilling	2
Geo Laboratory Testing	5 – 10
CCDD Lab Testing	8 – 12
CCDD and Geo Reporting	5 - 10

Project schedules can be affected by weather conditions and changes in scope. If the report needs to be delivered by a specific day, please notify us as soon as possible. Preliminary verbal recommendations can be made to appropriate parties upon completion of the field investigation and laboratory testing. Rubino will need to receive a signed copy of this proposal intact prior to mobilizing the drill rig.

## UTILITY LOCATE AND OUTSIDE SERVICES

Rubino will coordinate contacting the Utility “One-Call” for public utility clearance prior to the start of drilling activities. It is Rubino’s experience that this service does not mark the locations of privately owned utilities. This proposal is based on privately owned utility locates being coordinated by the owner prior to drill rig mobilization.

## FEES

Rubino proposes to charge the fee for performance of the outlined scope of services on a lump-sum basis. Based on the scope of services outlined above, the lump-sum fee will be:

<b>Subsurface Exploration</b>	Boring Layout / Utility / PM	\$ 1,050.00	Lump sum
	Drill Rig Mobilization and Drilling	\$ 4,200.00	Lump sum
<b>Lab</b>	Geotechnical Lab Tests as described above	\$ 520.00	Lump sum
<b>Reporting</b>	Preparation of the Geotechnical Report	\$ 2,350.00	Lump sum
<b>CCDD 663 Lab</b>	pH (\$25 each)	\$ 175.00	Lump sum
	VOC's, SVOC's, RCRA Metals, pH (\$650 each):	\$1,950.00	Lump sum
<b>CCDD 663 Rpt</b>	Form LPC 663 and Report:	\$ 1,200.00	Lump sum
		<b>\$11,445.00</b>	<b>Grand Total</b>

Please see the attached fee schedule for additional unit rates for services requested after issuing the geotechnical report (drawing / spec review, scope or site layout change, etc.).

Scope Limitations

Project services do not include a site evaluation to determine the presence or absence of wetlands, hazardous substances, or toxic materials.

Rock coring is not included in the scope of this exploration, therefore, the character and continuity of refusal materials, if encountered, can be determined only with a more comprehensive scope of services. Therefore, the borings will be advanced to the depths referenced above, or to refusal, whichever is shallower.

Boring, sampling and testing requirements are a function of the subsurface conditions encountered. The proposed lump-sum fee is based on the existence of adequate bearing materials being encountered within the proposed boring depths. Should conditions be encountered which require a deepening of borings or additional investigation, Rubino will notify you to discuss modifying the outlined scope of services. Additional work beyond the lump-sum fee will not be performed without your prior authorization.

**AUTHORIZATION**

If this proposal is acceptable to you, Rubino will perform the work in accordance with the attached General Conditions that are incorporated into and made a part of this proposal. Please sign below as notice to proceed and return one copy of this proposal intact to our office. Rubino will proceed with the work upon receipt of authorization.

Rubino appreciates the opportunity to offer our services for this project and we look forward to working with your company. Please contact Rubino with questions pertaining to this proposal or requests for additional services.

Respectfully submitted,

**RUBINO ENGINEERING, INC.**




*Rubino Engineering, Inc.*

Michelle A. Lipinski, PE  
President  
[michelle.lipinski@rubinoeng.com](mailto:michelle.lipinski@rubinoeng.com)

Anthony T. Tomaras, PG  
Project Manager  
[anthony@rubinoeng.com](mailto:anthony@rubinoeng.com)

Prepared By: Jonathan Ignarski, [jonathan@rubinoeng.com](mailto:jonathan@rubinoeng.com)

**RUBINO ENGINEERING, INC. IS:  
AN AASHTO-ACCREDITED LABORATORY  
IDOT PREQUALIFIED  
IDOT DBE-CERTIFIED (100% WOMAN-OWNED)**

MAL/file

Attachments:      Proposal Acceptance and Data Sheet  
                            Schedule of Services and Fees  
                            General Conditions

\*\*This is an electronic copy. Hard Copies of this proposal are available upon request.

**PROPOSAL ACCEPTANCE:**

<b>AGREED TO, THIS</b> _____ <b>DAY OF</b> _____ , 202__.
<b>BY (please print):</b> _____
<b>TITLE:</b> _____
<b>COMPANY:</b> _____
<b>SIGNATURE:</b> _____

**PROJECT INFORMATION:**

1. Project Name: \_\_\_\_\_
2. Project Location: \_\_\_\_\_
3. Your Job No: \_\_\_\_\_ Purchase Order No.: \_\_\_\_\_
4. Project Manager: \_\_\_\_\_ Telephone No.: \_\_\_\_\_
5. Site Contact: \_\_\_\_\_ Telephone No.: \_\_\_\_\_
6. Number and Distribution of Reports:  
( ) Copies To: \_\_\_\_\_ ( ) Copies To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Attn: \_\_\_\_\_ Attn: \_\_\_\_\_  
**Email:** \_\_\_\_\_ **Email:** \_\_\_\_\_  
  
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Attn: \_\_\_\_\_ Attn: \_\_\_\_\_  
**Email:** \_\_\_\_\_ **Email:** \_\_\_\_\_
7. Invoicing Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Attn: \_\_\_\_\_  
**Email:** \_\_\_\_\_
8. Other Pertinent Information Or Previous Subsurface Information Available:  
\_\_\_\_\_  
\_\_\_\_\_

**Rubino Engineering, Inc.**  
**2026 Schedule of Geotechnical Services & Fees**

**ENGINEERING**

Professional and Technical Services for site evaluation, field supervision, analysis of test data and engineering recommendations and consultation:

Principal Engineer	Per Hour	\$	185.00
Project Engineer/Manager	Per Hour	\$	140.00
Engineering Field Technician / Field Engineer / Field Geologist	Per Hour	\$	120.00

**SUBSURFACE EXPLORATION**

Mobilization and moving of truck-mounted drilling equipment and crew (50-mile radius)	Per Trip	\$	650.00
Hourly Rate Drilling	Per Hour	\$	475.00
Thin Wall Tubes (ASTM D-1587)	Each	\$	50.00

**LABORATORY TESTING**

Moisture Content Test / Visual Classification	Each	\$	8.90
Atterberg Limits Determination (LL, PL)	Each	\$	65.00
Combined Hydrometer & Sieve Analysis	Each	\$	150.00
Sieve Analysis (washed)	Each	\$	95.00
Unconfined Compression Test, with Stress-Strain Curve	Each	\$	95.00
Density Determination	Each	\$	15.00
Specific Gravity Determination	Each	\$	65.00
Organic Content Determination Test (loss on ignition)	Each	\$	15.00
One-Dimensional Consolidation Test (ASTM D-2435)	Each	\$	750.00
Triaxial Testing (TXC-CIU) 3-Point Envelope	Each	\$	1,800.00

**EQUIPEMENT CHARGES**

Vehicle Charge – Round Trip	Per Day	\$	95.00
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**FEE REMARKS**

- 1) All fees and services are provided in accordance with the attached Rubino General Conditions.
- 2) Unit prices/rates are in effect for 12 months from the date of this proposal and are subject to change without notice thereafter.
- 3) Overtime rates are applicable for services performed in excess of 8 hours per day Monday through Friday, before 8:00 AM or after 5:00 PM, and for all hours worked on Saturdays, Sundays and holidays. The overtime rate is 1.5 times the applicable hourly rate.
- 4) All rates are billed on a portal-to-portal basis.
- 5) Standby time due to delays beyond Rubino's control will be charged at the applicable hourly rate.
- 6) Transportation and per diem are charged at the applicable rates.
- 7) Rates involving mileage (including transportation, mobilization, vehicle and trip charges) are subject to change based upon increases in the national average gasoline price.
- 8) A minimum charge of 4 hours applies to field testing and observation services.
- 9) Scheduling or cancellation of field testing and observation services is required no less than the working day prior to the date the services are to be performed. Services cancelled without advance and/or inadequate notice will be assessed a minimum charge of 4 hours.
- 10) For all Rubino services, a project management/engineering review charge will be billed for all reports issued for the scheduling/supervision of personnel and the evaluation/review of data and reports.
- 11) The minimum billing increment for time is a half hour.
- 12) A project set-up charge of a minimum of two hours applies to all projects.
- 13) Professional services rates are exclusive of expert deposition or testimony time.
- 14) Drilling and field service rates are based on OSHA Level D personnel protection.
- 15) For sites where drilling is to occur that are not readily accessible to a truck mounted drill rig, rates for rig mobility, site clearing, crew stand-by time, etc. will be charged as applicable.
- 16) If applicable the prevailing wage fees charged under this agreement will be adjusted if there is any change in the applicable prevailing wage rate established by the Illinois Department of Labor.
- 17) Services and fees not listed on this schedule may be quoted on request.

Client#: 1171577 RUBINENG

**ACORD** **CERTIFICATE OF LIABILITY INSURANCE** DATE (MM/DD/YYYY)  
10/02/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> USI Insurance Services LLC 2001 Spring Road, Ste 200 Oak Brook, IL 60523 312 442-7200	<b>CONTACT NAME</b> Laurie Cloninger <b>PHONE (A/C, No, Ext)</b> 630 625-5219 <b>FAX (A/C, No)</b> 610 537-4939 <b>E-MAIL ADDRESS</b> AECertificates@usi.com														
<b>INSURED</b> Rubino Engineering, Inc. 425 Shepard Dr Elgin, IL 60123	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A : RLI Insurance Company</td> <td>13056</td> </tr> <tr> <td>INSURER B : Pacific Insurance Company, Limited</td> <td>10046</td> </tr> <tr> <td>INSURER C :</td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : RLI Insurance Company	13056	INSURER B : Pacific Insurance Company, Limited	10046	INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER C :															
INSURER D :															
INSURER E :															
INSURER F :															

COVERAGES	CERTIFICATE NUMBER:	REVISION NUMBER:			
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.					
ITEM LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	PSB0003777	09/01/2025	09/01/2026	EACH OCCURRENCE $\leq$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) $\leq$ 1,000,000 MED EXP (Any one person) $\leq$ 10,000 PERSONAL & ADV INJURY $\leq$ 1,000,000 GENERAL AGGREGATE $\leq$ 2,000,000 PRODUCTS - COMPIOP AGG $\leq$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY	PSA0001881	09/01/2025	09/01/2026	COMBINED SINGLE LIMIT (Ea accident) $\leq$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	PSE0002142	09/01/2025	09/01/2026	EACH OCCURRENCE $\leq$ 5,000,000 AGGREGATE $\leq$ 5,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	PSW0002789	09/01/2025	09/01/2026	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT $\leq$ 1,000,000 E.L. DISEASE - EA EMPLOYEE $\leq$ 1,000,000 E.L. DISEASE - POLICY LIMIT $\leq$ 1,000,000
B	Professional Liability	83OH056719925	09/01/2025	09/01/2026	\$2,000,000 each claim / \$4,000,000 annual aggr.
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) Professional Liability is written on a 'claims made' policy form. Some or all officers are excluded from Workers Compensation coverage.  THIS CERTIFICATE OF INSURANCE IS INTENDED AS A SPECIMEN COPY ONLY.					

<b>CERTIFICATE HOLDER</b> Rubino Engineering, Inc.	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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## GENERAL CONDITIONS

**1. PARTIES AND SCOPE OF SERVICES:** Rubino Engineering, Inc. shall include said company or its particular division, subsidiary or affiliate performing the services. "Services" means the specific geotechnical, analytical, testing or other service to be performed by Rubino Engineering, Inc. as set forth in Rubino Engineering, Inc.'s proposal, Client's acceptance thereof and these General Conditions. Additional services ordered by Client shall also be subject to these General Conditions. "Client" refers to the person or business entity ordering the services to be done by Rubino Engineering, Inc. If Client is ordering the services on behalf of another, Client represents and warrants that it is the duly authorized agent of said party for the purpose of ordering and directing said services. Unless otherwise stated in writing, Client assumes sole responsibility for determining whether the quantity and the nature of the services ordered by the client is adequate and sufficient for Client's intended purpose. Client shall communicate these General Conditions to each and every third party to whom Client transmits any part of Rubino Engineering, Inc.'s services. Rubino Engineering, Inc. shall have no duty or obligation to any third party greater than that set forth in Rubino Engineering, Inc.'s proposal, Client's acceptance thereof and these General Conditions. The ordering of services from Rubino Engineering, Inc., or the reliance on any of Rubino Engineering, Inc.'s work, shall constitute acceptance of the terms of Rubino Engineering, Inc.'s proposal and these General Conditions, regardless of the terms of any subsequently issued document.

**2. TESTS AND INSPECTIONS:** Client shall cause all tests and inspection of the site, materials and work performed by Rubino Engineering, Inc. or others to be timely and properly performed in accordance with the plans, specifications and contract documents and Rubino Engineering, Inc.'s recommendations. No claims for loss, damage or injury shall be brought against Rubino Engineering, Inc. by Client or any third party unless all tests and inspections have been so performed and unless Rubino Engineering, Inc.'s recommendations have been followed. Client agrees to indemnify, defend and hold Rubino Engineering, Inc., its officers, employees and agents harmless from any and all claims, suits, losses, costs and expenses, including, but not limited to, court costs and reasonable attorney's fees in the event that all such tests and inspections are not so performed or Rubino Engineering, Inc.'s recommendations are not so followed except to the extent that such failure is the result of the negligence, willful or wanton act of omission of Rubino Engineering, Inc., its officers, agents or employees, subject to the limitation contained in paragraph 9.

**3. SCHEDULING OF SERVICES:** The services set forth in Rubino Engineering, Inc.'s proposal and Client's acceptance will be accomplished in a timely, workmanlike and professional manner by RUBINO ENGINEERING, INC. personnel at the prices quoted. If Rubino Engineering, Inc. is required to delay commencement of the services or if, upon embarking upon its services, Rubino Engineering, Inc. is required to stop or interrupt the progress of its services as a result of changes in the scope of the services requested by Client, to fulfill the requirements of third parties, interruptions in the progress of construction, or other causes beyond the direct reasonable control of Rubino Engineering, Inc., additional charges will be applicable and payable by Client.

**4. ACCESS TO SITE:** Client will arrange and provide such access to the site as is necessary for Rubino Engineering, Inc. to perform the services. Rubino Engineering, Inc. shall take reasonable measures and precautions to minimize damage to the site and any improvements located thereon as the result of its services or the use of its equipment; however, Rubino Engineering, Inc. has not included in its fee the cost of restoration of damage which may occur. If Client desires or requires Rubino Engineering, Inc. to restore the site to its former condition, upon written request Rubino Engineering, Inc. will perform such additional services as is necessary to do so and Client agrees to pay Rubino Engineering, Inc. for the cost.

**5. CLIENT'S DUTY TO NOTIFY ENGINEER:** Client represents and warrants that it has advised Rubino Engineering, Inc. of any known or suspected hazardous materials, utility lines and pollutants at any site at which Rubino Engineering, Inc. is to perform services hereunder, and unless Rubino Engineering, Inc. has assumed in writing the responsibility of locating subsurface objects, structures, lines or conduits. Rubino Engineering, Inc. may use such information in performing its services and is entitled to rely upon the accuracy and completeness thereof. Client agrees to defend, indemnify and save Rubino Engineering, Inc. harmless from all claims, suits, losses costs and expenses, including reasonable attorney's fees as a result of personal injury, death or property damage occurring with respect to Rubino Engineering, Inc.'s performance of its work and resulting to or caused by contact with subsurface of latent objects, structures, lines or conduits where the actual or potential presence and location thereof were not revealed to Rubino Engineering, Inc. by Client and/or by any of Client's subcontractors or sub consultants

**6. RESPONSIBILITY:** Rubino Engineering, Inc.'s services shall not include determining, supervising or implementing the means, methods, techniques, sequences or procedures of construction. Rubino Engineering, Inc. shall not be responsible for evaluating, reporting or affecting job conditions concerning health, safety or welfare. Rubino Engineering, Inc.'s services or failure to perform same shall not in any way excuse any contractor, subcontractor or supplier from performance of its work in accordance with the contract documents. Rubino Engineering, Inc. has no right or duty to stop the contractor's work.

**7. SAMPLE DISPOSAL:** Unless otherwise agreed in writing, test specimens or samples will be disposed immediately upon completion of the test. All drilling samples or specimens will be disposed sixty (60) days after submission of Rubino Engineering, Inc.'s report.

**8. PAYMENT:** Client shall be invoiced once each month for services performed during the preceding period. Client agrees to pay each invoice within thirty (30) days of its receipt. Client further agrees to pay interest on all amounts invoiced and not paid or objected to for valid cause in writing with said thirty (30) day period at the rate of eighteen (18) percent per annum (or the maximum interest rate permitted under applicable law), until paid. Client agrees to pay Rubino Engineering, Inc.'s cost of collection of all amounts due and unpaid after sixty (60) days, including court costs and reasonable attorney's fees. Rubino Engineering, Inc. shall not be bound by any provision or agreement requiring or providing for arbitration or disputes or controversies arising out of this agreement, any provision wherein Rubino Engineering, Inc. waives any rights to a mechanics' lien, or any provision conditioning Rubino Engineering, Inc.'s right to receive payment for its services upon payment to Client by any third party. These General Conditions are notice, where required, that Rubino Engineering, Inc. shall file a lien whenever necessary to collect past due amounts. Release of such lien shall be given only when payment in full has been received for services duly rendered. Failure to make payment within thirty (30) days of invoice shall constitute a release of Rubino Engineering, Inc. from any and all claims which Client may have, whether in tort, contract or otherwise and whether known or unknown at the time.

**9. STANDARD OF CARE:** RUBINO ENGINEERING, INC.'S SERVICES WILL BE PERFORMED, ITS FINDINGS OBTAINED AND ITS REPORTS PREPARED IN ACCORDANCE WITH ITS PROPOSAL, CLIENT'S ACCEPTANCE THEREOF, THESE GENERAL CONDITIONS AND WITH GENERALLY ACCEPTED PRINCIPLES AND PRACTICES. IN PERFORMING ITS PROFESSIONAL SERVICES, RUBINO ENGINEERING, INC. WILL USE THAT DEGREE OF CARE AND SKILL ORDINARILY EXERCISED UNDER SIMILAR CIRCUMSTANCES BY MEMBERS OF ITS PROFESSION. RUBINO ENGINEERING, INC. MAKES NO WARRANTIES, EITHER EXPRESS OR IMPLIED, IN CONNECTION WITH ITS SERVICES PROVIDED AS SET FORTH IN ITS PROPOSAL, CLIENT'S ACCEPTANCE THEREOF, AND THESE GENERAL CONDITIONS. STATEMENTS MADE IN RUBINO ENGINEERING, INC. REPORTS ARE OPINIONS BASED UPON ENGINEERING JUDGMENT AND ARE NOT TO BE CONSTRUED AS REPRESENTATIONS OF FACT.

SHOULD RUBINO ENGINEERING, INC. OR ANY OF ITS PROFESSIONAL EMPLOYEES BE FOUND TO HAVE BEEN NEGLIGENT IN THE PERFORMANCE OF ITS WORK, OR TO HAVE MADE AND BREACHED ANY EXPRESSED OR IMPLIED WARRANTY, REPRESENTATION OR CONTRACT, CLIENT, ALL PARTIES CLAIMING THROUGH CLIENT AND ALL PARTIES CLAIMING TO HAVE IN ANY WAY RELIED UPON RUBINO ENGINEERING, INC.'S WORK, AGREE THAT THE MAXIMUM AGGREGATE AMOUNT OF THE LIABILITY OF RUBINO ENGINEERING, INC., ITS OFFICERS, EMPLOYEES AND AGENTS SHALL BE LIMITED TO \$10,000.00 OR THE TOTAL AMOUNT OF THE FEE PAID TO RUBINO ENGINEERING, INC. FOR ITS WORK PERFORMED WITH RESPECT TO THE PROJECT, WHICHEVER AMOUNT IS GREATER.

NO ACTION OR CLAIM, WHETHER IN TORT, CONTRACT OR OTHERWISE, MAY BE BROUGHT AGAINST RUBINO ENGINEERING, INC., ARISING FROM OR RELATED TO RUBINO ENGINEERING, INC.'S WORK, MORE THAN TWO (2) YEARS AFTER THE CESSATION OF RUBINO ENGINEERING, INC.'S WORK HEREUNDER.

**10. INDEMNITY:** To the fullest extent permitted by law, Client and Rubino Engineering, Inc. each agree to indemnify the other party and the other party's officers, directors, partners, employees, and representatives, from and against losses, damages, and judgments arising from claims by third parties, including reasonable attorneys' fees and expenses recoverable under applicable law, but only to the extent they are found to be caused by a negligent act, error, or omission of the indemnifying party or any of the indemnifying party's officers, directors, members, partners, agents, employees, subcontractors, or subconsultants in the performance of services under this Agreement. If claims, losses, damages, and judgments are found to be caused by the joint or concurrent negligence of Client and Rubino Engineering, Inc., they shall be borne by each party in proportion to its negligence.

**11. TERMINATION:** This Agreement may be terminated by either party upon seven (7) days' prior written notice. In the event of termination, Rubino Engineering, Inc. shall be compensated by Client for all services performed up to and including the termination date, including reimbursable expenses and for the completion of such services and records as are necessary to place Rubino Engineering, Inc.'s files in order and/or protect its professional reputation. Failure of Client to make payments when due shall be cause for suspension of services or, ultimately, termination, unless and until Rubino Engineering Inc. has been paid in full all amounts due for services, expenses and other related changes.

**12. DISPUTE RESOLUTION:** In the event of a dispute arising out of or relating to this Agreement or the services to be rendered hereunder, the Client and Rubino Engineering, Inc. agree to attempt to resolve such disputes in the following manner: 1) The parties agree to attempt to resolve any and all unsettled claims, counterclaims, disputes and other matters in question through direct negotiations between the appropriate representatives of each party; 2) If such negotiations are not fully successful, the parties agree to submit any and all remaining unsettled claims, counterclaims, disputes and other matters in question to mediation in accordance with the Construction Industry Mediation Rules of the American Arbitration Association, effective as of the date of this Agreement.

**13. WITNESS FEES:** Rubino Engineering, Inc.'s employees shall not be retained as expert witnesses except by separate written agreement. Client agrees to pay Rubino Engineering, Inc.'s legal expenses, administrative costs and fees pursuant to Rubino Engineering, Inc.'s then current fee schedule for Rubino Engineering, Inc. to respond to any subpoena.

**14. NO HIRE:** Client agrees not to hire Rubino Engineering, Inc.'s employees except through Rubino Engineering, Inc. In the event Client hires a Rubino Engineering, Inc. employee, Client shall pay Rubino Engineering, Inc. an amount equal to one-half of the employee's annualized salary, with Rubino Engineering, Inc. waiving other remedies it may have.

**15. HAZARDOUS MATERIALS:** Nothing contained within this agreement shall be construed or interpreted as requiring Rubino Engineering, Inc. to assume the status of an owner, operator, generator, storer, transporter, treater or disposal facility as those terms appear within RCRA, CERCLA, or within any Federal or State statute or regulation governing the generation, transportation, treatment, storage and disposal of pollutants. Client assumes full responsibility for compliance with the provisions of RCRA, CERCLA, and any other Federal or State statute or regulation governing the handling, treatment, storage and disposal of pollutants.

**16. PROVISIONS SEVERABLE:** The parties have entered into this agreement in good faith and it is the specific intent of the parties that the terms of the General Conditions be enforced as written. In the event any of the provisions of these General Conditions should be found to be unenforceable, it shall be stricken and the remaining provisions shall be enforceable.

**17. ENTIRE AGREEMENT:** This agreement constitutes the entire understanding of the parties, and there are no representations, warranties or undertakings made other than as set forth herein. This agreement may be amended, modified or terminated only in writing, signed by each of the parties hereto.

**Rubino Engineering, Inc.**

**INTERGOVERNMENTAL AGREEMENT FOR FIRE AND AMBULANCE  
PROTECTION BETWEEN THE VILLAGE OF WESTMONT AND  
SOUTH WESTMONT FIRE PROTECTION DISTRICT**

THIS INTERGOVERNMENTAL AGREEMENT (“Agreement”) is made this \_\_\_\_\_ day of May, 2026, between the Village of Westmont, an Illinois municipal corporation (the “Village”), and the South Westmont Fire Protection District, an Illinois unit of local government (the “District”).

WITNESSETH:

WHEREAS, the Village is ready, willing and able to render fire and ambulance protection services outside of its corporate limits to all properties within the District’s boundaries upon the terms and conditions set forth herein; and

WHEREAS, the District constitutes a territory beyond the Village limits, which desires to have the fire and ambulance protection of the Village’s Fire Department (“the Department”), and is willing to pay the Village for such services as hereinafter provided; and

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution and 5 ILCS 220/1 through 220/9 provide authority for the intergovernmental cooperation contemplated by this Agreement; and

WHEREAS, the Parties mutually agree that the provision of fire and ambulance services as set forth in this Agreement will promote and protect the public health, safety and welfare.

NOW, THEREFORE, in consideration of the covenants and conditions herein set forth, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is hereby agreed by and between the parties hereto as follows:

1. Services to be Provided by the Village:

(A) Commencing on the start date of June 1, 2026, and ending May 31, 2029 (the “Term”), the Village hereby agrees to furnish all property within the boundaries of the District with the full fire protection, emergency rescue and ambulance services of the Department, to the extent of its ability to do so, including Automatic Aid as provided in Paragraph 8. Any fee charged for ambulance service to the District shall be the same fee as charged for ambulance service within the Village limits.

(B) The Department will provide quarterly reports to the District concerning call activity, response time and other relevant data regarding performance of the Department within the boundaries of the District.

2. Payment of Fees for Services in District:

The District agrees that users and the responsible parties who receive ambulance, fire protection or other related services in the District pursuant to this Agreement may be liable to pay the Village for certain fees or costs, as follows:

(A) Ambulance user fees in accordance with the charges for such services within the Village limits in accordance with Chapter 42, Section 42-215 of the Village Code;

(B) A charge for false alarms from any approved alarm automatic protection device or signaling device, as provided in Chapter 42, Section 42-189, of the Village Code, which sets forth local amendments to the adopted International Fire Code, 2021 Edition.

(C) Reimbursement by any person responsible for a hazardous materials incident for any costs incurred by the Village as a result of required cleanup or abatement of such an incident, as provided in Chapter 42, Section 42-189, of the Village Code, which sets forth local amendments to the adopted International Fire Code, 2021 Edition; And

(D) Fees and costs for other services or incidents as set forth in Chapter 42 of the Village Code.

The Department will administer the billing procedures for any services rendered which involve such user fees, penalty charges or reimbursement of costs.

3. Fee for Services Rendered:

(A) In consideration of the foregoing fire protection and ambulance services to be rendered by the Village, the District agrees to pay to the Village the sums as set forth below:

<u>Amount Due</u>	<u>Date Due</u>
\$20,000.00	November 15 of each year of the Term

(B) Each fiscal year during the Term of this Agreement, the District shall increase its tax levy to the maximum allowed under the Illinois Property Tax Extension Limitation Law, said increase being the lesser of five (5%) percent or the increase in the Consumer Price Index for the year preceding the levy year.

(C) During each fiscal year during the Term of this Agreement, the District shall consider approving requests from the Department to provide funding for equipment, training, supplies or other goods and services related to the Department's obligations under this Agreement. The approval of such requests and the amount thereof shall be determined in the sole discretion of the District, based on its determination that such approval will not impair its functions and obligations in light of its current financial condition. The Village shall follow all Village of Westmont procurement policies and practices when purchasing any such equipment, supplies or other goods or services related to the Department's obligations under this Agreement.

(D) If, by virtue of annexations or other loss of assessed valuation, the District's tax revenues fall below a sum necessary to meet the payment provision of this Section, the District may give written notice to the Village concerning its inability to meet such payments, and the provisions of this Section governing remuneration owed to the Village shall be immediately reopened for negotiation to attempt to establish a level of compensation satisfactory to both parties in light of the changed circumstances. It is understood and agreed that the payments to be made by the District to the Village are contingent upon regular tax collections.

(E) Should the District default in its payments to the Village hereunder, the Village may, upon sixty (60) days written notice to the District, terminate this Agreement and cease to provide fire protection and ambulance service hereunder, in addition to any other remedies available to the Village.

4. Insurance Requirements:

The Village agrees to maintain, throughout the Term of this Agreement, insurance coverage through the insurers and in the amounts set forth below:

General Liability	\$1,000,000 combined single limit per occurrence for bodily injury; \$2,000,000 general aggregate.
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Automobile Liability	\$1,000,000 combined single limit per accident for bodily injury and property damage.
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Insured through the Intergovernmental Risk Management Agency.

The District shall be named as an additional insured on the above referenced coverage.

The Village shall provide the District a certificate of insurance during each year of the Term of this Agreement.

5. Personnel and Equipment:

All personnel and equipment necessary for the Village to perform its obligations hereunder shall be provided by the Village.

6. Fire Alarms and Dispatching:

The Department will assume fire alarm receipt and dispatching responsibility. Fire alarms connected to other monitoring stations may be connected to the Department's system at the same rates as are available to Village customers. The Department will be responsible for all other dispatching and communication.

7. Public Education and Fire Safety Programs:

The Department will provide to the residents of the District the same public education and fire safety programs which are available to Village residents.

8. Automatic Aid:

The Department will make every possible effort to secure "Automatic Aid" for the District from other Fire Departments and Fire Districts. Mutual aid will be provided through existing agreements with MABAS divisions.

9. Notices:

All notices necessary or required hereunder shall be made in writing, and directed by certified United States mail, return receipt requested, to the parties as follows:

To the Department:

Steven W. Riley, Fire Chief (or the then acting Fire Chief of the Department)  
6015 South Cass  
Westmont, IL 60559

To the District:

Kenneth Kunesh, Secretary (or the then acting Secretary of the District)  
6518 South Richmond Street  
Willowbrook, IL 60527

IN WITNESS WHEREOF, the Village has caused this Agreement to be executed and sealed on its behalf by its Mayor, with the attestation of the Village Clerk, pursuant to an ordinance of the Village Board of Trustees, and the District has caused this Agreement to be executed and sealed on its behalf by the President and Treasurer of its Board of Trustees, with the attestation of its Secretary, pursuant to a Resolution of its Board of Trustees.

VILLAGE OF WESTMONT, an Illinois  
municipal corporation  
by:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Village Clerk

SOUTH WESTMONT FIRE  
PROTECTION DISTRICT, an Illinois  
municipal corporation  
by:

\_\_\_\_\_  
President, Board of Trustees

\_\_\_\_\_  
Treasurer, Board of Trustees

ATTEST:

\_\_\_\_\_  
Secretary



## **Village of Westmont ADMINISTRATION**

31 West Quincy Street, Westmont, Illinois 60559

administration@westmont.il.gov | 630-981-6210

westmont.illinois.gov | 630-981-6200

The Westmont Administration Department requests that the following unused and/or non functioning items, from various departments in Village Hall, be declared as surplus. Surplus items are to be removed from Village inventory and disposed of with the Board of Trustee's authority by the Village Manager in the manner determined to be the most appropriate.

- Broken office equipment that has lived past usefulness
  - Multiple departments broken chairs - maximum of 18
  - File cabinets - maximum of 10