



Village of Gilberts

Village Hall: 87 Galligan Road, Gilberts, Illinois 60136

Ph. 847-428-2861 Fax: 847-428-2955

www.villageofgilberts.com

VILLAGE BOARD MEETING AGENDA

Tuesday, July 20, 2021 - 7:00 p.m. - Village Hall Board Room

In accordance with recent amendments to the Open Meetings Act that authorize remote meeting attendance during the COVID-19 pandemic, the Village President has determined that it is not prudent or practical to conduct an in-person meeting for all members of the Board and the public due to the pandemic. Therefore, some of the Village Board members may attend this meeting by electronic means, in compliance with the amended OMA.

In order to comply with the Governor's executive orders regarding limitations on gatherings and to ensure social distancing, members of the public are encouraged to attend the meeting remotely via video or audio as follows:

Zoom (video and/or audio): <https://zoom.us/j/98239642899>

Meeting ID: 982 3964 2899

Dial-In (audio): (312) 626-6799

Members of the public can also submit written comments via email at info@villageofgilberts.com. Any comments received by 5:00 p.m. on July 20, 2021 will be submitted into the record of the meeting.

ORDER OF BUSINESS

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

2. ROLL CALL / ESTABLISH QUORUM

3. PUBLIC COMMENT*

4. RECOGNITIONS

- A. Presentation of Life Saving Awards to Village of Gilberts Police Sergeant Hill and Officers Meador and Whitlock

5. PUBLIC HEARINGS

- A. Bond Issue Notification Act Public Hearing on the Proposal to sell General Obligation Bonds (Alternate Revenue Source) Series 2021 in an amount not to exceed \$4,300,000.

6. CONSENT AGENDA

- A. A Motion to approve Minutes from the July 6, 2021 Village Board Meeting
- B. A Motion to approve Bills and Payroll dated July 20, 2021
- C. A Motion to approve the June 2021 Treasurer's Report
- D. A Motion to approve Ordinance 15-2021, an Ordinance approving a variance from the Gilberts Unified Development Ordinance (172 Tyler Creek)
- E. A Motion to approve Ordinance 16-2021, an Ordinance approving a variance from the Gilberts Unified Development Ordinance (104 Summit Drive)

- F. A Motion to approve Ordinance 17-2021, an Ordinance approving a variance from the Gilberts Unified Development Ordinance (195 Loveland Court)

7. ITEMS FOR APPROVAL

- A. A Motion to approve Ordinance 18-2021, an Ordinance amending the Village's Unified Development Ordinance regarding lot coverage requirements
- B. A Motion to approve Ordinance 19-2021, an Ordinance amending the Village's Unified Development Ordinance regarding accessory outdoor seating areas

8. ITEMS FOR DISCUSSION

9. STAFF REPORTS

10. TRUSTEE REPORTS

11. PRESIDENT'S REPORT

12. ADJOURNMENT

***Executive Session Information**

A portion of the meeting will be closed to the Public, effective immediately as Permitted by 5 ILCS 120/2(c)(1) to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the Village, and as permitted by 5 ILCS 120/2(c)(11) to discuss litigation against, affecting, or on behalf of the Village which has been filed and is pending in a court or administrative tribunal of which is imminent and as permitted by 5 ILCS 120/2(c)(21) to review and approve closed session minutes and as permitted by 5 ILCS 120/2(c) 2 Collective negotiating matters.

***Public Comment Policy**

Anyone indicating a desire to speak during Public Comments portion of the Village Board Meeting will be acknowledged by the Village President. All remarks are to be addressed to the Village President and Board of Trustees as a whole, not to any specific person(s). To ensure that everyone who wishes to speak has the opportunity to do so, please limit your comments to five minutes. Additional time may be granted at the discretion of the Village President. If you have written comments, please provide a copy to the Village President. If there are a number of individuals present to speak on the same topic, please designate a spokesperson that can summarize the issue. During Public Comments, the Village President, Trustees and Staff will listen to comments and will not engage in discussion. The Village President or Trustees may ask questions to better understand your concern, suggestion or request. Please direct any personnel concerns to the Village Administrator before or after the meeting. The Village of Gilberts complies with the Americans Disabilities Act (ADA). For accessibility Assistance, please contact the Village Clerk at the Village Hall, telephone number is 847-428-2861. Assistive services will be provided upon request.



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To: President Zambetti and Board of Trustees
From: Brian Bourdeau, Village Administrator
Date: July 20, 2021 Village Board Meeting
Re: Item 5.A: Bond Issue Notification Act Public Hearing

As required by the Bond Issue Notification Act (BINA), the Village must conduct a public hearing to receive any public comments on the pending proposal to sell General Obligation Bonds (Alternate Revenue Source) Series 2021 in an amount not to exceed \$4,300,000 for the purpose of a road resurfacing program. Notice of the hearing is required to be published in newspaper of general circulation not later than seven days prior to the hearing. The BINA public hearing notice was published in the Daily Herald on Monday, July 12, 2021 and also posted at Village Hall as required by the Act.

NOTICE OF
PUBLIC HEARING
The Village of Gilberts, Illinois (the "Village"), will hold a public hearing July 20, 2021 at 7:00 p.m. The hearing will be held at the Village Hall, 87 Galligan Rd, Gilberts, IL 60136. The purpose of the hearing will be to receive public comments on the proposal to sell General Obligation Bonds (Alternate Revenue Source) Series 2021 in the amount of not to exceed \$4,300,000 for the purpose of paying the costs of the design, acquisition, construction and installation of certain municipal improvements consisting of a road program for the purpose of road resurfacing within the Village, and other eligible municipal capital improvements within the Village. At the hearing persons desiring to be heard may present written or oral testimony within reasonable time limits.
By: Courtney Baker
Village Clerk
Village of Gilberts, Illinois
Published in Daily Herald
July 12, 2021 (4566718)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Fox Valley Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Fox Valley DAILY HERALD**. That said **Fox Valley DAILY HERALD** is a secular newspaper, published in Elgin and has been circulated daily in the Village(s) of:

Aurora, Batavia, Burlington, Carpentersville, East Dundee, Elgin,
Elburn, Geneva, Gilberts, Hampshire, Montgomery, North Aurora,
Sleepy Hollow, Saint Charles, South Elgin, Sugar Grove, Wayne,
West Dundee

County(ies) of Kane

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

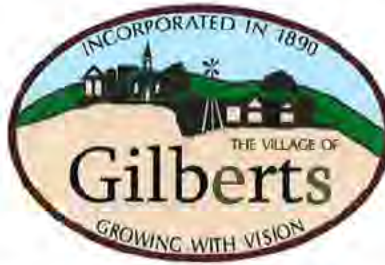
I further certify that the Fox Valley DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 07/12/2021 in said Fox Valley DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY 
Designee of the Publisher and Officer of the Daily Herald

Control # 4566718



**MINUTES FOR VILLAGE OF GILBERTS
BOARD OF TRUSTEES MEETING
Village Hall: 87 Galligan Road, Gilberts, IL 60136
Meeting Minutes
Tuesday, July 6, 2021**

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

President Zambetti called the meeting to order at 7:00 p.m. He proceeded to lead those present in the Pledge of Allegiance.

2. ROLL CALL / ESTABLISH QUORUM

Village Clerk Courtney Baker called the roll. Roll call: Members present: Trustees Corbett, Allen, Coats, and Redfield. Trustees LeClercq and Hacker were absent. Others present: Village Administrator Brian Bourdeau and Public Works Director Aaron Grosskopf.

3. PUBLIC COMMENT

Katherine Gordon, owner of Gilberts businesses MMD and Flat Can Recycling – Ms. Gordon approached the Board and stated that she wanted to bring attention to the road closure that took place starting on June 17 to June 21. Ms. Gordon stated that she was never notified of this event or given consideration of the negative impacts that it may have on her business. She stated that both of her driveways were blocked and that her customers were not able to pick up their orders from the customer entrance which is the paved parking lot at 17 Galligan road. Ms. Gordon stated that she would like to be notified when the next application is filed for these types of events where a road closure is happening, make sure the barricades are located so that her customers and neighbors can access their respective properties, make public works employees informed to barricade placements, monitor the barricades so that they are not moved, and have a sign on the barricades indicating that local businesses are open. President Zambetti apologized for what happened and stated that he agreed that she should be notified next time prior to a street closure.

Penny Bauer of 28 Galligan Road – Ms. Bauer approached the Board and described her experience during the Pub 72 and Cruisins event. Ms. Bauer stated that she had reported the music being too loud after 10pm and a Gilberts police officer permitted the music to continue until 11pm. Ms. Bauer stated that one of the Gilberts trustees spoke to her at the event and that the Village event planner should have advised her of the event. Ms. Bauer asked several questions which are included as an attachment

to these minutes. President Zambetti also apologized to Ms. Bauer and stated that the Village would work to make sure she is notified ahead of time next time and that the music ends at 10pm.

4. CONSENT AGENDA

- A. A Motion to approve Minutes from the June 15, 2021 Village Board Meeting
- B. A Motion to approve Bills and Payroll dated July 6, 2021
- C. A Motion to approve Ordinance 13-2021, an Ordinance Authorizing Disposal of Personal Property Owned by the Village of Gilberts
- D. A Motion to approve Resolution 17-2021, a Resolution Authorizing the Purchase of Police Radios and Related Accessories from Motorola Solutions in an Amount Not-to-Exceed \$13,250
- E. A Motion to approve Resolution 18-2021, a Resolution Authorizing Approval of an Agreement with Patriot Paving for the 2021 Crack Sealing Program in an Amount Not-to-Exceed \$16,000
- F. A Motion to approve Ordinance 14-2021, an Ordinance Amending the Fiscal Year 2021 Budget for the Fiscal Year Ending April 30, 2021

President Zambetti asked if any of the board members had any consent agenda items they wished to remove for separate consideration. After hearing none, asked for a motion to approve.

A Motion was made by Trustee Corbett and seconded by Trustee Allen to Approve Consent Agenda items A-F as Presented. Roll call vote: Trustees Corbett, Allen, Coats, and Redfield voted Aye. 0-nays, 0-abstained. Motion carried.

5. ITEMS FOR APPROVAL

There were no items for approval at this time.

6. ITEMS FOR DISCUSSION

A. Discussion Regarding Village Park Amenities in NH2B-1 of the Conservancy – President Zambetti asked the Board if they had anything to add to this discussion since the last meeting. Trustee Allen stated that her main concern at this time was to ensure that there should be ample parking and that the parking should be separate from the parking for the future townhouses. Administrator Bourdeau stated that the Village has discovered a possible IDNR grant that can be applied for to assist in covering part of the cost of the park and potentially other parks. Trustee Redfield stated that he wanted to explore the option of adding an ice rink to the park if it was feasible for the Village. President Zambetti stated that Staff is okay to pursue the amenities that were mentioned in the Staff memo of the Board packet.

7. STAFF REPORTS

Administrator Bourdeau

- Staff will be having a ratings call regarding the recent bonds for the road program later this week.

- Staff had received another special event application that has not yet been approved and Staff will be taking the direction from tonight's discussion regarding special events into consideration. The proposed dates are August 28-29.

Director Grosskopf

- Staff has started the softener replacement and has been vacuumed out today. After that, an inspection of the tank will take place to see what work is required.

8. TRUSTEES' REPORTS

Trustee Coats

- Asked if there were any updates from the County regarding the light at Galligan and Freeman. Administrator Bourdeau stated that he will follow up with the County and that the County is currently in the Phase 1 and 2 engineering phases.

9. PRESIDENTS' REPORT

President Zambetti asked the Board if there was a consensus to send a letter to the State to remove the engine break sign on I90. The consensus of the Board was not to send the letter.

10. EXECUTIVE SESSION

An executive session did not take place.

11. ADJOURNMENT

There being no further public business to discuss, **a Motion was made by Trustee Allen and seconded by Trustee Corbett to adjourn from the public meeting at 7:59 pm.** Voice vote carried unanimously.

Respectfully submitted,



Courtney Baker
Village Clerk

7-6-2021: Submit for minutes

Hi my name is Kathryn Gordon. I am the owner of Municipal Marking Dist (MMD) and Flat Can Recycling at 17 Galligan Rd. I wanted to bring attention to the road closure at Route 72 at Galligan Ending at Rolly Anderson drive starting Thursday June 17, 2021 at 2:08pm and ending Monday, June 21st, 2021 at 12:15pm. This road closure was put in place for the special event permit approved on June 8th, 2021 between the Village of Gilberts, Pub 72 and Cruisins. I was never notified of this event or given consideration on the negative impact it would have on my businesses. Both of my driveways were blocked and my customers were unable to pick up their orders from the customer entrance which is the paved parking lot at 17 Galligan Rd from Thursday 2:08pm -4pm and Friday from 7am - 4pm. I have included a map from the Village of Gilberts Website and Facebook page, posted June 17, 2021 at 1pm and a photo showing the closure from one end of the street to the other. I would like the board to consider the impact of my ability to do business when the next application is filed for these types of special events where a road closure is happening.

I believe small business of all types should be supported and the Village could build bridges instead of walls by:

- Creating an inclusive application process in which impacted neighbors must be notified if a road closure is to take place, and notify us within 30 days or approval of permit.
- Make sure barricades are located so my customers and neighbors can access their respective properties. Our entrance is the paved lot at 17 Galligan Rd for both businesses.
- Make sure public works employees are informed to barricade placement in order to avoid obstructing our entrance.
- Teach Public Works the difference between hard closures vs soft closures and provide a map.
- Either the Village or the Permit Holder to monitor barricades so they are not moved by third parties.
- Said barricades will have a sign indicating “*local businesses are open*”. We would be happy to provide 2 permanent signs to be placed on either end by public works.

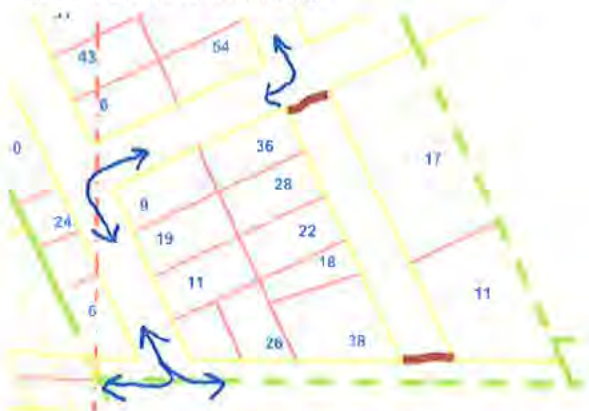


Village of Gilberts

Yesterday at 1:00 PM

...

Traffic Alert: Galligan Road between IL Route 72 and Turner St./Rollyn Anderson Ln. will be closed to thru traffic from Thursday, June 17, 3:00 p.m. until approximately Monday, June 21, 12:00 p.m. Local access only for residents and businesses located within the closure will be available from the intersection of Turner St./Rollyn Anderson Ln. Suggested detour for northbound Galligan Rd. traffic is right on Railroad St., right on Turner St., left on Galligan and for southbound, right on Turner St., left on Railroad St. to IL Route 72.



Please note the red lines which indicated hard closure barriers also indicated in the photos (6-17-2021 2:08pm)

VILLAGE MEETING MINUTES

July 06, 2021

Good evening. My name is Penny Bauer and I reside at 28 Galligan Road. I am here tonight to share my concerns (from what I personally experienced) with the Father's Day Weekend Fest / Block Party that was a joint venture of Pub 72 and Cruisin' Bar & Eatery.

On June 18, 2021 (3:49 p.m.), I contacted the Village of Gilberts to inquire why the intersection of Galligan Road and Turner Street / Rollyn Anderson Lane was completely blocked with three (3) barricades as well as a Do Not Enter sign (SEE EXHIBIT A). The Village Administrator moved the barricades to the South end of driveway (SEE EXHIBIT B). But restaging the barricades continued to block access to 22 Galligan Road. Although, at the present time, no one resides at 22 Galligan Road, contractors are working at that property. I advised the Village Administrator that there was no notice of the road closure personally directed to me or my family (writing, verbally or otherwise) from the Village of Gilberts, Pub 72 or Cruisin' Bar & Eatery. At that time, I was told that it was the responsibility of the event planner to contact us. There was no indication of who the event planner was so I "assumed" it to be either Pub 72 or Cruisin' Bar & Eatery.

I contacted the non-emergency number for the Village of Gilberts Police Department on June 19, 2021 after 10:00 p.m. to request that an officer contact me regarding the loud music coming from the Fest / Block Party. Sergeant #125 contacted me shortly thereafter and I explained my dilemma with the loud noise. Shortly thereafter, I walked over to the Fest / Block Party to speak with the Police Officers and asked when the music would end or at least the decibels lowered. Sergeant #125 indicated that there was always a grace period. I asked what the grace period was but he never provided me with a time frame. There was conversation between me and the owners of each establishment and the son of one of the establishments. Sergeant #125 decided to

extend the grace period to 11:00 p.m. The reason was because the band prior to the closing band was an hour late. He also indicated that past Gilberts Community Days always went to 11:00 p.m.

A Village of Gilberts trustee introduced himself and spoke with me personally. He indicated that since the Village of Gilberts was not able to have Community Days, "we" wanted to provide the community with the Fest / Block Party. Who is "we"? It was also indicated to me by this trustee that the Village of Gilberts part time event planer should have notified me of the road closure. I was told by one of the restaurant owners that he specifically asked the Village of Gilberts if he needed to notify surrounding residents of the Fest / Block Party and he said he was told no.

During the event on June 19, 2021 access to properties on Galligan Road not associated with the Fest / Block party were blocked. (SEE EXHIBITS C – H1).

Questions / Comments:

1. I would like clarification on who the actual event planer is. If it is the responsibility of the institution sponsoring the event, I suggest a printed list of responsibilities accompany the application.
2. The Traffic Alert was posted on the Village of Gilberts Facebook page at 12:00 p.m. on June 17, 2021 (only three hours prior to the actual closure). The alert indicates "Local access only for residents and businesses located within the closure will be available from the intersection of Turner Street / Rollyn Anderson Lane. This was not the case. (SEE EXHIBIT A AND I).
3. This event was advised on Facebook as a Fest / Block Party so it was assumed that the Block Party Permit Application needed to be completed. It was not until I completed a FOIA that it was realized this event was not considered a block party and that an Application For Special Event License needed to be completed.

4. The Fest / Block Party was advised on Facebook starting on June 04, 2021 (SEE EXHIBIT J). However, the required application was dated June 08, 2021. The application indicates that it must be completed no less than 30 days prior to the date of event. What is the actual date the application was submitted?
5. There was no entry in the "Estimated Number of Attendees" section. How can the Gilberts Police Department plan accordingly to cover this event in a secure and safe manner?
6. Page two of the Application For Special Event License was not included in my original FOIA request. I have been advised that pages three and four did not require completion. Is this correct? Is the application considered complete without the necessary signature(s) of the requisitioner(s) on page two?
7. What is the grace period for ending an event? Is it as much as an hour as decided by Sergeant #125 on June 19, 2021?
8. Is there any ordinance that dictates the volume level (i.e. decibels)?

EXHIBIT A



EXHIBIT B



EXHIBIT C



EXHIBIT D

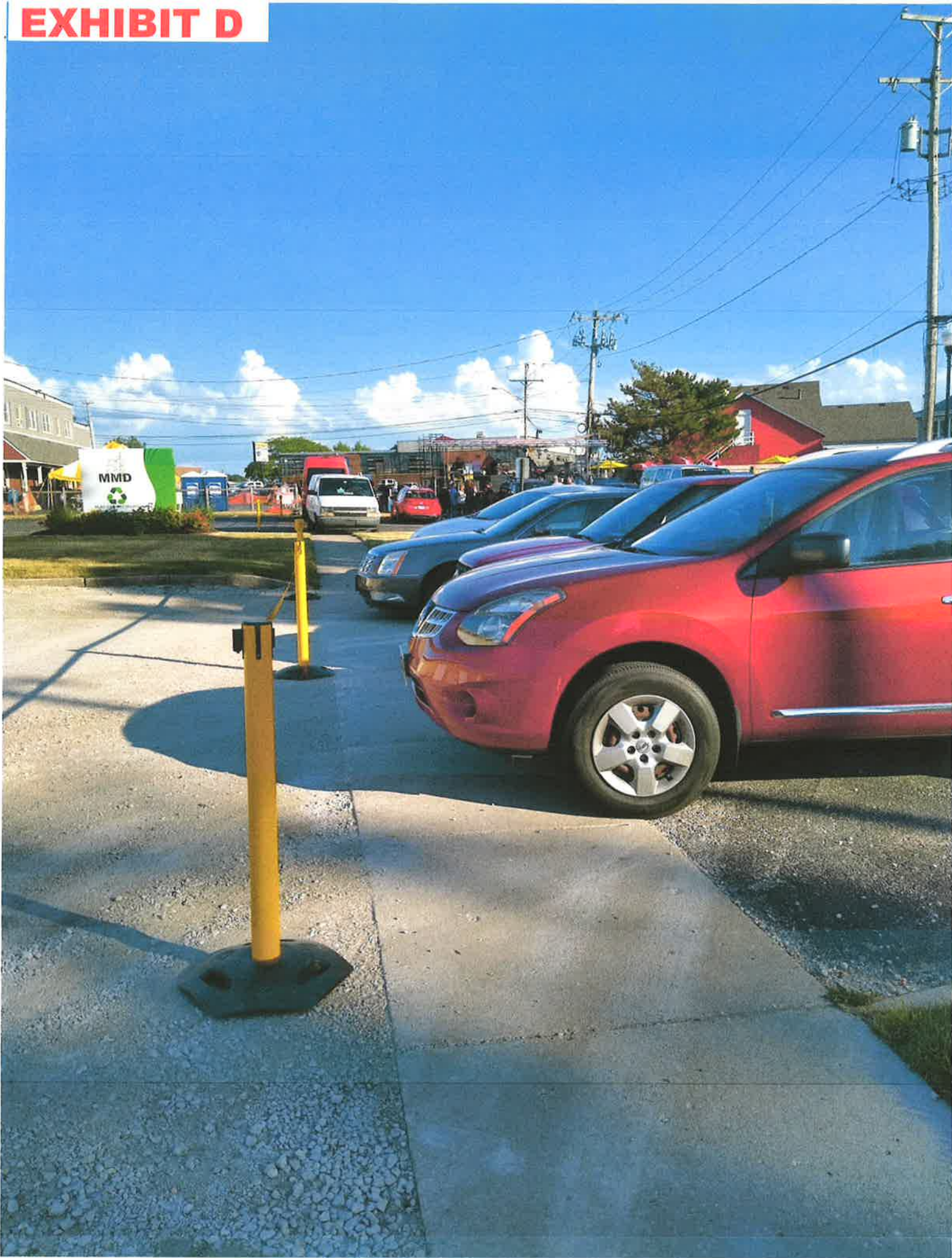


EXHIBIT E



EXHIBIT F



EXHIBIT G



EXHIBIT H

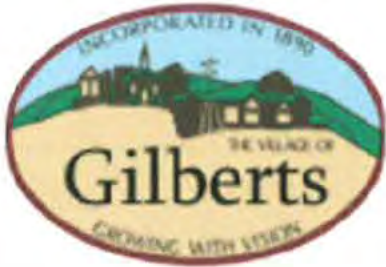


EXHIBIT H₁



EXHIBIT I

Like Share



Village of Gilberts

June 17 at 12:00 PM

Traffic Alert: Galligan Road between IL Route 72 and Turner St/Rollyn Anderson Ln will be closed to thru traffic from Thursday, June 17, 3:00 p.m. until approximately Monday, June 21, 12:00 p.m. Local access only for residents and businesses located within the closure will be available from the intersection of Turner St/Rollyn Anderson Ln. Suggested detour for northbound Galligan Rd. traffic is right on Railroad St., right on Turner St., left on Galligan and for southbound, right on Turner St., left on Railroad St. to IL Route 72.

Village of Gilberts

@villageofgilberts

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Create a Page





Pub 72

@pub72

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Like Share

Pub 72
June 4 at 9:50 AM

Day 2 of Pub 72 and Cruisin Bar & Eatery Father's Day Weekend Fest **Block Party!**

- \$15 Admission at the gate
 - 3-5:30--The Chain (Fleetwood Mac Tribute)
 - 6-8--Shawn Klush (#1 Elvis Tribute)--\$10 for VIP "Orchestra Pit" tickets
 - 8:30--Kashmir (Led Zeppelin)
- Come party with us!



SAT, JUN 19

Father's Day Weekend Outdoor Bash Day 2 (The Chain-FltWd Mac, Shawn Klush-Elvis, Kashmir-L Zep) \$15

Music · 296 people

Department: 00 GENERAL FUND

AHMED SHAKOOR	PARK PAVILION RENTAL	10.00
ANCEL GLINK, P.C.	ESCROWS PAYABLE	2,800.00
ILLINOIS TAX INCREMENT ASSOC.	ADMINISTRATIVE FEES	550.00
PADDOCK PUBLICATIONS	ESCROWS PAYABLE	192.05
ROBINSON ENGINEERING, LTD.	ESCROWS PAYABLE	33,814.50
Total: 00 GENERAL FUND		37,366.55

Department: 01 ADMINISTRATIVE

ANCEL GLINK, P.C.	LEGAL EXPENSE	6,800.00
CALL ONE	COMMUNICATIONS	566.23
CARD SERVICES	OPERATING EXPENSE	14.99
CARD SERVICES	DUES	219.00
CARD SERVICES	OFFICE SUPPLIES	8.08
CARD SERVICES	CONTRACTUAL SERVICES	179.88
CARD SERVICES	EMPLOYEE ENGAGEMENT	247.66
CURRENT TECHNOLOGIES, INC.	CONTRACTUAL SERVICES	310.00
LANER MUCHIN, LTD.	LEGAL EXPENSE	795.00
MARCO TECHNOLOGIES LLC	RENTAL-EQUIPMENT	425.00
PADDOCK PUBLICATIONS	LEGAL NOTICES	527.85
RESERVE ACCOUNT	POSTAGE	200.00
ROBINSON ENGINEERING, LTD.	ENGINEERING SERVICES	2,993.00
SWANK MOTION PICTURES	COMMUNITY RELATIONS	395.00
VERIZON WIRELESS	COMMUNICATIONS	216.37
Total: 01 ADMINISTRATIVE		13,898.06

Department: 02 POLICE

ACTION AUTO WORKS INC	MAINTENANCE VEHICLES	110.94
BEAN'S FARM INC	MAINTENANCE BUILDING	15.00
CALL ONE	COMMUNICATIONS	374.33
CARD SERVICES	OPERATING EXPENSE	584.97
CARD SERVICES	OFFICE SUPPLIES	508.82
CARD SERVICES	MAINTENANCE EQUIPMENT	33.98
CARD SERVICES	TRAINING EXPENSE	375.00
DISCOUNT TIRE	MAINTENANCE VEHICLES	978.00
ILEAS	DUES	60.00
INTOXIMETERS	MAINTENANCE EQUIPMENT	218.50
KANE COUNTY EMERGENCY	DISPATCHING	84,771.00
LEADSONLINE	CONTRACTUAL SERVICES	1,188.00
LINDA S. PIECZYNSKI	PUBLICATIONS/BROCHURES	106.00
MENARDS - CARPENTERSVILLE	MAINTENANCE VEHICLES	45.97
MENARDS - CARPENTERSVILLE	MAINTENANCE BUILDING	105.76
P.F. PETTIBONE & CO.	UNIFORMS	28.00
PACES AUTO SERVICE	MAINTENANCE VEHICLES	455.05
RAY O'HERRON	UNIFORMS	93.98
STEPHEN D. TOUSEY LAW OFFICE	LEGAL EXPENSE	400.00
SWIFT WASH, LLC	CONTRACTUAL SERVICES	121.50
UNIVERSITY OF ILLINOIS	TRAINING EXPENSE	100.00
VERIZON WIRELESS	COMMUNICATIONS	212.35
WRIGHT EXPRESS FSC	GASOLINE & OIL	1,981.32
Total: 02 POLICE		92,868.47

Department: 03 PUBLIC WORKS

AEP ENERGY	STREETLIGHTING	533.84
CALL ONE	COMMUNICATIONS	184.93
DUNDEE FORD	MAINTENANCE VEHICLES	942.26
IEPA FISCAL SERVICES SECTION	NPDES PERMITS	18,500.00
MENARDS - CARPENTERSVILLE	MAINTENANCE BUILDING	242.06
NAPA AUTO PARTS	MAINTENANCE VEHICLES	81.55

PACES AUTO SERVICE	MAINTENANCE VEHICLES	665.38
POMP'S TIRE SERVICE, INC.	MAINTENANCE EQUIPMENT	32.44
THE BUG MAN, INC	CONTRACTUAL SERVICES	15.00
VERIZON WIRELESS	COMMUNICATIONS	177.01
WRIGHT EXPRESS FSC	GASOLINE & OIL	1,041.87
Total: 03 PUBLIC WORKS		22,416.34

Department: 04 BUILDING

B&F CONSTRUCTION CODE SVC, INC	BUILDING PERMIT EXPENSE-PASS T	280.00
CALL ONE	COMMUNICATIONS	201.62
MARCO TECHNOLOGIES LLC	CONTRACTUAL SERVICES	250.00
ROBINSON ENGINEERING, LTD.	BUILDING PERMIT EXPENSE-PASS T	193.50
VERIZON WIRELESS	COMMUNICATIONS	59.02
WRIGHT EXPRESS FSC	GASOLINE & OIL	86.92
Total: 04 BUILDING		1,071.06

Department: 06 PARKS

AEP ENERGY	UTILITIES	419.82
CALL ONE	COMMUNICATIONS	217.95
Total: 06 PARKS		637.77

Department: 08 GARBAGE HAULING

MDC ENVIRONMENTAL SVCS.	GARBAGE HAULING EXPENSE	55,613.08
Total: 08 GARBAGE HAULING		55,613.08

Department: 10 WATER SYSTEMS

CALL ONE	COMMUNICATIONS	544.34
CARD SERVICES	POSTAGE	4.35
CARD SERVICES	LAB SUPPLIES & EQUIPMENT	14.61
FERGUSON WATERWORKS	SMALL TOOLS AND EQUIPMENT	245.33
FERGUSON WATERWORKS	CONTRACTUAL SERVICES	1,548.76
MARCO TECHNOLOGIES LLC	CONTRACTUAL SERVICES	55.00
PDC LABORATORIES, INC	LABORATORY TESTING	230.60
RED WING SHOES	UNIFORMS	400.00
THIRD MILLENNIUM ASSOCIATES	PRINTING	345.03
USA BLUEBOOK	LAB SUPPLIES & EQUIPMENT	375.43
VERIZON WIRELESS	COMMUNICATIONS	133.45
VIKING CHEMICAL CO	CHEMICALS	911.50
WATER SURPLUS	CONTRACTUAL SERVICES	34,905.00
WRIGHT EXPRESS FSC	GASOLINE & OIL	361.61
Total: 10 WATER SYSTEMS		40,075.01

Department: 20 WASTEWATER SYSTEMS

CALL ONE	COMMUNICATIONS	212.01
FERGUSON WATERWORKS	CONTRACTUAL SERVICES	1,548.77
MARCO TECHNOLOGIES LLC	CONTRACTUAL SERVICES	55.00
RED WING SHOES	UNIFORMS	400.00
THIRD MILLENNIUM ASSOCIATES	PRINTING	345.03
VERIZON WIRELESS	COMMUNICATIONS	133.46
WRIGHT EXPRESS FSC	GASOLINE & OIL	361.62
Total: 20 WASTEWATER SYSTEMS		3,055.89

*** GRAND TOTAL *** 267,002.23



Village of Gilberts
Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

Memorandum

TO: Village President Zambetti and Village Board of Trustees
CC: Brian Bourdeau, Village Administrator
FROM: Taunya Fischer, Finance Director
DATE: July 16, 2021
SUBJECT: June 30, 2021 Treasurer's Report

Here is a brief snapshot of the Village's Budget vs. Actual as of June 30, 2021 for the General and Water Funds.

General Fund	Budget	Actual	% BDGT Used
Revenues	4,459,748.00	1,294,413.32	29%
Expenses	4,451,615.00	591,021.77	13%
Net of Rev & Exp	8,133.00	703,391.55	

Water Fund	Budget	Actual	% BDGT Used
Revenues	2,210,350.00	259,348.84	12%
Expenses	1,975,669.00	147,767.06	7%
Net of Rev & Exp	234,681.00	111,581.78	

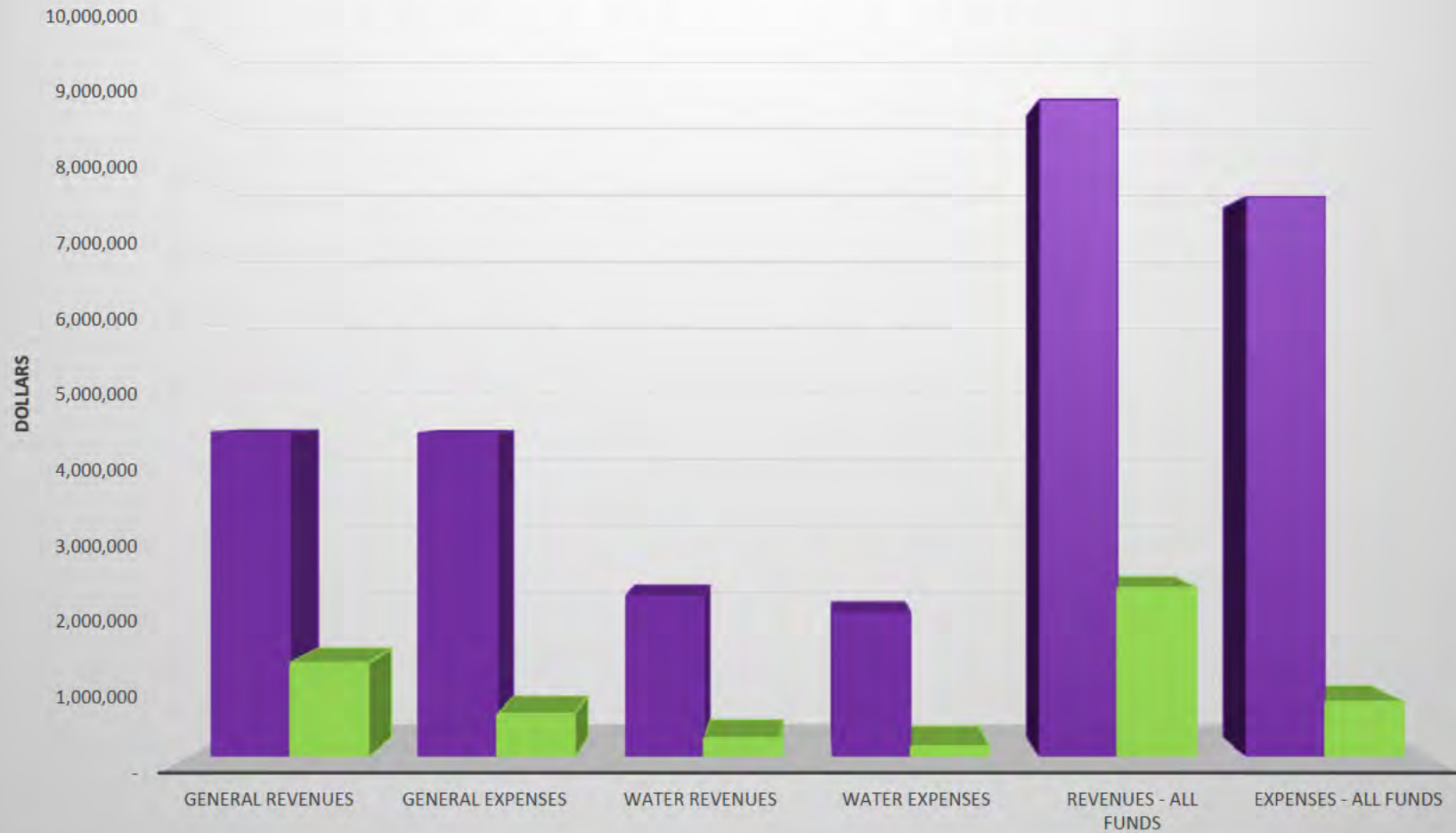
The percent of fiscal year completed for this report is 17%. The General Fund revenues are at 29% and expenses are at 13%; Water Fund revenues are at 12% and expenses are at 7%. Looking at all funds, the Village revenues are at 26% and expenses are at 10%.

At this point we have received two of the anticipated eight property tax distributions from Kane County. The State of Illinois has yet to request the ARPA funds from the federal government on behalf of the Non-Entitlement Units (NEUs) of government and as such, there is nothing further to report on these funds at this time. Staff will keep the board apprised of any forward momentum on these funds.

Also included in this report for June 30, 2021 are:
Revenue and Expense Budget vs. 06/30/21 YTD chart
Summary – All Funds report
Detail – All Funds report

Respectfully submitted,
Taunya Fischer, Finance Director

VILLAGE OF GILBERTS REVENUE vs. EXPENSES 2021-22 BUDGET vs. YTD AS OF 06/30/2021



	GENERAL REVENUES	GENERAL EXPENSES	WATER REVENUES	WATER EXPENSES	REVENUES - ALL FUNDS	EXPENSES - ALL FUNDS
■ 2021-22 BUDGET	4,459,748.00	4,451,615.00	2,210,350.00	1,975,669.00	9,044,479.00	7,709,175.00
■ YTD AS OF 6/30/2021	1,294,413.32	591,021.77	259,348.84	147,767.06	2,328,404.46	749,806.60

REVENUE AND EXPENDITURE REPORT FOR GILBERTS VILLAGE
PERIOD ENDING 06/30/2021 - SUMMARY
 % Fiscal Year Completed: 16.71

GL NUMBER	2021-22 BUDGET	YTD BALANCE 06/30/2021	ACTIVITY FOR MONTH 06/30/2021	AVAILABLE BALANCE	% BDGT USED
Fund 01 - GENERAL FUND:					
TOTAL REVENUES	4,459,748.00	1,294,413.32	970,664.47	3,165,334.68	29
TOTAL EXPENDITURES	4,451,615.00	591,021.77	363,723.60	3,860,593.23	13
NET OF REVENUES & EXPE	8,133.00	703,391.55	606,940.87	(695,258.55)	
Fund 11 - COMMUNITY DAYS:					
TOTAL REVENUES	47,400.00	-	-	47,400.00	0
TOTAL EXPENDITURES	46,126.00	-	-	46,126.00	0
NET OF REVENUES & EXPE	1,274.00	-	-	1,274.00	
Fund 12 - INFRASTRUCTURE FUND:					
TOTAL REVENUES	355,700.00	65,699.77	41,466.43	290,000.23	18
TOTAL EXPENDITURES	254,000.00	4,500.00	-	249,500.00	2
NET OF REVENUES & EXPE	101,700.00	61,199.77	41,466.43	40,500.23	
Fund 20 - WATER SYSTEM:					
TOTAL REVENUES	2,210,350.00	259,348.84	188,328.97	1,951,001.16	12
TOTAL EXPENDITURES	1,975,669.00	147,767.06	87,010.55	1,827,901.94	7
NET OF REVENUES & EXPE	234,681.00	111,581.78	101,318.42	123,099.22	
Fund 30 - MFT:					
TOTAL REVENUES	418,074.00	120,815.72	22,561.30	297,258.28	29
TOTAL EXPENDITURES	75,000.00	-	-	75,000.00	0
NET OF REVENUES & EXPE	343,074.00	120,815.72	22,561.30	222,258.28	
Fund 31 - PERFORMANCE BOND:					
TOTAL REVENUES	413.00	9.25	3.68	403.75	2
TOTAL EXPENDITURES	-	-	-	-	0
NET OF REVENUES & EXPE	413.00	9.25	3.68	403.75	
Fund 34 - TIF#1 CENTRAL REDEVELOPMENT:					
TOTAL REVENUES	179,024.00	102,193.12	89,469.78	76,830.88	57
TOTAL EXPENDITURES	1,000.00	-	-	1,000.00	0
NET OF REVENUES & EXPE	178,024.00	102,193.12	89,469.78	75,830.88	
Fund 35 - TIF#2 HIGGINS ROAD IND. PARK:					
TOTAL REVENUES	895,616.00	429,667.60	188,302.52	465,948.40	48
TOTAL EXPENDITURES	815,765.00	-	-	815,765.00	0
NET OF REVENUES & EXPE	79,851.00	429,667.60	188,302.52	(349,816.60)	
Fund 40 - DRUG FORFEITURE PD ACCOUNT:					
TOTAL REVENUES	15.00	4.16	4.16	10.84	28
TOTAL EXPENDITURES	-	-	-	-	0
NET OF REVENUES & EXPE	15.00	4.16	4.16	10.84	
Fund 43 - POLICE PENSION FUND:					
TOTAL REVENUES	478,139.00	56,252.68	-	421,886.32	12
TOTAL EXPENDITURES	90,000.00	6,517.77	-	83,482.23	7
NET OF REVENUES & EXPE	388,139.00	49,734.91	-	338,404.09	
TOTAL REVENUES - ALL FU	9,044,479.00	2,328,404.46	1,500,801.31	6,716,074.54	26
TOTAL EXPENDITURES - AI	7,709,175.00	749,806.60	450,734.15	6,959,368.40	10
NET OF REVENUES & EXPE	1,335,304.00	1,578,597.86	1,050,067.16	(243,293.86)	

REVENUE AND EXPENDITURE REPORT FOR GILBERTS VILLAGE
PERIOD ENDING 06/30/2021 - DETAIL
% Fiscal Year Completed: 16.71

GL NUMBER	DESCRIPTION	2021-22 BUDGET	YTD BALANCE 06/30/2021	ACTIVITY FOR		
				MONTH 06/30/2021	AVAILABLE BALANCE	% BDGT USED
Fund 01 - GENERAL FUND						
Revenues						
Dept 00 - GENERAL FUND						
01-00-3010	PROPERTY TAX	1,289,930.00	665,714.56	623,409.12	624,215.44	52
01-00-3020	PERSONAL PROPERTY REPL TAX	300.00	127.01	-	172.99	42
01-00-3030	TAX-SALES	281,960.00	67,810.92	40,479.23	214,149.08	24
01-00-3040	TAX-STATE INCOME	766,493.00	217,315.30	101,561.82	549,177.70	28
01-00-3041	STATE LOCAL USE TAX	300,050.00	40,761.72	22,871.43	259,288.28	14
01-00-3043	CANNABIS USE TAX	6,137.00	1,702.78	914.62	4,434.22	28
01-00-3060	LICENSE-LIQUOR	11,900.00	900.00	(900.00)	11,000.00	8
01-00-3090	PULLTABS & JAR GAMES TAX	848.00	-	-	848.00	0
01-00-3100	FEE-BUSINESS REGISTRATION	3,800.00	2,625.00	1,050.00	1,175.00	69
01-00-3110	FEE-CABLE FRANCHISE	62,350.00	6,890.32	-	55,459.68	11
01-00-3140	UTIL TAX-ELECTRIC	169,450.00	24,204.15	12,191.03	145,245.85	14
01-00-3150	ULT TAX-GAS	75,000.00	19,366.87	8,817.23	55,633.13	26
01-00-3160	CONTRACTOR REGISTRATION	10,000.00	1,770.00	700.00	8,230.00	18
01-00-3180	ULIT TAX-COMMUNICATIONS	85,000.00	11,122.41	5,626.61	73,877.59	13
01-00-3200	ZBA/PLAN.COMM. HEARINGS	-	1,500.00	1,500.00	(1,500.00)	100
01-00-3210	MISCELLANEOUS INCOME	5,000.00	4,337.88	10.00	662.12	87
01-00-3211	PLANNED USE OF FUND RESERVES	190,245.00	-	-	190,245.00	0
01-00-3220	FINES-COURT	15,000.00	3,109.46	1,095.69	11,890.54	21
01-00-3230	FINES-OTHER	2,400.00	50.00	-	2,350.00	2
01-00-3250	FEES-BUILDING PERMITS	26,288.00	16,533.00	9,936.00	9,755.00	63
01-00-3260	OVERWT/SIZE PERMIT FEE	3,500.00	1,900.00	920.00	1,600.00	54
01-00-3280	FEES-BUILDING PERMITS-PASS THRU	15,188.00	2,000.00	2,000.00	13,188.00	13
01-00-3290	RECYCLING LICENSE	2,500.00	-	-	2,500.00	0
01-00-3330	PARK PAVILION RENTAL	175.00	250.00	145.00	(75.00)	143
01-00-3400	CD INTEREST	3,000.00	77.80	34.45	2,922.20	3
01-00-3410	INTEREST EARNED	550.00	79.33	51.12	470.67	14
01-00-3440	PARK IMPACT FEES	42,420.00	-	-	42,420.00	0
01-00-3451	GILBERTS POLICE REPORT REQUEST	200.00	40.00	5.00	160.00	20

GL NUMBER	DESCRIPTION	2021-22 BUDGET	YTD BALANCE 06/30/2021	ACTIVITY FOR		% BDGT USED
				MONTH 06/30/2021	AVAILABLE BALANCE	
01-00-3460	MUNICIPAL UTILITY IMPACT FEE	7,500.00	-	-	7,500.00	0
01-00-3470	INTEREST EARNED - ILLINOIS FUNDS	8,800.00	273.69	109.17	8,526.31	3
01-00-3480	ANTENNA RENTAL	65,380.00	13,752.93	8,304.62	51,627.07	21
01-00-3500	GRANT REVENUE	5,334.00	-	-	5,334.00	0
01-00-3520	MISCELLANEOUS LICENSE	-	5.00	-	(5.00)	100
01-00-3530	VACANT BUILDING REGISTRATION	380.00	-	-	380.00	0
01-00-3540	RAFFLE LICENSE	70.00	-	-	70.00	0
01-00-3560	GARBAGE HAULER LICENSE	800.00	-	-	800.00	0
01-00-3580	VIDEO GAMING	65,000.00	25,134.15	11,818.59	39,865.85	39
01-00-3590	VIDEO GAMING LICENSE	1,050.00	-	-	1,050.00	0
01-00-3630	MUNICIPAL IMPACT FEE	41,250.00	11,000.00	11,000.00	30,250.00	27
Total Dept 00 - GENERAL FUND		3,565,248.00	1,140,354.28	863,650.73	2,424,893.72	32
Dept 07 - ENHANCED DUI PROGRAM						
01-07-3007	ENHANCED DUI- DUI TOWING	1,000.00	-	-	1,000.00	0
01-07-3017	ENHANCED DUI - VEHICLE SEIZURE	3,000.00	1,000.00	500.00	2,000.00	33
Total Dept 07 - ENHANCED DUI PROGRAM		4,000.00	1,000.00	500.00	3,000.00	25
Dept 08 - GARBAGE HAULING						
01-08-3018	GARBAGE REVENUE	847,000.00	143,893.98	100,189.67	703,106.02	17
01-08-3028	FRANCHISE REVENUE -GARBAGE	39,000.00	8,338.78	5,562.53	30,661.22	21
01-08-3080	LATE FEES	4,500.00	826.28	761.54	3,673.72	18
Total Dept 08 - GARBAGE HAULING		890,500.00	153,059.04	106,513.74	737,440.96	17
TOTAL REVENUES		4,459,748.00	1,294,413.32	970,664.47	3,165,334.68	29

Expenditures

Dept 01 - ADMINISTRATIVE

01-01-5010	WAGES-BOARD	24,000.00	3,875.00	2,125.00	20,125.00	16
01-01-5020	WAGES-PLANNING AND ZBA	2,100.00	100.00	-	2,000.00	5
01-01-5030	WAGES-GENERAL	290,405.00	42,609.46	21,152.38	247,795.54	15
01-01-5032	WAGES - OVERTIME	1,000.00	-	-	1,000.00	0
01-01-5040	FICA	17,471.00	2,785.85	1,392.00	14,685.15	16
01-01-5050	MEDICARE	4,086.00	651.59	325.56	3,434.41	16
01-01-5051	STATE UNEMPL TAX	8,000.00	905.77	905.77	7,094.23	11
01-01-5052	IMRF	36,238.00	4,890.77	2,434.80	31,347.23	14

GL NUMBER	DESCRIPTION	2021-22 BUDGET	YTD BALANCE 06/30/2021	ACTIVITY FOR		AVAILABLE BALANCE	% BDGT USED
				MONTH 06/30/2021			
01-01-5054	GROUP HEALTH INS	43,579.00	7,038.26	3,569.13		36,540.74	16
01-01-5056	WORKER'S COMP INS	36,172.00	-	-		36,172.00	0
01-01-5060	OPERATING EXPENSE	3,500.00	153.70	153.70		3,346.30	4
01-01-5070	DUES	6,930.00	4,782.25	4,782.25		2,147.75	69
01-01-5080	LEGAL NOTICES	1,500.00	-	-		1,500.00	0
01-01-5090	COMMUNICATIONS	8,352.00	1,241.39	697.34		7,110.61	15
01-01-5100	POSTAGE	2,300.00	216.80	216.80		2,083.20	9
01-01-5110	PRINTING	7,100.00	-	-		7,100.00	0
01-01-5150	COMMUNITY RELATIONS	7,130.00	-	-		7,130.00	0
01-01-5170	PUBLICATIONS/BROCHURES	120.00	-	-		120.00	0
01-01-5190	RENTAL-EQUIPMENT	6,000.00	106.63	106.63		5,893.37	2
01-01-5200	OFFICE SUPPLIES	3,500.00	2,890.25	2,210.89		609.75	83
01-01-5210	NISRA EXPENSE	900.00	-	-		900.00	0
01-01-5220	LEGAL LITIGATION	8,000.00	-	-		8,000.00	0
01-01-5230	LEGAL EXPENSE	65,000.00	5,900.00	5,900.00		59,100.00	9
01-01-5234	UTILITY IMPACT EXPENSE - FIBER	4,500.00	-	-		4,500.00	0
01-01-5240	ACCOUNTING SERVICES	25,000.00	17,680.00	17,680.00		7,320.00	71
01-01-5252	STORM WATER MGMT. PROFESSIONAL	10,000.00	-	-		10,000.00	0
01-01-5270	BANK FEES	175.00	-	-		175.00	0
01-01-5310	INSURANCE LIABILITY	33,872.00	-	-		33,872.00	0
01-01-5320	INSURANCE VEHICLES & EQUIP.	13,370.00	-	-		13,370.00	0
01-01-5360	ENGINEERING SERVICES	15,800.00	1,124.00	1,124.00		14,676.00	7
01-01-5400	MAINTENANCE EQUIPMENT	600.00	-	-		600.00	0
01-01-5410	MAINTENANCE BUILDING	7,935.00	823.16	823.16		7,111.84	10
01-01-5450	CONTRACTUAL SERVICES	28,872.00	4,614.31	3,627.71		24,257.69	16
01-01-5480	CAPITAL EQUIPMENT	40,245.00	-	-		40,245.00	0
01-01-5491	EMPLOYEE ENGAGEMENT	1,515.00	105.08	105.08		1,409.92	7
01-01-5560	VILLAGE PLANNER SERVICES	15,000.00	-	-		15,000.00	0
01-01-5580	TRAINING EXPENSE	14,005.00	-	-		14,005.00	0
01-01-5661	73 INDUSTRIAL PRINCIPAL	25,000.00	4,310.88	2,136.12		20,689.12	17
01-01-5671	73 INDUSTRIAL INTEREST	17,000.00	2,710.20	1,374.42		14,289.80	16
01-01-8500	TRANSFERS OUT	900.00	-	-		900.00	0
Total Dept 01 - ADMINISTRATIVE		837,172.00	109,515.35	72,842.74		727,656.65	13

Dept 02 - POLICE

GL NUMBER	DESCRIPTION	2021-22 BUDGET	YTD BALANCE 06/30/2021	ACTIVITY FOR		
				MONTH 06/30/2021	AVAILABLE BALANCE	% BDGT USED
01-02-5030	WAGES-POLICE	842,618.00	138,861.05	77,107.71	703,756.95	16
01-02-5031	WAGES - HOLIDAY WORKED	25,000.00	2,014.47	2,014.47	22,985.53	8
01-02-5032	WAGES - OVERTIME	15,000.00	8,028.19	3,930.87	6,971.81	54
01-02-5040	FICA	54,661.00	8,957.67	5,004.04	45,703.33	16
01-02-5050	MEDICARE	12,784.00	2,094.91	1,170.29	10,689.09	16
01-02-5052	IMRF	3,599.00	446.14	204.69	3,152.86	12
01-02-5054	GROUP HEALTH INS	130,055.00	18,332.56	9,593.96	111,722.44	14
01-02-5058	UNIFORMS	13,100.00	2,036.50	1,274.60	11,063.50	16
01-02-5060	OPERATING EXPENSE	5,750.00	124.00	54.00	5,626.00	2
01-02-5070	DUES	3,645.00	1,520.00	-	2,125.00	42
01-02-5080	LEGAL NOTICES	300.00	158.30	158.30	141.70	53
01-02-5090	COMMUNICATIONS	10,000.00	1,355.36	786.15	8,644.64	14
01-02-5110	PRINTING	500.00	40.00	-	460.00	8
01-02-5170	PUBLICATIONS/BROCHURES	150.00	-	-	150.00	0
01-02-5180	SMALL TOOLS AND EQUIPMENT	500.00	-	-	500.00	0
01-02-5200	OFFICE SUPPLIES	2,000.00	477.15	264.91	1,522.85	24
01-02-5230	LEGAL EXPENSE	5,500.00	800.00	400.00	4,700.00	15
01-02-5300	DISPATCHING	86,571.00	-	-	86,571.00	0
01-02-5370	GASOLINE & OIL	28,000.00	1,844.00	1,844.00	26,156.00	7
01-02-5390	MAINTENANCE VEHICLES	24,150.00	5,585.02	5,135.27	18,564.98	23
01-02-5400	MAINTENANCE EQUIPMENT	3,000.00	24.96	24.96	2,975.04	1
01-02-5410	MAINTENANCE BUILDING	7,560.00	2,354.38	29.38	5,205.62	31
01-02-5450	CONTRACTUAL SERVICES	13,637.00	1,166.88	1,045.38	12,470.12	9
01-02-5480	CAPITAL EQUIPMENT	47,000.00	-	-	47,000.00	0
01-02-5570	COMMUNITY RELATIONS	1,500.00	-	-	1,500.00	0
01-02-5580	TRAINING EXPENSE	12,500.00	330.40	155.40	12,169.60	3
Total Dept 02 - POLICE		1,349,080.00	196,551.94	110,198.38	1,152,528.06	15
Dept 03 - PUBLIC WORKS						
01-03-5030	WAGES-PPW	236,602.00	39,393.56	20,306.60	197,208.44	17
01-03-5032	WAGES - OVERTIME	14,000.00	84.50	84.50	13,915.50	1
01-03-5040	FICA	15,538.00	2,357.22	1,219.04	13,180.78	15
01-03-5050	MEDICARE	3,634.00	551.29	285.10	3,082.71	15
01-03-5052	IMRF	32,228.00	4,561.28	2,292.90	27,666.72	14
01-03-5054	GROUP HEALTH INS	42,289.00	6,913.64	3,456.82	35,375.36	16

GL NUMBER	DESCRIPTION	ACTIVITY FOR				
		2021-22 BUDGET	YTD BALANCE 06/30/2021	MONTH 06/30/2021	AVAILABLE BALANCE	% BDGT USED
01-03-5058	UNIFORMS	1,500.00	-	-	1,500.00	0
01-03-5060	OPERATING EXPENSE	1,150.00	383.28	133.28	766.72	33
01-03-5070	DUES	360.00	360.00	-	-	100
01-03-5090	COMMUNICATIONS	4,000.00	491.40	334.61	3,508.60	12
01-03-5180	SMALL TOOLS AND EQUIPMENT	2,500.00	267.26	-	2,232.74	11
01-03-5190	RENTAL-EQUIPMENT	1,500.00	184.00	184.00	1,316.00	12
01-03-5251	NPDES PERMITS	3,000.00	-	-	3,000.00	0
01-03-5260	STREETLIGHTING	38,100.00	6,107.59	3,467.93	31,992.41	16
01-03-5370	GASOLINE & OIL	14,000.00	946.33	946.33	13,053.67	7
01-03-5380	SIGNS EXPENSE	12,500.00	671.17	266.17	11,828.83	5
01-03-5390	MAINTENANCE VEHICLES	20,000.00	7,303.56	3,002.10	12,696.44	37
01-03-5400	MAINTENANCE EQUIPMENT	10,000.00	1,186.37	1,186.37	8,813.63	12
01-03-5410	MAINTENANCE BUILDING	1,600.00	475.00	475.00	1,125.00	30
01-03-5420	MAINTENANCE STREETS	28,000.00	611.80	254.01	27,388.20	2
01-03-5440	MAINTENANCE GROUNDS	3,000.00	250.00	250.00	2,750.00	8
01-03-5441	TREE/SIDEWALK REPLACEMENT	2,500.00	-	-	2,500.00	0
01-03-5450	CONTRACTUAL SERVICES	36,518.00	2,311.00	2,311.00	34,207.00	6
01-03-5461	WEATHER SIREN MAINTENANCE	2,500.00	-	-	2,500.00	0
01-03-5480	CAPITAL EQUIPMENT	175,000.00	74,450.00	74,450.00	100,550.00	43
01-03-5580	TRAINING EXPENSE	3,000.00	182.50	182.50	2,817.50	6
Total Dept 03 - PUBLIC WORKS		705,019.00	150,042.75	115,088.26	554,976.25	21
Dept 04 - BUILDING						
01-04-5030	WAGES-BUILDING	91,574.00	14,361.72	7,071.73	77,212.28	16
01-04-5040	FICA	5,678.00	885.70	436.09	4,792.30	16
01-04-5050	MEDICARE	1,328.00	207.14	101.99	1,120.86	16
01-04-5052	IMRF	5,621.00	840.63	421.60	4,780.37	15
01-04-5054	GROUP HEALTH INS	-	6.60	3.30	(6.60)	100
01-04-5058	UNIFORMS	200.00	-	-	200.00	0
01-04-5070	DUES	360.00	-	-	360.00	0
01-04-5090	COMMUNICATIONS	3,000.00	411.99	233.41	2,588.01	14
01-04-5110	PRINTING	10,770.00	-	-	10,770.00	0
01-04-5200	OFFICE SUPPLIES	1,000.00	9.74	9.74	990.26	1
01-04-5250	BUILDING PERMIT EXPENSE	2,000.00	-	-	2,000.00	0
01-04-5280	BUILDING PERMIT EXPENSE-PASS THRU	22,000.00	1,115.00	135.00	20,885.00	5

GL NUMBER	DESCRIPTION	ACTIVITY FOR				
		2021-22 BUDGET	YTD BALANCE 06/30/2021	MONTH 06/30/2021	AVAILABLE BALANCE	% BDGT USED
01-04-5370	GASOLINE & OIL	1,000.00	72.97	72.97	927.03	7
01-04-5390	MAINTENANCE VEHICLES	2,000.00	-	-	2,000.00	0
01-04-5450	CONTRACTUAL SERVICES	5,500.00	373.93	373.93	5,126.07	7
01-04-5580	TRAINING EXPENSE	1,000.00	-	-	1,000.00	0
Total Dept 04 - BUILDING		153,031.00	18,285.42	8,859.76	134,745.58	12
Dept 06 - PARKS						
01-06-5030	REG WAGES	27,717.00	-	-	27,717.00	0
01-06-5040	FICA	1,719.00	-	-	1,719.00	0
01-06-5050	MEDICARE	402.00	-	-	402.00	0
01-06-5060	OPERATING EXPENSE	250.00	-	-	250.00	0
01-06-5090	COMMUNICATIONS	2,520.00	418.31	209.17	2,101.69	17
01-06-5120	UTILITIES	4,200.00	2,177.66	152.26	2,022.34	52
01-06-5190	RENTAL-EQUIPMENT	2,500.00	-	-	2,500.00	0
01-06-5211	MAINTENANCE SUPPLIES	1,300.00	-	-	1,300.00	0
01-06-5350	MINOR PARK PROJECTS	1,200.00	-	-	1,200.00	0
01-06-5370	GASOLINE & OIL	600.00	-	-	600.00	0
01-06-5391	MAINTENANCE-SPORTS/PLAYGROUND EQUIP.	500.00	618.00	618.00	(118.00)	124
01-06-5400	MAINTENANCE EQUIPMENT	6,100.00	647.85	131.87	5,452.15	11
01-06-5410	MAINTENANCE BUILDING	5,700.00	1,492.04	-	4,207.96	26
01-06-5440	MAINTENANCE GROUNDS	2,000.00	21.95	-	1,978.05	1
01-06-5450	CONTRACTUAL SERVICES	4,750.00	-	-	4,750.00	0
01-06-5480	CAPITAL EQUIPMENT	142,000.00	-	-	142,000.00	0
Total Dept 06 - PARKS		203,458.00	5,375.81	1,111.30	198,082.19	3
Dept 07 - ENHANCED DUI PROGRAM						
01-07-5030	WAGES-ENHANCED DUI	8,000.00	-	-	8,000.00	0
01-07-5040	FICA	500.00	-	-	500.00	0
01-07-5050	MEDICARE	116.00	-	-	116.00	0
01-07-5180	SMALL TOOLS AND EQUIPMENT	2,500.00	-	-	2,500.00	0
Total Dept 07 - ENHANCED DUI PROGRAM		11,116.00	-	-	11,116.00	0
Dept 08 - GARBAGE HAULING						
01-08-5068	GARBAGE HAULING EXPENSE	660,000.00	111,250.50	55,623.16	548,749.50	17
01-08-5078	ADMINISTRATIVE COSTS	27,000.00	-	-	27,000.00	0

GL NUMBER	DESCRIPTION	ACTIVITY FOR				
		2021-22 BUDGET	YTD BALANCE 06/30/2021	MONTH 06/30/2021	AVAILABLE BALANCE	% BDGT USED
01-08-8500	TRANSFERS OUT	90,000.00	-	-	90,000.00	0
Total Dept 08 - GARBAGE HAULING		777,000.00	111,250.50	55,623.16	665,749.50	14
Dept 89 - GPD DOWN STATE PENSION FUND						
01-89-5621	GPD DOWNSTATE PENSION FUND	415,739.00	-	-	415,739.00	0
Total Dept 89 - GPD DOWN STATE PENSION FUND		415,739.00	-	-	415,739.00	0
TOTAL EXPENDITURES		4,451,615.00	591,021.77	363,723.60	3,860,593.23	13
Fund 01 - GENERAL FUND:						
TOTAL REVENUES		4,459,748.00	1,294,413.32	970,664.47	3,165,334.68	29
TOTAL EXPENDITURES		4,451,615.00	591,021.77	363,723.60	3,860,593.23	13
NET OF REVENUES & EXPENDITURES		8,133.00	703,391.55	606,940.87	(695,258.55)	

GL NUMBER	DESCRIPTION	2021-22 BUDGET	YTD BALANCE 06/30/2021	ACTIVITY FOR		AVAILABLE BALANCE	% BDGT USED
				MONTH 06/30/2021			
Fund 11 - COMMUNITY DAYS							
Revenues							
Dept 00 - GENERAL FUND							
11-00-3015	COMMUNITY DAYS DONATIONS	14,000.00	-	-		14,000.00	0
11-00-3210	OTHER INCOME	17,000.00	-	-		17,000.00	0
11-00-3520	VENDOR FEES	3,500.00	-	-		3,500.00	0
11-00-3980	BEVERAGE SALES	12,000.00	-	-		12,000.00	0
11-00-8100	TRANSFERS IN	900.00	-	-		900.00	0
Total Dept 00 - GENERAL FUND		47,400.00	-	-		47,400.00	0
TOTAL REVENUES		47,400.00	-	-		47,400.00	0
Expenditures							
Dept 00 - GENERAL FUND							
11-00-5060	BEVERAGE OPERATIONS	8,466.00	-	-		8,466.00	0
11-00-5070	PERMITS & LICENSES	55.00	-	-		55.00	0
11-00-5079	ADVERTISING / MARKETING	3,670.00	-	-		3,670.00	0
11-00-5130	MISCELLANEOUS EXPENSES	410.00	-	-		410.00	0
11-00-5159	ENTERTAINMENT	29,625.00	-	-		29,625.00	0
11-00-5610	EQUIPMENT & SERVICES	3,900.00	-	-		3,900.00	0
Total Dept 00 - GENERAL FUND		46,126.00	-	-		46,126.00	0
TOTAL EXPENDITURES		46,126.00	-	-		46,126.00	0
Fund 11 - COMMUNITY DAYS:							
TOTAL REVENUES		47,400.00	-	-		47,400.00	0
TOTAL EXPENDITURES		46,126.00	-	-		46,126.00	0
NET OF REVENUES & EXPENDITURES		1,274.00	-	-		1,274.00	

GL NUMBER	DESCRIPTION	2021-22 BUDGET	YTD BALANCE 06/30/2021	ACTIVITY FOR		
				MONTH 06/30/2021	AVAILABLE BALANCE	% BDGT USED
Fund 12 - INFRASTRUCTURE FUND						
Revenues						
Dept 00 - GENERAL FUND						
12-00-3031	NON HOME RULE 1% SALES TAX	258,000.00	60,933.57	37,181.28	197,066.43	24
12-00-3050	TAX-ROAD AND BRIDGE	7,600.00	4,766.20	4,285.15	2,833.80	63
12-00-3390	SSA#24 BOND INTEREST	100.00	-	-	100.00	0
12-00-8100	TRANSFERS IN	90,000.00	-	-	90,000.00	0
Total Dept 00 - GENERAL FUND		355,700.00	65,699.77	41,466.43	290,000.23	18
TOTAL REVENUES		355,700.00	65,699.77	41,466.43	290,000.23	18
Expenditures						
Dept 00 - GENERAL FUND						
12-00-5360	ENGINEERING SERVICES	20,000.00	-	-	20,000.00	0
12-00-5490	GO BOND PRINCIPAL	225,000.00	-	-	225,000.00	0
12-00-5491	GO BOND INTEREST	9,000.00	4,500.00	-	4,500.00	50
Total Dept 00 - GENERAL FUND		254,000.00	4,500.00	-	249,500.00	2
TOTAL EXPENDITURES		254,000.00	4,500.00	-	249,500.00	2
Fund 12 - INFRASTRUCTURE FUND:						
TOTAL REVENUES		355,700.00	65,699.77	41,466.43	290,000.23	18
TOTAL EXPENDITURES		254,000.00	4,500.00	-	249,500.00	2
NET OF REVENUES & EXPENDITURES		101,700.00	61,199.77	41,466.43	40,500.23	

GL NUMBER	DESCRIPTION	2021-22 BUDGET	YTD BALANCE 06/30/2021	ACTIVITY FOR		% BDGT USED
				MONTH 06/30/2021	AVAILABLE BALANCE	
Fund 20 - WATER SYSTEM						
Revenues						
Dept 00 - GENERAL FUND						
20-00-3022	INCOME - WASTEWATER	750,000.00	121,232.40	88,229.23	628,767.60	16
20-00-3032	INCOME - WATER	850,000.00	131,257.83	94,563.30	718,742.17	15
20-00-3080	LATE FEES	20,000.00	3,684.60	3,392.80	16,315.40	18
20-00-3210	MISCELLANEOUS INCOME	-	70.48	70.48	(70.48)	100
20-00-3211	PLANNED USE OF FUND RESERVES	549,500.00	-	-	549,500.00	0
20-00-3310	FEE-TAP-ON - WATER	1,700.00	-	-	1,700.00	0
20-00-3360	METER SALES	7,050.00	1,877.92	1,877.92	5,172.08	27
20-00-3390	SSA#24 BOND INTEREST	100.00	0.02	0.02	99.98	0
20-00-3400	CD INTEREST	4,000.00	131.03	153.53	3,868.97	3
20-00-3410	INTEREST EARNED	24,000.00	980.90	(2.86)	23,019.10	4
20-00-3470	INTEREST EARNED - ILLINOIS FUNDS	4,000.00	113.66	44.55	3,886.34	3
Total Dept 00 - GENERAL FUND		2,210,350.00	259,348.84	188,328.97	1,951,001.16	12
TOTAL REVENUES		2,210,350.00	259,348.84	188,328.97	1,951,001.16	12
Expenditures						
Dept 10 - WATER SYSTEMS						
20-10-5030	REG. WAGES	188,223.00	30,394.33	15,150.50	157,828.67	16
20-10-5032	WAGES - OVERTIME	7,000.00	-	-	7,000.00	0
20-10-5040	FICA	11,831.00	1,754.92	874.54	10,076.08	15
20-10-5050	MEDICARE	2,767.00	410.45	204.56	2,356.55	15
20-10-5052	IMRF	24,540.00	3,811.39	1,899.84	20,728.61	16
20-10-5054	GROUP HEALTH INS	40,873.00	6,892.40	3,446.20	33,980.60	17
20-10-5056	WORKER'S COMP INS	15,502.00	-	-	15,502.00	0
20-10-5058	UNIFORMS	1,000.00	-	-	1,000.00	0
20-10-5070	DUES	450.00	424.92	424.92	25.08	94
20-10-5080	LEGAL NOTICES	100.00	-	-	100.00	0
20-10-5090	COMMUNICATIONS	7,600.00	1,063.85	598.65	6,536.15	14
20-10-5091	JULIE LOCATE SUPPLIES	500.00	-	-	500.00	0
20-10-5100	POSTAGE	3,250.00	417.31	-	2,832.69	13
20-10-5110	PRINTING	2,900.00	419.31	76.18	2,480.69	14
20-10-5120	UTILITIES	94,000.00	7,541.36	7,372.67	86,458.64	8

GL NUMBER	DESCRIPTION	2021-22	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		BUDGET	06/30/2021	MONTH 06/30/2021	BALANCE	USED
20-10-5180	SMALL TOOLS AND EQUIPMENT	6,000.00	535.25	58.85	5,464.75	9
20-10-5190	RENTAL-EQUIPMENT	500.00	-	-	500.00	0
20-10-5200	OFFICE SUPPLIES	1,000.00	35.59	35.59	964.41	4
20-10-5213	OUTSIDE SERVICES	10,000.00	-	-	10,000.00	0
20-10-5262	LAB SUPPLIES & EQUIPMENT	8,000.00	4,826.66	3,708.72	3,173.34	60
20-10-5281	CHEMICALS	28,600.00	4,536.19	2,587.78	24,063.81	16
20-10-5301	MAINT SUPPLIES-JANTORIAL	450.00	200.00	-	250.00	44
20-10-5310	INSURANCE LIABILITY	21,656.00	-	-	21,656.00	0
20-10-5320	INSURANCE VEHICLES & EQUIP.	8,548.00	-	-	8,548.00	0
20-10-5360	ENGINEERING SERVICES	10,000.00	-	-	10,000.00	0
20-10-5370	GASOLINE & OIL	3,000.00	258.68	258.68	2,741.32	9
20-10-5381	MAINTENANCE PARTS & MATERIALS	10,000.00	1,994.51	1,955.56	8,005.49	20
20-10-5390	MAINTENANCE VEHICLES	3,500.00	16.04	-	3,483.96	0
20-10-5410	MAINTENANCE BUILDING	2,000.00	162.28	100.66	1,837.72	8
20-10-5431	HYDRANT MAINTENANCE	5,000.00	-	-	5,000.00	0
20-10-5450	CONTRACTUAL SERVICES	58,103.00	267.88	57.88	57,835.12	0
20-10-5480	CAPITAL EQUIPMENT	554,500.00	1,961.96	1,961.96	552,538.04	0
20-10-5510	WATER METERS	31,185.00	2,918.94	2,918.94	28,266.06	9
20-10-5520	LABORATORY TESTING	10,000.00	1,999.56	1,423.50	8,000.44	20
20-10-5580	TRAINING EXPENSE	3,300.00	-	-	3,300.00	0
20-10-5601	REPAIRS-WATER DISTRIBUTION SYS.	10,000.00	-	-	10,000.00	0
20-10-5652	BRINE HAULING EXPENSES	40,000.00	-	-	40,000.00	0
20-10-5662	IEPA LOAN-PRINCIPAL	25,826.00	-	-	25,826.00	0
20-10-5672	IEPA LOAN - INTEREST	7,156.00	-	-	7,156.00	0
Total Dept 10 - WATER SYSTEMS		1,258,860.00	72,843.78	45,116.18	1,186,016.22	6
Dept 20 - WASTEWATER SYSTEMS						
20-20-5030	WAGES	179,346.00	29,834.20	14,732.29	149,511.80	17
20-20-5032	WAGES - OVERTIME	7,000.00	-	-	7,000.00	0
20-20-5040	FICA	11,554.00	1,739.14	858.13	9,814.86	15
20-20-5050	MEDICARE	2,703.00	406.70	200.65	2,296.30	15
20-20-5052	IMRF	23,964.00	3,741.24	1,847.45	20,222.76	16
20-20-5054	GROUP HEALTH INS	34,731.00	5,909.38	2,954.69	28,821.62	17
20-20-5058	UNIFORMS	800.00	-	-	800.00	0
20-20-5090	COMMUNICATIONS	3,800.00	504.63	319.04	3,295.37	13

GL NUMBER	DESCRIPTION	2021-22 BUDGET	YTD BALANCE 06/30/2021	ACTIVITY FOR		AVAILABLE BALANCE	% BDGT USED
				MONTH 06/30/2021			
20-20-5091	JULIE LOCATE SUPPLIES	400.00	-	-		400.00	0
20-20-5100	POSTAGE	3,250.00	417.30	-		2,832.70	13
20-20-5110	PRINTING	2,900.00	419.31	76.18		2,480.69	14
20-20-5120	UTILITIES	126,000.00	18,696.34	8,950.46		107,303.66	15
20-20-5180	SMALL TOOLS AND EQUIPMENT	2,500.00	-	-		2,500.00	0
20-20-5190	RENTAL-EQUIPMENT	1,500.00	-	-		1,500.00	0
20-20-5200	OFFICE SUPPLIES	1,000.00	35.59	35.59		964.41	4
20-20-5213	OUTSIDE SERVICES	15,000.00	-	-		15,000.00	0
20-20-5251	NPDES PERMITS	20,000.00	-	-		20,000.00	0
20-20-5262	LAB SUPPLIES & EQUIPMENT	8,500.00	289.55	289.55		8,210.45	3
20-20-5281	CHEMICALS	35,000.00	5,248.54	5,248.54		29,751.46	15
20-20-5301	MAINT SUPPLIES-JANITORIAL	450.00	200.00	-		250.00	44
20-20-5360	ENGINEERING SERVICES	10,000.00	-	-		10,000.00	0
20-20-5370	GASOLINE & OIL	4,000.00	258.67	258.67		3,741.33	6
20-20-5381	MAINTENANCE PARTS & MATERIALS	15,000.00	1,215.48	584.85		13,784.52	8
20-20-5390	MAINTENANCE VEHICLES	4,000.00	-	-		4,000.00	0
20-20-5410	MAINTENANCE BUILDING	1,000.00	147.28	100.65		852.72	15
20-20-5450	CONTRACTUAL SERVICES	63,311.00	57.88	57.88		63,253.12	0
20-20-5480	CAPITAL EQUIPMENT	66,300.00	1,961.96	1,961.96		64,338.04	3
20-20-5520	LABORATORY TESTING	30,000.00	-	-		30,000.00	0
20-20-5580	TRAINING EXPENSE	2,800.00	-	-		2,800.00	0
20-20-5602	REPAIRS-W/WATER COLLECTION SYS.	10,000.00	-	-		10,000.00	0
20-20-5660	COLLECTION SYS. PUMP MAINT.	30,000.00	3,840.09	3,417.79		26,159.91	13
Total Dept 20 - WASTEWATER SYSTEMS		716,809.00	74,923.28	41,894.37		641,885.72	10
TOTAL EXPENDITURES		1,975,669.00	147,767.06	87,010.55		1,827,901.94	7
Fund 20 - WATER SYSTEM:							
TOTAL REVENUES		2,210,350.00	259,348.84	188,328.97		1,951,001.16	12
TOTAL EXPENDITURES		1,975,669.00	147,767.06	87,010.55		1,827,901.94	7
NET OF REVENUES & EXPENDITURES		234,681.00	111,581.78	101,318.42		123,099.22	

GL NUMBER	DESCRIPTION	2021-22 BUDGET	YTD BALANCE 06/30/2021	ACTIVITY FOR		AVAILABLE BALANCE	% BDGT USED
				MONTH 06/30/2021			
Fund 30 - MFT							
Revenues							
Dept 00 - GENERAL FUND							
30-00-3410	INTEREST EARNED	120.00	61.66	61.66		58.34	51
30-00-3450	MOTOR FUEL TAX	415,954.00	120,697.46	22,477.15		295,256.54	29
30-00-3470	INTEREST EARNED - ILLINOIS FUNDS	2,000.00	56.60	22.49		1,943.40	3
Total Dept 00 - GENERAL FUND		418,074.00	120,815.72	22,561.30		297,258.28	29
TOTAL REVENUES		418,074.00	120,815.72	22,561.30		297,258.28	29
Expenditures							
Dept 00 - GENERAL FUND							
30-00-5462	MFT RESOLUTION	75,000.00	-	-		75,000.00	0
Total Dept 00 - GENERAL FUND		75,000.00	-	-		75,000.00	0
TOTAL EXPENDITURES		75,000.00	-	-		75,000.00	0
Fund 30 - MFT:							
TOTAL REVENUES		418,074.00	120,815.72	22,561.30		297,258.28	29
TOTAL EXPENDITURES		75,000.00	-	-		75,000.00	0
NET OF REVENUES & EXPENDITURES		343,074.00	120,815.72	22,561.30		222,258.28	

GL NUMBER	DESCRIPTION	2021-22	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		BUDGET	06/30/2021	MONTH	BALANCE	USED
				06/30/2021		
Fund 31 - PERFORMANCE BOND						
Revenues						
Dept 00 - GENERAL FUND						
31-00-3410	INTEREST EARNED	413.00	9.25	3.68	403.75	2
Total Dept 00 - GENERAL FUND		413.00	9.25	3.68	403.75	2
TOTAL REVENUES		413.00	9.25	3.68	403.75	2
Fund 31 - PERFORMANCE BOND:						
TOTAL REVENUES		413.00	9.25	3.68	403.75	2
TOTAL EXPENDITURES		-	-	-	-	0
NET OF REVENUES & EXPENDITURES		413.00	9.25	3.68	403.75	

GL NUMBER	DESCRIPTION	2021-22 BUDGET	YTD BALANCE 06/30/2021	ACTIVITY FOR		AVAILABLE BALANCE	% BDGT USED
				MONTH 06/30/2021			
Fund 34 - TIF#1 CENTRAL REDEVELOPMENT							
Revenues							
Dept 00 - GENERAL FUND							
34-00-3010	PROPERTY TAX	178,659.00	102,094.65	89,418.09		76,564.35	57
34-00-3410	INTEREST EARNED	365.00	98.47	51.69		266.53	27
Total Dept 00 - GENERAL FUND		179,024.00	102,193.12	89,469.78		76,830.88	57
TOTAL REVENUES		179,024.00	102,193.12	89,469.78		76,830.88	57
Expenditures							
Dept 00 - GENERAL FUND							
34-00-5061	ADMINISTRATIVE FEES	1,000.00	-	-		1,000.00	0
Total Dept 00 - GENERAL FUND		1,000.00	-	-		1,000.00	0
TOTAL EXPENDITURES		1,000.00	-	-		1,000.00	0
Fund 34 - TIF#1 CENTRAL REDEVELOPMENT:							
TOTAL REVENUES		179,024.00	102,193.12	89,469.78		76,830.88	57
TOTAL EXPENDITURES		1,000.00	-	-		1,000.00	0
NET OF REVENUES & EXPENDITURES		178,024.00	102,193.12	89,469.78		75,830.88	

GL NUMBER	DESCRIPTION	2021-22 BUDGET	YTD BALANCE 06/30/2021	ACTIVITY FOR		
				MONTH 06/30/2021	AVAILABLE BALANCE	% BDGT USED
Fund 35 - TIF#2 HIGGINS ROAD IND. PARK						
Revenues						
Dept 00 - GENERAL FUND						
35-00-3010	PROPERTY TAX	894,966.00	429,537.51	188,234.69	465,428.49	48
35-00-3410	INTEREST EARNED	650.00	130.09	67.83	519.91	20
Total Dept 00 - GENERAL FUND		895,616.00	429,667.60	188,302.52	465,948.40	48
TOTAL REVENUES		895,616.00	429,667.60	188,302.52	465,948.40	48
Expenditures						
Dept 00 - GENERAL FUND						
35-00-5061	ADMINISTRATIVE FEES	10,550.00	-	-	10,550.00	0
35-00-5071	TIF NOTE INTEREST	288,215.00	-	-	288,215.00	0
35-00-5081	TIF NOTE PRINCIPAL	517,000.00	-	-	517,000.00	0
Total Dept 00 - GENERAL FUND		815,765.00	-	-	815,765.00	0
TOTAL EXPENDITURES		815,765.00	-	-	815,765.00	0
Fund 35 - TIF#2 HIGGINS ROAD IND. PARK:						
TOTAL REVENUES		895,616.00	429,667.60	188,302.52	465,948.40	48
TOTAL EXPENDITURES		815,765.00	-	-	815,765.00	0
NET OF REVENUES & EXPENDITURES		79,851.00	429,667.60	188,302.52	(349,816.60)	

GL NUMBER	DESCRIPTION	2021-22	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		BUDGET	06/30/2021	MONTH	BALANCE	USED
				06/30/2021		
Fund 40 - DRUG FORFEITURE PD ACCOUNT						
Revenues						
Dept 00 - GENERAL FUND						
40-00-3410	INTEREST EARNED	15.00	4.16	4.16	10.84	28
Total Dept 00 - GENERAL FUND		15.00	4.16	4.16	10.84	28
TOTAL REVENUES		15.00	4.16	4.16	10.84	28
Fund 40 - DRUG FORFEITURE PD ACCOUNT:						
TOTAL REVENUES		15.00	4.16	4.16	10.84	28
TOTAL EXPENDITURES		-	-	-	-	0
NET OF REVENUES & EXPENDITURES		15.00	4.16	4.16	10.84	

GL NUMBER	DESCRIPTION	2021-22 BUDGET	YTD BALANCE 06/30/2021	ACTIVITY FOR		
				MONTH 06/30/2021	AVAILABLE BALANCE	% BDGT USED
Fund 43 - POLICE PENSION FUND						
Revenues						
Dept 00 - GENERAL FUND						
43-00-3421	UNREALIZED GAIN/LOSS	-	50,505.24	-	(50,505.24)	100
43-00-3490	EMPLOYER CONTRIBUTIONS	415,739.00	-	-	415,739.00	0
43-00-3491	EMPLOYEE CONTRIBUTIONS	62,400.00	5,747.44	-	56,652.56	9
Total Dept 00 - GENERAL FUND		478,139.00	56,252.68	-	421,886.32	12
TOTAL REVENUES		478,139.00	56,252.68	-	421,886.32	12
Expenditures						
Dept 00 - GENERAL FUND						
43-00-5321	PROFESSIONAL FEES	-	1,584.82	-	(1,584.82)	100
43-00-5509	PENSION EXPENSES	90,000.00	4,932.95	-	85,067.05	5
Total Dept 00 - GENERAL FUND		90,000.00	6,517.77	-	83,482.23	7
TOTAL EXPENDITURES		90,000.00	6,517.77	-	83,482.23	
Fund 43 - POLICE PENSION FUND:						
TOTAL REVENUES		478,139.00	56,252.68	-	421,886.32	12
TOTAL EXPENDITURES		90,000.00	6,517.77	-	83,482.23	7
NET OF REVENUES & EXPENDITURES		388,139.00	49,734.91	-	338,404.09	
TOTAL REVENUES - ALL FUNDS		9,044,479.00	2,328,404.46	1,500,801.31	6,716,074.54	26
TOTAL EXPENDITURES - ALL FUNDS		7,709,175.00	749,806.60	450,734.15	6,959,368.40	10
NET OF REVENUES & EXPENDITURES		1,335,304.00	1,578,597.86	1,050,067.16	(243,293.86)	



Village of Gilberts
Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

To: Village President and Board of Trustees
From: Riley Lynch, Administrative Intern
CC: Brian Bourdeau, Village Administrator
Date: July 20, 2021 Village Board Meeting
Re: Item: 6.D. Request for a Rear Yard Setback Variance at 172 Tyler Creek Street.

Background

Mr. and Mrs. Adam and Christina Kasprowicz (“Applicants”) have requested a variance from the rear yard building setback requirement for the purposes of constructing a wooden deck attached to their home. The property, located at 172 Tyler Creek Street (PIN: 02-23-251-010) is located within the R3-A zoning district in Windmill Meadows. The property borders single family homes to the East, South and West, and the Kane County Forest Preserve to the North.



Within the R-3 Residential zoning district, the minimum rear yard setback is 40 feet for residential served by septic and 30 feet for residential served by sewer (UDO 10-3-6). The Applicants’ residence is serviced with a septic system requiring a minimum 40-foot rear yard setback.

Variance Request

The Applicants’ property itself is legally nonconforming, as the house already encroaches on the 40ft required setback by 6.34 feet. Any accessory structures built behind the house, including a deck, would also have to encroach into the rear setback.

The Applicants wish to construct a 14ft by 35ft raised wooden deck and staircase to connect to the backdoor of their house. The end of the deck’s staircase would be 14.64 feet away from the rear property line, meaning that this and existing structures would encroach 25.36 feet into the required 40-foot setback.

The deck is designed to provide access from the backdoor of the Applicants’ house to the rest of the backyard. There was smaller raised deck that was previously nonconforming, however that deck has since been removed.

Public Hearing and Plan Commission Recommendation

The Plan Commission held a public hearing for this variance request on July 14th, 2021. During the hearing, one of the Applicant’s neighbors spoke in support of the request. After conclusion of the public hearing, the Plan Commission voted unanimously to recommend the Village Board approve this request.

Primary Points for Discussion:

In considering the Applicant's request, the Board should review the standards for variations as outlined in Section 10-11-10(F) of the UDO:

Standards for Variations.

1. *General Standard. No variation shall be recommended or granted pursuant to this section unless the owner shall establish that carrying out the strict letter of the provisions of this code would create a particular hardship or a practical difficulty.*
2. *Supplemental Standards. In considering proposed variations to this code, the Board of Appeals will consider whether the proposed variation will:*
 - a. *Impair an adequate supply of light and air to adjacent property.*
 - b. *Unreasonable increase the congestion in public streets.*
 - c. *Increase the danger of fire or endanger the public safety.*
 - d. *Unreasonably diminish or impair established property values within the surrounding area.*
 - e. *In any other respects impair the public health, safety, or welfare of the inhabitants of the village.*
3. *Findings of Fact. Upon review of the application and information presented at the public hearing, the Board of Appeals shall consider and adopt findings of fact sustaining each of the following criteria which are consistent with the rules provided to govern determinations of the Board of Appeals as referenced by state statute.*
 - a. *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that district.*
 - b. *The extraordinary or exceptional conditions of the property requiring the request for the variance were not caused by the applicant.*
 - c. *The proposed variance will alleviate a peculiar, exceptional or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship.*
 - d. *The denial of the proposed variance will deprive the applicant the use permitted to be made by the owners of property in the immediate area.*
 - e. *The proposed variance will result in a structure that is appropriate to and compatible with the character and scale of structures in the area in which the variance is being requested.*
 - f. *There is no other means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.*

Attachments:

- A. Staff Memo to the July 14th Plan Commission

VILLAGE OF GILBERTS
PUBLIC NOTICE
REGARDING A HEARING
ON A VARIANCE
APPLICATION

PUBLIC NOTICE IS HEREBY GIVEN that the Gilberts Plan Commission will conduct a public hearing on Wednesday, July 14, 2021, at 7:00 p.m., at the Gilberts Village Hall, 87 Galligan Road, Gilberts, Illinois, to consider an application from Adam and Christina Kasprovicz ("Applicant") concerning the property commonly known as 172 Tyler Creek, Gilberts, Illinois, 60136, and identified by PIN: 02-23-251-101 ("Property"). The Property is zoned in the R-3 Urban Residence District. The Applicant requests approval of a variance for the Property to decrease the required rear yard setback in order to install a deck, and for such other and further zoning relief as may be required. All persons interested in the variance application may attend and will be given an opportunity to provide written and oral testimony. Members of the public can also submit written comments via email at info@villageofgilberts.com. Any comments received by 5:00 p.m. on July 14, 2021 will be submitted into the record of the meeting. Additional information about the variance application and the public hearing are available from the Village of Gilberts at (847) 428-2861. The public hearing may be continued from time to time without further public notice. Gilberts Plan Commission Village of Gilberts Published in Daily Herald June 29, 2021 (4566122)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

**Fox Valley
Daily Herald**

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Fox Valley DAILY HERALD**. That said **Fox Valley DAILY HERALD** is a secular newspaper, published in Elgin and has been circulated daily in the Village(s) of:

Aurora, Batavia, Burlington, Carpentersville, East Dundee, Elgin,
Elburn, Geneva, Gilberts, Hampshire, Montgomery, North Aurora,
Sleepy Hollow, Saint Charles, South Elgin, Sugar Grove, Wayne,
West Dundee

County(ies) of Kane

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

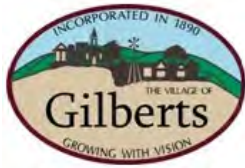
I further certify that the Fox Valley DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 06/29/2021 in said Fox Valley DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY *Daula Baltz*
Designee of the Publisher and Officer of the Daily Herald

Control # 4566122



Village of Gilberts

Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

To: Plan Commissioners
From: Riley Lynch, Administrative Intern
Brian Bourdeau, Village Administrator
Date: July 14th, 2021 Plan Commission Meeting
Re: Request for a Rear Yard Setback Variance at 172 Tyler Creek Street.

Background

Mr. and Mrs. Adam and Christina Kasprowicz (“*Applicants*”) have requested a variance from the rear yard building setback requirement for the purposes of constructing a wooden deck attached to their home. The property, located at 172 Tyler Creek Street (PIN: 02-23-251-010) is located within the R3-A zoning district in Windmill Meadows. The property borders single family homes to the East, South and West, and the Kane County Forest Preserve to the North.



Within the R-3 Residential zoning district, the minimum rear yard setback is 40 feet for residential served by septic and 30 feet for residential served by sewer (UDO 10-3-6). The Applicants’ residence is serviced with a septic system requiring a minimum 40foot rear yard setback.

Variance Request

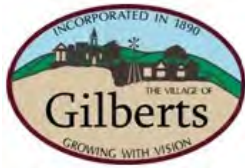
The Applicants’ property itself is legally nonconforming, as the house already encroaches on the 40ft required setback by 6.34 feet. Any accessory structures built behind the house, including a deck, would also have to encroach into the rear setback.

The Applicants wish to construct a 14ft by 35ft raised wooden deck and staircase to connect to the backdoor of their house. The end of the deck’s staircase would be 14.64 feet away from the rear property line, meaning that this and existing structures would encroach 25.36 feet into the required 40-foot setback.

The deck is designed to provide access from the backdoor of the Applicants’ house to the rest of the backyard. There was smaller raised deck that was previously nonconforming, however that deck has since been removed.

Primary Points for Discussion:

In considering the Applicant’s request, the Plan Commission should review the standards for variations as outlined in Section 10-11-10(F) of the UDO:



Village of Gilberts

Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

Standards for Variations.

1. *General Standard. No variation shall be recommended or granted pursuant to this section unless the owner shall establish that carrying out the strict letter of the provisions of this code would create a particular hardship or a practical difficulty.*
2. *Supplemental Standards. In considering proposed variations to this code, the Board of Appeals will consider whether the proposed variation will:*
 - a. *Impair an adequate supply of light and air to adjacent property.*
 - b. *Unreasonable increase the congestion in public streets.*
 - c. *Increase the danger of fire or endanger the public safety.*
 - d. *Unreasonably diminish or impair established property values within the surrounding area.*
 - e. *In any other respects impair the public health, safety, or welfare of the inhabitants of the village.*
3. *Findings of Fact. Upon review of the application and information presented at the public hearing, the Board of Appeals shall consider and adopt findings of fact sustaining each of the following criteria which are consistent with the rules provided to govern determinations of the Board of Appeals as referenced by state statute.*
 - a. *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that district.*
 - b. *The extraordinary or exceptional conditions of the property requiring the request for the variance were not caused by the applicant.*
 - c. *The proposed variance will alleviate a peculiar, exceptional or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship.*
 - d. *The denial of the proposed variance will deprive the applicant the use permitted to be made by the owners of property in the immediate area.*
 - e. *The proposed variance will result in a structure that is appropriate to and compatible with the character and scale of structures in the area in which the variance is being requested.*
 - f. *There is no other means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.*

Attachments:

- A. Variance Application
- B. Aerial Snapshot of Applicant's Parcel
- C. Plat of Survey – With Location of the proposed Deck
- D. Applicant's Response to the Standards

VILLAGE OF GILBERTS

87 Galligan Road
Gilberts, IL. 60136
Telephone: 847-428-2861
Fax: 847-428-2955

APPLICATION FOR A VARIANCE

For Office Use Only

Case. No. _____ Hearing Date: _____

Date Published: _____ Newspaper: _____

NOTICE TO APPLICANT: A variation is a zoning adjustment which permits minor changes in requirements where an individual property is both harshly and uniquely burdened by the strict application of the law. No variation may be granted which would adversely affect surrounding or the general neighborhood.

....A plat of survey of property and a drawing or plan of proposed change drawn to scale must accompany this request along with the application fee (see fee scheduled attached). Deposits for professional fees are required in an amount to be determined by the Village.

Please Print

Name and address of the owner of the property

ADAM & CHRISTINA KASPROWICZ
172 TYLER CREEK ST
GILBERTS, IL 60136

Applicant's Telephone Number: 815-790-9933 CHRISTINA

Applicant's Cell Phone Number: 778-332-9727 ADAM

Applicant's email address: KASPROWICZ2930@gmail.com

Applicant's Fax Number: _____

Address of variance: 172 TYLER CREEK ST

Legal Description (attached to application)

Zoning District: R-3

Present Use: Single Family Home

Request

Owner/Applicant request a change in (please circle one) Yard, Parking, Height, Lot
If other, please explain:

minimum rear yard setback

Requirements of Article 10 Section 3 Page 6

The following facts are pertinent to the request change:

Resident would like to build a composite deck structure attached to the house. Considering the home itself is violating the setback line ordinance, it is impossible to build any type of deck, patio, etc within the existing ordinance

Conditions and/or hardship which justify changing requirements of Zoning Code
(Description in detail)

The previous (original deck) which was approved at one point, was deemed unsafe and had to be torn down, only to expose unknown conditions that are also a hazard. Currently, the backyard is not accessible from the home.

To the best of my knowledge, the preceding facts are accurate and complete.

(Owner must sign this application)

Signature of Owner(s) [Signature]
Date: 5/24/2021

Attest: _____

Applicant: _____

Date: _____

Attest: _____

The current condition is not only dangerous to the children, including a 16 month old, and pets but also an eyesore to the next door neighbors. This proposal will not negatively impact anyone and will be visually pleasing to the neighbors. Most importantly, safe for the children and pets. Documentation and photos attached

UNSUBDIVIDED LAND
(PER DEED DOCUMENT NO. 2002K065229)

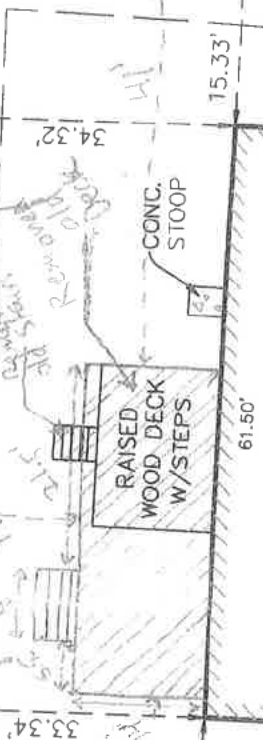
N 90°00'00" E 110.06' (110.00')

10' P.U.E.

110.06'

FOUND 1/2" IRON PIPE 0.21' W'LY & ON LINE

FOUND 1/2" IRON PIPE 0.25' W'LY & ON LINE



130.94' S 01°56'59" W (131.26')
5' P.U.E.

S 01°56'59" W 130.94'

LOT 65

30' B.S.L.

N 83°21'19" W 45.05'

FOUND 1/2" IRON PIPE AT CORNER

FOUND 1/2" IRON PIPE 0.46' N'LY & 0.44' W'LY

R=247.65' I=69.00'

S 83°21'19" E



MacDonald Property Inspections
MacDonaldInspections.com
info@macdonaldpropertyinspections.com
847.431.8800 Office
Inspected By: Andrew MacDonald

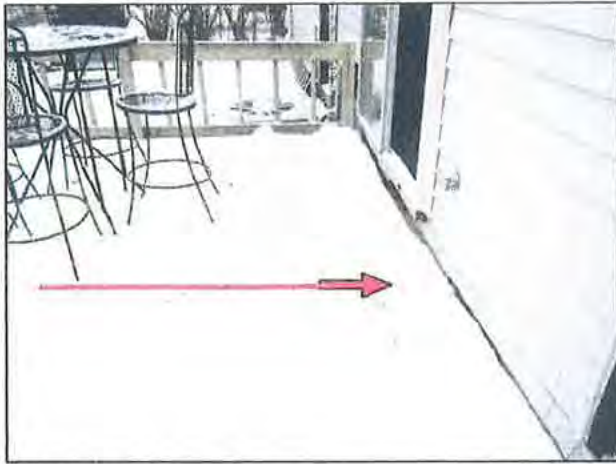
Inspection Date: 1/3/2018
Report ID: 7533

Customer Info:	Inspection Property:
Christina Kasprowicz 245 Evergreen Circle Gilberts IL 60136 Customer's Real Estate Professional: Jenny Jones Baird & Warner	172 Tyler Creek St Gilberts IL 60136

Inspection Fee:

Service	Price	Amount	Sub-Total
Property Inspection with Infrared Thermal Imaging	479.00	1	479.00
			Tax \$0.00
			Total Price \$479.00

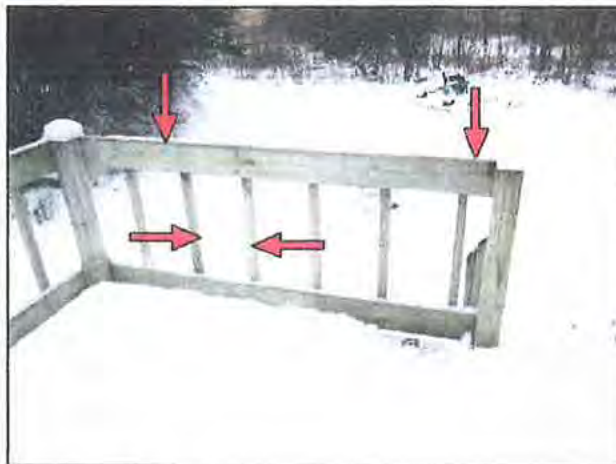
Payment Method: Credit Card
Payment Status: Paid Online
Note: Thank You For Your Prompt Payment



1.5 Deck has negative pitch



(2) The deck guardrail does not conform to current safety standards. Modern safety standards require them to be a minimum of thirty-six inches high when the standing surface is thirty inches or more above grade. Also, guardrail balusters should be no more than four inches apart for child safety. We recommend repair by a qualified contractor.



1.5 Non conforming guardrail



(3) The miscellaneous debris should be removed from beneath the deck.



1.5 Debris should be removed

(4) We were unable to evaluate the wood deck finish due to snow cover.

1.6 VEGETATION, GRADING, DRAINAGE, RETAINING WALLS AND DRIVEWAY

Maintenance or Monitor



(1) The driveway needs to be sealed to prolong the life of the asphalt.



1.6 The driveway needs to be sealed



(2) There are tree limbs overhanging the residence that should be trimmed to insure that they do not impact or damage the roof or siding. We recommend the use of a qualified arborist.











5-5-2021

Date of Application

VILLAGE OF GILBERTS

73 INDUSTRIAL DRIVE · GILBERTS, IL 60136
TEL: (847) 428-4167 · FAX (847) 551-3382

MAY 11 2021

APPLICATION & PERMIT

OWNER

Job Address 172 TYLER CREEK ST
 Name ADAM & CHRISTINA KASPROWICZ
 Address 172 TYLER CREEK ST
 City/Zip GILBERTS 60136
 Telephone 773-332-9727 Fax Number CHRISTINA 815-790-9033

Lot 65
 Block _____ Unit _____
 Sub'd. WINDMILL MEADOWS
 Tax No. 02-23-251-010
 Zoning _____

CONTRACTOR

Name SELF
 Address _____
 City/Zip _____ VOG Reg# _____
 Telephone _____ Fax Number _____

NOTICE

A certificate of occupancy and compliance must be issued prior to occupancy of all new structures, additions and for change of use.

Description of Work	Fees	(Valuation) \$	Fees
<u>DECK</u>		<u>7500.00</u>	
Plan Check Fee		Fire Department Fee	
VOG Permit Fee	<u>106.00</u>	Miscellaneous Fees	
Building/Demolition/Inspections		Water Service Connections	
Political Sign Deposit		Sanitary Sewer Connection	
Plumbing		Water Meters/Remotes	
Electrical		Other	
Heating/Air Conditioning		(Refundable Bond)	<u>58.00</u>
Administration Fee		TOTAL FEE:	
Planner		(minus) PLAN CHECK FEE:	
Engineering		BALANCE DUE:	

CONDITIONS OF PERMIT

In consideration of this application and attached forms being made a part thereof and the issuance of permit, I will conform to the regulations set forth in the Village of Gilberts codes and ordinances.

I also agree that all work performed under said permit will be in accordance with the plans and specifications which accompany this application, except for such changes as may be authorized or required by the Building Official.

Owner or Authorized Agent: Adam Kasprowicz

Printed Name: ADAM KASPROWICZ

Email Address: KASPROWICZ2930@gmail.com

Application Fees	\$ <u>48.00</u>	Checks Required (2)
Bond Fees	\$ <u>58.00</u>	
Permit Fees	\$ <u>58.00</u>	
Water	\$ _____	
	\$ _____	
Bond Rec'd	<u>SELF</u>	Ck# <u>1046</u>
Fees Rec'd	<u>SELF</u>	Ck# <u>1047</u>

A permit for the above work is hereby authorized

Date _____ Building Official _____ Permit No. 21-137

CHECKLIST FOR CONSTRUCTION OF A DECK

FEES

BASIC FEE	\$48.00
(3) INSPECTIONS (29.00 ea.).....	\$58.00
(1)-POST HOLE; (1)-FINAL	
TOTAL FEE	\$106.00
RE-INSPECTIONS	\$29.00 (each)
REFUNDABLE CASH BOND FEE.....	\$58.00
(2-checks required: 1-cash bond and 1-permit fee)	

DECK CHECKLIST

HOMEOWNER'S NAME: ADAM & CHRISTINA KASPROWICZ

ADDRESS: 172 TYLER CREEK ST

TELEPHONE: ADAM - 773-332-9727

CHRISTINA - 815-790-9933

INFORMATION TO BE SUBMITTED WHEN APPLYING:

PERMIT APPLICATION

1. A plat of survey showing the proposed deck, and all other construction including patios, sun rooms, etc. drawn to scale.
2. The proposed location shown on the plat showing distance to the lot lines and other structures.
3. It shall comply with all side yard requirements.
4. Provide drawings or plans indicating construction details including type and size of all lumber.
5. Decks more than 18 inches above the surrounding grade must have a guardrail. Guardrails shall have an intermediate rail that does not create a ladder like effect which will not allow the passage of a four inch sphere.
6. Stairs-Minimum width 36 inches, minimum tread 10 inches (nose to nose), maximum riser 7-3/4 inches, grippable hand rail required when more than 4 risers. Deck stairs shall have a minimum of a concrete landing with three feet (3') of travel and width of entire stairs. Pavers may be used in lieu of concrete.
7. Holes for the pier footings shall have a minimum diameter of 8 inches and shall be dug a minimum of 42 inches below finished grade.
8. Holes for footing shall be inspected before placing concrete.
9. All submitted information shall be available on site during the inspection.
10. Provide height of finished deck above final grade.
11. 60 PSF (#'s per sq. ft.) Live Load Required
12. Other pertinent information _____

Signature: _____

Printed Name: Adam Kasprowicz

Date: 5/4/2021

Note: The above information becomes part of the permit application and compliance is required.

***Call JULIE 1-800-892-0123 or 811 to locate all underground utilities.

Note: Many subdivisions in the Village have covenants and restrictions which are binding on your property. These covenants and restrictions may require permission from the homeowners association or the developer before you begin construction. In some cases, they may prohibit construction of a building which is permitted by the Village of Gilberts. It is the responsibility of each applicant and homeowner to check the covenants and restrictions which apply to your property.



BLUEPRINT

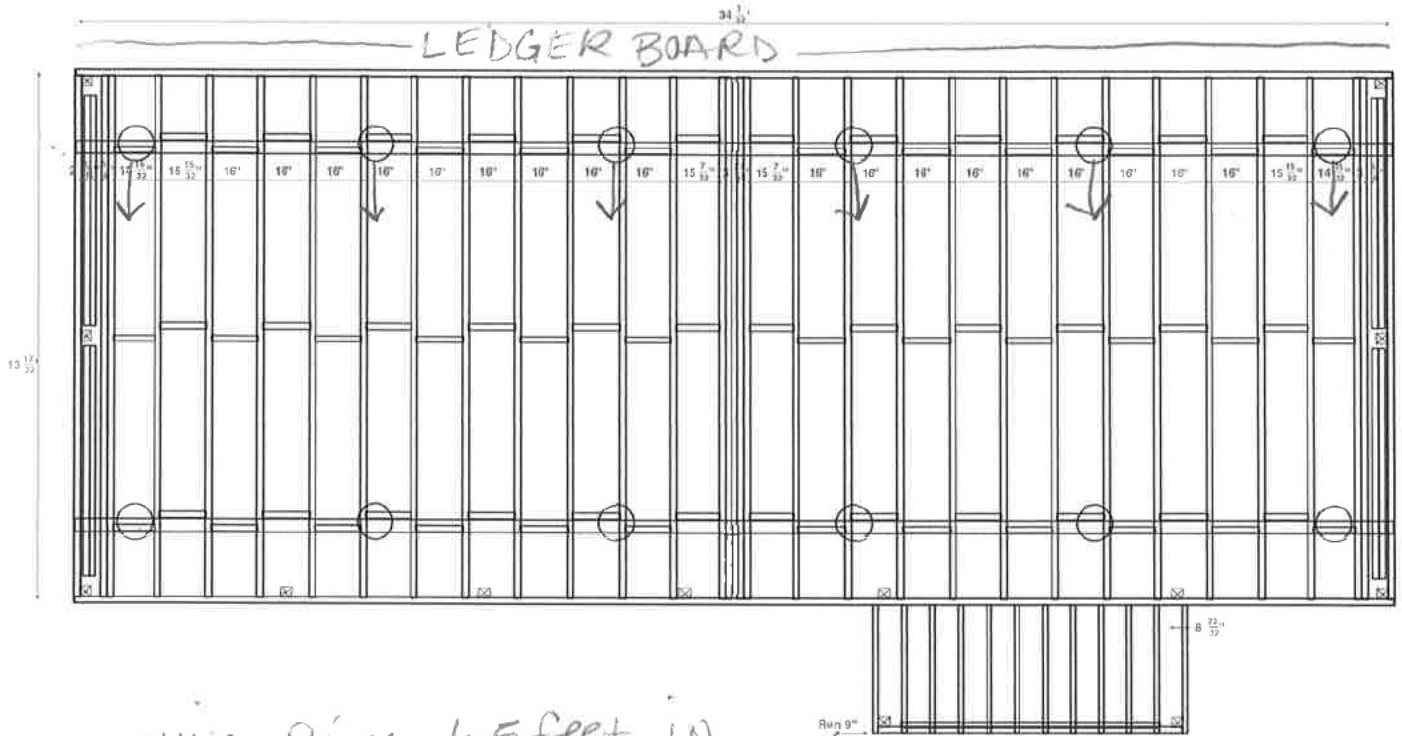
Customer: **christina Kasprowicz**

Address: **172 tyler creek st gilberts Illinois 60136**



Framing Plan

Frame Structure



*MOVING Piers 6.5 feet in
from Ledger board

Brackets, Ties, and Connectors



6" x 6" x 8' #2/BTR Ground Contact



2" x 10" x 16' #2/BTR Ground Contact Pressure Treated SYP



LUS210Z Joist Hangers

Used to connect joists to rim joist



H2.5AZ Galvanized Hurricane Tie

Used to connect beams to joists



LUC210Z Closed Flange Joist Hanger

Used to connect joists to ends of rim plate

Brackets, Ties, and Connectors



Cement



3.5 Inch Nails, 8 gauge, 5Lb Box
235 nails per box



Deckmate 3" Exterior Wood Framing Screw
365 Screws per box



Structural Bracing
Required as per code

The Program is created to only give you a visual representation, irrespective of site variables and other parameters, of a standardized free-standing deck design.

Trex assumes no responsibility for any damages, including direct or consequential, personal injuries suffered, or property or economic losses incurred as a result of the information published on the Trex website, the Program or in the design, shopping list or blueprint. We cannot anticipate all of your working conditions or the characteristics of your materials and tools. For your safety, you should consider your own skill level, capabilities and use caution, care and good judgement when following the designs. If you have doubts, concerns, or questions, consult local experts, architects, soil engineers or building authorities. Because local zoning and building codes and regulations vary greatly, you should ALWAYS CHECK YOUR LOCAL CODE AUTHORITY TO ENSURE THAT YOUR PROJECT COMPLIES WITH ALL APPLICABLE CODES AND REGULATIONS. Always read and observe instructions and safety precautions provided by any tool or equipment manufacturer, and follow all accepted safety procedures.

You are responsible for ensuring that all measurements are correct. Due to the size, shape, location or other considerations, your design may require supporting structures, such as knee braces and bridging between joists and posts that are not included on design, shopping list, blueprint, and other information provided. YOU ARE RESPONSIBLE FOR ENSURING THAT YOUR DESIGN IS SAFE AND STRUCTURALLY SOUND FOR ITS SIZE, LOCATION, AND ANTICIPATED USE. You are also responsible for verifying that the design and any substitutions or modifications you make meet all local building codes and regulations.

Trex assumes no liability or responsibility for your design, construction, or use of any product. By accepting this Agreement, you agree to defend, indemnify and hold harmless Trex, its officers, employees, agents, subsidiaries and affiliates from any direct, indirect, incidental, special, consequential or exemplary damages arising out of, relating to, or resulting from your breach of this Agreement, use of the Program or any act or omission by you.

You may not: (1) modify, translate, reverse engineer, decompile, disassemble, or create any derivative works based on the Program, or any part thereof, or determine or attempt to determine any source code, algorithms, methods or techniques embodied in the Program or any part thereof; (2) market, rent or lease the Program for a fee or charge; (3) represent that the Program, or any part thereof, is owned by any party other than Trex Company; (4) remove or alter any proprietary notices, labels, marks or identifying information any kind on the Program; (5) incorporate the Program or any part thereof into any other application or product; or (6) use the Program for any purpose other than in accordance with the terms and conditions of this Agreement.

Trex retains all right, title and interest in and to the Program including, without limitation, all patent rights, copyrights, trademarks and trade secrets, in and to the Program, any part or copy thereof, and any derivative work, regardless of the form or media in or on which the original or other copies may subsequently exist. You agree to take any action reasonably requested by Trex to evidence, maintain, enforce or defend any of the foregoing rights. You shall not take any action to jeopardize, limit or interfere in any manner with Trex's ownership of and rights with respect to the Program, or any derivative work. Unauthorized copying or use of the Program or any part thereof or failure to comply with the above restrictions will result in automatic termination of this license and will make available to Trex other legal remedies.

ADAM AND CHRISTINA KASPROWICZ
172 TYLER CREEK STREET
GILBERTS, IL 60136

2-1/710

1046

DATE 5-5-2024

PAY TO THE ORDER OF Village of Gilberts
Fifty Eight & 00/100

\$ 58.00

Security Features
Look for Mark

DOLLARS

CHASE
JPMorgan Chase Bank, N.A.
www.Chase.com

MEMO BOND FEE



MP

⑆071000013⑆

ADAM AND CHRISTINA KASPROWICZ
172 TYLER CREEK STREET
GILBERTS, IL 60136

2-1/710

1047

DATE 5-5-2024

PAY TO THE ORDER OF Village of Gilberts
One Hundred and Six & 00/100

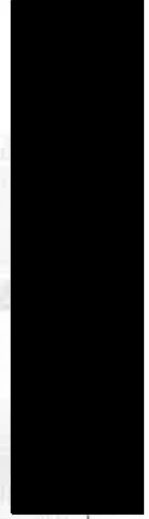
\$ 106.00

Security Features
Look for Mark

DOLLARS

CHASE
JPMorgan Chase Bank, N.A.
www.Chase.com

MEMO Permit Fees



MP

⑆071000013⑆

ORDINANCE 15-2021

**AN ORDINANCE APPROVING
A VARIANCE FROM THE GILBERTS UNIFIED DEVELOPMENT ORDINANCE**

(172 Tyler Creek)

WHEREAS, Adam and Christina Kasprowicz (collectively, “*Owner*”), the owners of the property located 172 Tyler Creek, Gilberts, Illinois, 60136, which property is more specifically described on **Exhibit A** (“*Property*”), desire to construct an attached wooden deck in the rear yard of the Property; and

WHEREAS, the Property is currently zoned in the R-3 Residential Zoning District; and

WHEREAS, Section 3-6(A) of the Gilberts Unified Development Ordinance (“*UDO*”) requires a 40-foot rear yard setback for residences served by a septic system in the R-3 Residential Zoning District; and

WHEREAS, the Owner filed an application for a variance from Section 3-6(A) to allow for the attached wooden deck to protrude 25 feet into the required 40-foot rear yard setback (“*Variance*”); and

WHEREAS, the Property is currently legally nonconforming, as the residence on the Property already encroaches into the required rear yard; and

WHEREAS, the Gilberts Plan Commission/Zoning Board of Appeals held a public hearing and reviewed the Owner’s request for the Variance on July 14, 2021, and at the conclusion of the public hearing voted to recommend approval of the Variance; and

WHEREAS, the Village Board makes the following findings of fact in reference to the Owner’s application for approval of the Variance for the Property:

- a. The Property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that district;
- b. The extraordinary or exceptional conditions of the Property requiring the request for the Variance was not caused by the Owner, as the variance is necessary due to the current location of the residence on the Property;
- c. The proposed Variance will alleviate a peculiar, exceptional or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship, as it is not feasible for the Owner to install any accessory structure within the rear yard of the Property without encroaching into the setback due to the location of the residence on the Property;
- d. The denial of the proposed Variance will deprive the Owner of the use permitted to be made by the owners of property in the immediate area, as other owners of property in the area are able to install decks in the rear yard without encroaching into the setback;

- e. The proposed Variance will result in structures that are appropriate to and compatible with the character and scale of structures in the area in which the Variance is being requested;
- f. There is no other means other than the requested Variance by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Property.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois as follows:

Section 1. Recitals. The recitals are incorporated into this Section 1 as if fully set forth.

Section 2. Variance. Subject to the conditions set forth in Section 3 of this Ordinance, the Village Board of Trustees hereby approves the following variance for the Property:

A variance from Section 3-6(A) of the UDO to allow for the construction of an attached wooden deck on the Property located 15 feet from the rear yard lot line instead of the required 40 feet.

Section 3. Conditions. The approvals granted pursuant to Section 2 of this Ordinance are conditioned upon and limited by the following conditions, the violation of any of which shall, in the discretion of the President and Board of Trustees, be grounds for the repeal and revocation of the approvals granted by this Ordinance in accordance with applicable law. In addition, any violation of this Ordinance will be deemed a violation of the UDO and subject the Owner to enforcement proceedings accordingly.

- A. **No Authorization of Work.** This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind may be commenced on the Property pursuant to the approvals granted in this Ordinance unless and until all conditions of this Ordinance precedent to that work have been fulfilled and after all permits, approvals, and other authorizations for the work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. **Compliance with Laws.** The UDO, the Building Code, and all other applicable Village ordinances and regulations shall continue to apply to the Property, and the development and use of the Property must comply with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.

Section 4. Severability. In the event a court of competent jurisdiction finds this Ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 5. Repeal and Saving Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any

rights, actions, or cause of action which shall have accrued to the Village of Gilberts prior to the effective date of this Ordinance.

Section 6. Effective Date. Upon its passage and approval according to law, this Ordinance shall, by authority of the Board of Trustees, be published in pamphlet form; provided, however, that this Ordinance shall be of no force or effect unless and until the Owner has executed and filed with the Village its unconditional agreement and consent, in the form attached to this Ordinance as **Exhibit B**, within 30 days following the passage of this Ordinance.

ADOPTED THIS _____ DAY OF _____, 2021, pursuant to roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jeanne Allen	_____	_____	_____	_____
Trustee Dan Corbett	_____	_____	_____	_____
Trustee Brandon Coats	_____	_____	_____	_____
Trustee Lou Hacker	_____	_____	_____	_____
Trustee Justin Redfield	_____	_____	_____	_____
Trustee David LeClercq	_____	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2021

Village President, Guy Zambetti

(SEAL)

ATTEST: _____
Village Clerk, Courtney Baker

Published: _____

Exhibit A

Description of the Property

Common Address: 172 Tyler Creek, Gilberts, IL

PINs: 02-23-251-101

Exhibit B

Unconditional Agreement and Consent

Pursuant to Section 6 of Ordinance No. _____, and to induce the Village to grant the approvals provided for in that Ordinance, the undersigned acknowledges for itself and its successors and assigns in title to the Property that it:

1. has read and understand all of the terms and provisions of Ordinance No. _____;
2. hereby unconditionally agrees to accept, consent to, and abide by all of the terms, conditions, restrictions, and provisions of this Ordinance, the UDO, and all other applicable codes, ordinances, rules, and regulations;
3. acknowledges and agrees that the Village is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's issuance of any permits for the use of the Property, and that the Village's issuance of any permit does not, and shall not, in any way, be deemed to insure the owner or lessee against damage or injury of any kind and at any time;
4. acknowledges that the public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, have considered the possibility of the revocation provided for in the Ordinance, and agree not to challenge any revocation on the grounds of any procedural infirmity or any denial of any procedural right; and
5. represents and acknowledges that the person signing this Unconditional Agreement and Consent is duly authorized to do so on behalf of the Owner.

Adam Kasprowicz

Date: _____

Christina Kasprowicz

Date: _____

180

172

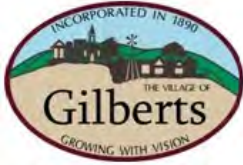
160

Tyler Creek St

Tyler Creek St

er Creek St





Village of Gilberts
Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

To: Village President and Board of Trustees
From: Riley Lynch, Administrative Intern
Cc: Brian Bourdeau, Village Administrator
Date: July 20, 2021 Village Board Meeting
Re: Item 6.E: Request for a Rear Yard Setback Variance at 104 Summit Drive.

Background:

Mr. Salvatore Marino (“*Applicant*”) has requested a variance from the rear yard setback requirements for the purposes of constructing an in-ground pool. The property, located at 104 Summit Drive (PIN 02-36-102-010) is located within the R-3 Residential zoning district, within POD 3 of a Planned Unit Development (PUD). The property borders single-family homes to either side of the parcel and Village owned wetlands and woods to the rear of the property.

Under the PUD for this area, the minimum rear yard setback is 30 feet.

Variance Request:

The Applicant wishes to construct an 18ft by 36ft inground pool and concrete decking to be located 21ft from the rear property line. Furthermore, Section 10-8-1(E)(1b) of the UDO states “*no private swimming pool or any accessory apron, walk or equipment room may protrude into any required rear yard.*” As a result of the proposed pool size and location in the yard, the Applicant is seeking a variance to protrude 9 feet into the required rear yard. The available location of the pool is constrained, in part, by an existing patio protruding from the rear of the Applicant’s house.



Public Hearing and Plan Commission Recommendation

The Plan Commission held a public hearing for this variance request on July 14th, 2021. During the public hearing, three of the Applicant’s neighbors spoke in support of the request. After conclusion of the public hearing, the Plan Commission voted unanimously to recommend the Village Board approve this request.

Primary Points for Discussion:

In considering the Applicant’s request, the Board should review the standards for variations as outlined in Section 10-11-10(F) of the UDO:

Standards for Variations.

1. *General Standard. No variation shall be recommended or granted pursuant to this section unless the owner shall establish that carrying out the strict letter of the provisions of this code would create a particular hardship or a practical difficulty.*
2. *Supplemental Standards. In considering proposed variations to this code, the Board of Appeals will consider whether the proposed variation will:*
 - a. *Impair an adequate supply of light and air to adjacent property.*
 - b. *Unreasonable increase the congestion in public streets.*
 - c. *Increase the danger of fire or endanger the public safety.*
 - d. *Unreasonably diminish or impair established property values within the surrounding area.*
 - e. *In any other respects impair the public health, safety, or welfare of the inhabitants of the village.*
3. *Findings of Fact. Upon review of the application and information presented at the public hearing, the Board of Appeals shall consider and adopt findings of fact sustaining each of the following criteria which are consistent with the rules provided to govern determinations of the Board of Appeals as referenced by state statute.*
 - a. *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that district.*
 - b. *The extraordinary or exceptional conditions of the property requiring the request for the variance were not caused by the applicant.*
 - c. *The proposed variance will alleviate a peculiar, exceptional or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship.*
 - d. *The denial of the proposed variance will deprive the applicant the use permitted to be made by the owners of property in the immediate area.*
 - e. *The proposed variance will result in a structure that is appropriate to and compatible with the character and scale of structures in the area in which the variance is being requested.*
 - f. *There is no other means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.*

Attachments:

- A. Staff Memo to the July 14th Plan Commission

VILLAGE OF GILBERTS
PUBLIC NOTICE
REGARDING A HEARING
ON A VARIANCE
APPLICATION

PUBLIC NOTICE IS HEREBY GIVEN that the Gilberts Plan Commission will conduct a public hearing on Wednesday, July 14, 2021, at 7:00 p.m., at the Gilberts Village Hall, 87 Galligan Road, Gilberts, Illinois, to consider an application from Salvatore Marino ("Applicant") concerning the property commonly known as 104 Summit Drive, Gilberts, Illinois, 60136, and identified by PIN:02-36-103-019 ("Property"). The Property is zoned in the R-3 Urban Residence District. The Applicant requests approval of a variance to decrease the required rear yard setback in order to install an in-ground pool, and for such other and further zoning relief as may be required. All persons interested in the variance application may attend and will be given an opportunity to provide written and oral testimony. Members of the public can also submit written comments via email at info@villageofgilberts.com. Any comments received by 5:00 p.m. on July 14, 2021 will be submitted into the record of the meeting. Additional information about the variance application and the public hearing are available from the Village of Gilberts at (847) 428-2861. The public hearing may be continued from time to time without further public notice. Village of Gilberts
Gilberts Plan Commission
Published in Daily Herald
June 29, 2021 (4566123)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Fox Valley Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Fox Valley DAILY HERALD**. That said **Fox Valley DAILY HERALD** is a secular newspaper, published in Elgin and has been circulated daily in the Village(s) of:

Aurora, Batavia, Burlington, Carpentersville, East Dundee, Elgin,
Elburn, Geneva, Gilberts, Hampshire, Montgomery, North Aurora,
Sleepy Hollow, Saint Charles, South Elgin, Sugar Grove, Wayne,
West Dundee

County(ies) of Kane

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

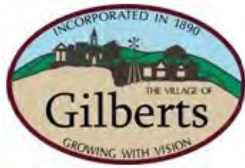
I further certify that the Fox Valley DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 06/29/2021 in said Fox Valley DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY Daula Baltz
Designee of the Publisher and Officer of the Daily Herald

Control # 4566123



Village of Gilberts
Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

To: Plan Commissioners
From: Riley Lynch, Administrative Intern
Brian Bourdeau, Village Administrator
Date: July 14th, 2021 Plan Commission Meeting
Re: Request for a Rear Yard Setback Variance at 104 Summit Drive.

Background:

Mr. Salvatore Marino (“*Applicant*”) has requested a variance from the rear yard setback requirements for the purposes of constructing an in-ground pool. The property, located at 104 Summit Drive (PIN 02-36-102-010) is located within the R-3 Residential zoning district, within POD 3 of a Planned Unit Development (PUD). The property borders single-family homes to either side of the parcel and Village owned wetlands and woods to the rear of the property.

Under the PUD for this area, the minimum rear yard setback is 30 feet.

Variance Request:

The Applicant wishes to construct an 18ft by 36ft inground pool and concrete decking to be located 21ft from the rear property line. Furthermore, Section 10-8-1(E)(1b) of the UDO states “*no private swimming pool or any accessory apron, walk or equipment room may protrude into any required rear yard.*” As a result of the proposed pool size and location in the yard, the Applicant is seeking a variance to protrude 9 feet into the required rear yard. The available location of the pool is constrained, in part, by an existing patio protruding from the rear of the Applicant’s house.



Primary Points for Discussion:

In considering the Applicant’s request, the Plan Commission should review the standards for variations as outlined in Section 10-11-10(F) of the UDO:

Standards for Variations.

1. *General Standard. No variation shall be recommended or granted pursuant to this section unless the owner shall establish that carrying out the strict letter of the provisions of this code would create a particular hardship or a practical difficulty.*
2. *Supplemental Standards. In considering proposed variations to this code, the Board of Appeals will consider whether the proposed variation will:*



Village of Gilberts

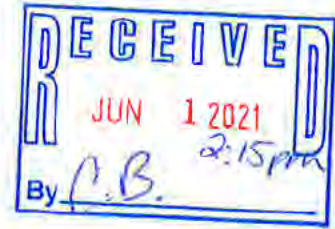
Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

- a. *Impair an adequate supply of light and air to adjacent property.*
 - b. *Unreasonable increase the congestion in public streets.*
 - c. *Increase the danger of fire or endanger the public safety.*
 - d. *Unreasonably diminish or impair established property values within the surrounding area.*
 - e. *In any other respects impair the public health, safety, or welfare of the inhabitants of the village.*
3. *Findings of Fact. Upon review of the application and information presented at the public hearing, the Board of Appeals shall consider and adopt findings of fact sustaining each of the following criteria which are consistent with the rules provided to govern determinations of the Board of Appeals as referenced by state statute.*
- a. *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that district.*
 - b. *The extraordinary or exceptional conditions of the property requiring the request for the variance were not caused by the applicant.*
 - c. *The proposed variance will alleviate a peculiar, exceptional or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship.*
 - d. *The denial of the proposed variance will deprive the applicant the use permitted to be made by the owners of property in the immediate area.*
 - e. *The proposed variance will result in a structure that is appropriate to and compatible with the character and scale of structures in the area in which the variance is being requested.*
 - f. *There is no other means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.*

Attachments:

- A. Variance Application
- B. Aerial Snapshot of Applicant's Parcel
- C. Plat of Survey – With Location of the Pool
- D. Applicant's Response to the Standards
- E. Section I of the Timber Trails PUD – District Standards

ESC - E... #500
ZBA - App Fee #500



VILLAGE OF GILBERTS
87 Galligan Road
Gilberts, IL. 60136
Telephone: 847-428-2861
Fax: 847-428-2955

APPLICATION FOR A VARIANCE

For Office Use Only

Case No. _____ Hearing Date: _____

Date Published: _____ Newspaper: _____

.....

NOTICE TO APPLICANT: A variation is a zoning adjustment which permits minor changes in requirements where an individual property is both harshly and uniquely burdened by the strict application of the law. No variation may be granted which would adversely affect surrounding or the general neighborhood.

....**A plat of survey of property and a drawing or plan of proposed change drawn to scale must accompany this request along with the application fee (see fee scheduled attached). Deposits for professional fees are required in an amount to be determined by the Village.**

Please Print

Name and address of the owner of the property

Salvatore A. Marino
104 Summit Drive
Gilberts, IL 60136

Applicant's Telephone Number: 847-833-1334

Applicant's Cell Phone Number: 847-833-1334

Applicant's email address: marino.sam@gmail.com

Applicant's Fax Number: n/a

Address of variance: 104 Summit Dr, Gilberts, IL 60136

Legal Description (attached to application)

Zoning District: R-3

Present Use: Residential

Request

Owner/Applicant request a change in (please circle one) Yard, Parking, Height, Lot
If other, please explain:

Requirements of Article 3 Section 6 Page _____

The following facts are pertinent to the request change:

Rear yard setback is 30ft
Rear utility easement is 10ft
Side yard setback is 7ft
Side utility easement is 5ft

Conditions and/or hardship which justify changing requirements of Zoning Code
(Description in detail).

The angle at which the rear lot line was drawn and the placement of the home in relation to
the contour of Summit Dr.

To the best of my knowledge, the preceding facts are accurate and complete.

(Owner must sign this application)

Signature of Jeffrey
Owner(s)

Date: 5/30/21

Attest: Jennie Lentag

Applicant: Jeffrey

Date: 5/30/21

Attest: Jennie Lentag

Village of Gilberts
87 Galligan Road
Gilberts, IL 60136

June 1, 2021

To Whom It May Concern:

I am requesting a variance on the rear setback for established in article 3 section 6 of the unified development ordinance for the installation of a swimming pool. The hardship that I am facing is the rear lot line was drawn at angle that diminishes the size of my yard as you progress North to South. In addition to that, the home is located on Summit drive which is a winding street. When the developer set the home on the lot, they did not match the contour of the street leaving my yard asymmetrical. Due to this asymmetry, it is not possible to relocate the pool in any other area of the lot. My lot backs up to conserved land and therefore I will not impede on any rear neighbors. Currently, I meet all other Village code requirements for a permissible swimming pool and will not encroach on any of the utility easements, yards, or neighboring lots.

The follow statements are to be true regarding the supplemental standards as it relates to this variance request:

- A. The swimming pool will not impair the light and air to adjacent properties.
- B. There will not be any additional street congestion with the installation of the swimming pool.
- C. There is not an increased danger of fire or endangerment of public safety.
- D. Swimming pool will add additional value to the existing property.
- E. Swimming pool will not impair the health, safety, or welfare of village residents.

The construction of the swimming pool will be consistent with similar pools located in my neighborhood and the Village. I currently have a cedar fence that encloses my rear yard. We plan on installing locks and self-closing springs to all gates as required by Village code. We are also purchasing a safety mesh cover that anchors into the concrete decking to prevent people from falling into the pool when not in use. Chesapeake Pools is a local contractor that specializes in constructing our style pool. They have been in business for 20+ years and have constructed numerous pools in the Village of Gilberts and neighboring towns.

Over the last year and half the pandemic has presented everyone with challenges that we were unprepared for. The installation of this swimming pool will allow my 3 children the ability of enjoying recreational activity within the safety of their home. This will also provide a more controlled environment for their peers and neighbors which will help lift spirits and continue to bring our local community closer.

Sincerely,

Salvatore A. Marino



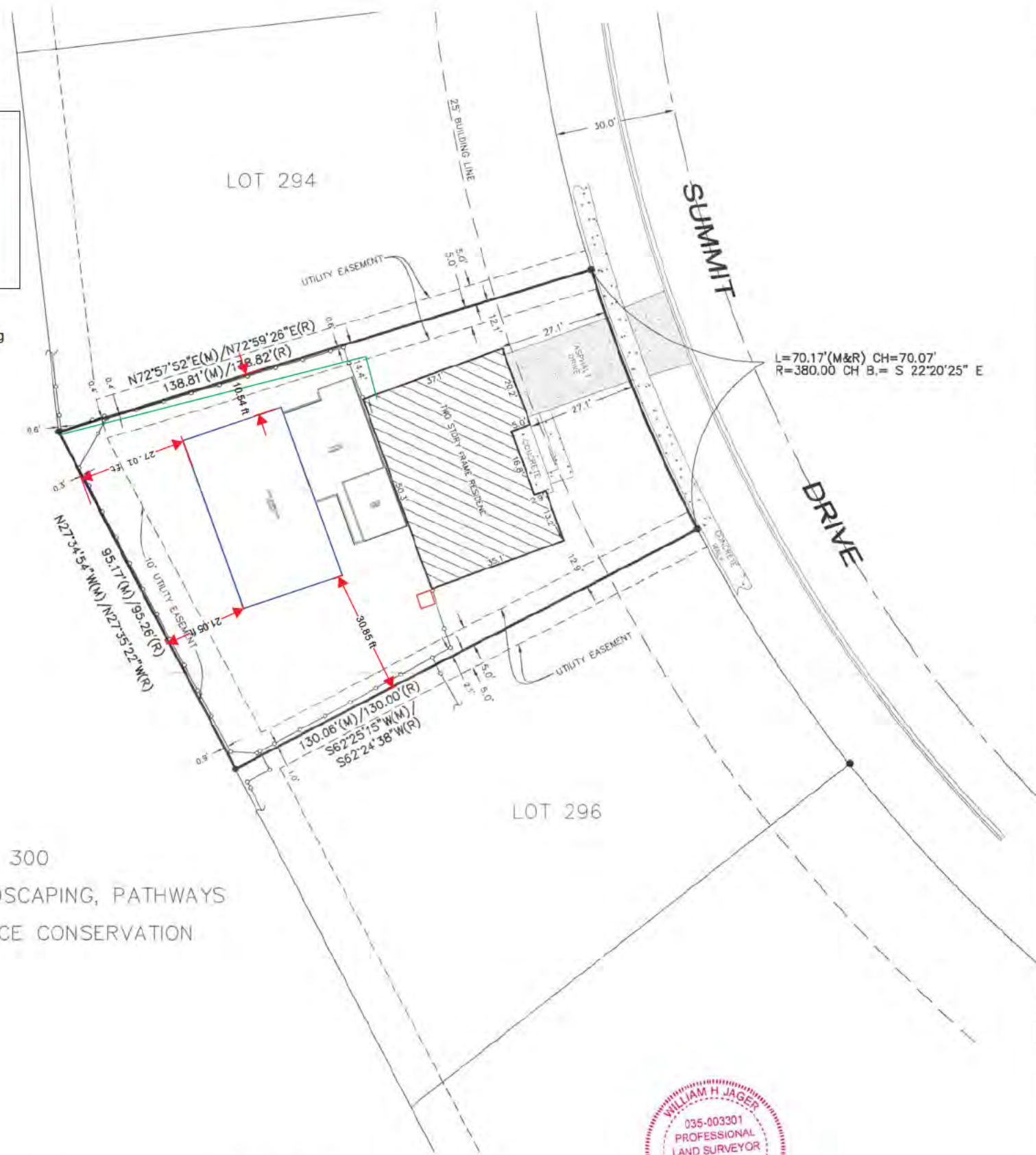


PLAT OF SURVEY OF

LOT 295 IN TIMBER TRAILS UNIT 3, BEING A PART OF THE NORTHWEST QUARTER OF SECTION 36, AND PART OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 23, 2001 AS DOCUMENT 2001K048423, IN KANE COUNTY, ILLINOIS.

Total Lot Square Footage 10,956
House 1705 sqft (15.6%)
Driveway 438 sqft (3.9%)
Front Walkway 60 (.5%)
Front Porch 77 sqft (.7%)
Patio 665 sqft (6%)
Pool w/ concrete decking 1125 sqft (10.2%)
Equipment Pad 15sqft (.1%)
Total lot coverage 4,085 (37.3%)

- Com Ed
- 18x36 Pool w/ concrete decking
- Pool equipment pad



NOTES

- 1.) COMPARE ALL DIMENSIONS SHOWN HEREON PRIOR TO ANY CONSTRUCTION AND REPORT ANY DISCREPANCIES TO THE SURVEYOR AT ONCE.
- 2.) NO UTILITIES ARE SHOWN HEREON. THERE MAY BE SUBSURFACE UTILITIES ON THIS PROPERTY. CALL THE APPROPRIATE UTILITY LOCATING SERVICE PRIOR TO ANY CONSTRUCTION.
- 3.) ONLY THOSE EASEMENTS WHICH THE SURVEYOR HAS KNOWLEDGE OF ARE SHOWN HEREON. THERE MAY BE OTHER EASEMENTS WHICH AFFECT THIS PROPERTY. REFER TO YOUR TITLE COMMITMENT FOR THE LOCATION AND PURPOSE OF ANY EASEMENTS.
- 4.) MEASURED DIMENSIONS ARE SHOWN HEREON UNLESS OTHERWISE NOTED.

LEGEND

- SET 1/2" IRON ROD
- △ SET MAG NAIL
- FOUND 3/4" IRON PIPE
- FOUND 1/2" IRON ROD
- ▲ FOUND PK NAIL
- BOUNDARY LINE
- - - EASEMENT LINE
- · - · - BUILDING SETBACK LINE
- · - · - EXISTING LOT LINE
- - - CENTER LINE
- · - · - FENCE LINE

ABBREVIATIONS

- N = NORTH
- S = SOUTH
- E = EAST
- W = WEST
- ATT. = ATTACHED
- CONC. = CONCRETE
- BIT. = BITUMINOUS CONCRETE
- M = MEASURED DIMENSION
- R = RECORDED OR PLATTED DIMENSION
- D = DIMENSION PER DEED
- S.F. = SQUARE FEET

CERTIFICATION

STATE OF ILLINOIS }
 COUNTY OF KENDALL }SS

I, WILLIAM H. JAGER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE BY ME OR BY PERSONS UNDER MY DIRECT SUPERVISION, THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

GIVEN UNDER MY HAND AND SEAL AT NEWARK, ILLINOIS THIS 3rd DAY OF MARCH, 2015.

WILLIAM H. JAGER
 ILLINOIS PROFESSIONAL LAND SURVEYOR #035-003301
 MY LICENSE EXPIRES NOVEMBER 30, 2016



PLAT OF SURVEY FOR WYETH LAW		Range 9 LAND SURVEYING LLC		REVISIONS					
LOCAL ADDRESS 104 SUMMIT DRIVE GILBERTS, ILLINOIS		154 SOUTH CANAL STREET NEWARK, ILLINOIS 60541 PHONE 815.916.9099 WWW.RANGE9.COM PROFESSIONAL DESIGN FIRM LICENSE #184.006086		DATE	DESCRIPTION				
JOB NO. 115052	SCALE: 1" = 20'	F.B./ PG.	DRAWN BY	CHECKED BY	FIELD CREW	SHEET			
		26/44	WHJ	WHJ	DH, RJ	1 OF 1			
		DATE COMPLETE	03/03/15	03/03/15	03/02/15				

An aerial photograph of a residential property. The property is outlined in a thick blue border. Inside the outline, there is a large house with a grey roof and a smaller structure to its left. The house is surrounded by a green lawn and several trees. To the right of the property, there is a paved road with a yellow curb. A dark car is parked on the road. The address number '104' is printed in blue on the roof of the main house. Below the property, another house is visible, with the address number '100' printed in blue on its roof. A red line is visible on the left side of the image, and another red line is at the bottom right corner.

104

100

EXHIBIT F
ZONING ORDINANCE VARIATIONS
TIMBER TRAILS

I. DESIGN STANDARDS

A. Single-Family

PER ANNEXATION AGREEMENT

	PODs 5&6	POD 2	POD 8	PODs 3&7
1. Min. Lot Size	7200 Sq. Ft.	7200 Sq. Ft.	8400 Sq. Ft.	8400 Sq. Ft.
2. Min lot Width	55 Ft.	60 Ft.	60 Ft.	65 Ft.
3. Yards: Front-Min.	25 Ft.	25 Ft.	25 Ft.	25 Ft.
- Average	27.5 Ft.	27.5 Ft.	27.5 Ft.	27.5 Ft.
- Maximum	30 Ft.	30 Ft.	30 Ft.	30 Ft.
Side Corner	15 Ft.	15 Ft.	15 Ft.	15 Ft.
Side Reverse Corner	25 Ft.	25 Ft.	25 Ft.	25 Ft.
Side Interior	6 Ft. ea.	6.5 Ft. ea.	6.5 Ft. ea.	7 Ft. ea.
Rear	25 Ft.	20 Ft.	30 Ft.	30 Ft.
4. Max. Building Height				
- Principal	35 Ft.	35 Ft.	35 Ft.	35 Ft.
- Accessory	20 Ft.	20 Ft.	20 Ft.	20 Ft.
5. Max. Lot Coverage (Principal & Accessory Bldgs.)	40%			
6. Min. Dwelling Size:				
POD 3:	1600 Sq. Ft			
All other PODs:	1350 Sq. Ft			
7. Garages All with minimum 2-car garages				

ORDINANCE 16-2021

**AN ORDINANCE APPROVING
A VARIANCE FROM THE GILBERTS UNIFIED DEVELOPMENT ORDINANCE**

(104 Summit Drive)

WHEREAS, Salvatore Marino (“*Owner*”), the owner of the property located 104 Summit Drive, Gilberts, Illinois 60136, which property is more specifically described on **Exhibit A** (“*Property*”), desires to construct an in-ground pool in the rear yard of the Property; and

WHEREAS, the Property is currently zoned in the R-3 Residential Zoning District, and is subject to regulations of the Timber Trails Planned Unit Development Ordinance (Pod 3); and

WHEREAS, Section 3-6(A) of the Gilberts Unified Development Ordinance (“*UDO*”) and the Timber Trails Planned Unit Development Ordinance require a 30-foot rear yard setback for residences served by a sewer in the R-3 Residential Zoning District; and

WHEREAS, the Owner filed an application for a variance from Section 3-6(A) to allow for the in-ground pool to protrude 9 feet into the required 30 foot rear yard setback (“*Variance*”); and

WHEREAS, the Gilberts Plan Commission/Zoning Board of Appeals held a public hearing and reviewed the Owner’s request for the Variance on July 14, 2021, and at the conclusion of the public hearing voted to recommend approval of the Variance to allow for the Owner to construct the in-ground pool within the required rear yard setback; and

WHEREAS, the Village Board makes the following findings of fact in reference to the Owner’s application for approval of the Variance for the Property:

- a. The Property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that district;
- b. The extraordinary or exceptional conditions of the Property requiring the request for the Variance was not caused by the Owner, as the variance is necessary due to the unique shape of the Property;
- c. The proposed Variance will alleviate a peculiar, exceptional or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship, as it is not feasible for the Owner to install the pool on the Property without encroaching into the required setbacks due to the unique shape of the Property;
- d. The denial of the proposed Variance will deprive the Owner of the use permitted to be made by the owners of property in the immediate area, as other owners of property in the area with more standard shaped lots are able to install in-ground pools;
- e. The proposed Variance will result in structures that are appropriate to and compatible with the character and scale of structures in the area in which the Variance is being

requested;

- f. There is no other means other than the requested Variance by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Property.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois as follows:

Section 1. **Recitals.** The recitals are incorporated into this Section 1 as if fully set forth.

Section 2. **Variance.** Subject to the conditions set forth in Section 3 of this Ordinance, the Village Board of Trustees hereby approves the following variance for the Property:

A variance from Section 3-6(A) of the UDO to allow for the in-ground pool on the Property to be located 21 feet from the rear yard lot line instead of the required 30 feet.

Section 3. **Conditions.** The approvals granted pursuant to Section 2 of this Ordinance are conditioned upon and limited by the following conditions, the violation of any of which shall, in the discretion of the President and Board of Trustees, be grounds for the repeal and revocation of the approvals granted by this Ordinance in accordance with applicable law. In addition, any violation of this Ordinance will be deemed a violation of the UDO and subject the Owner to enforcement proceedings accordingly.

- A. **No Authorization of Work.** This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind may be commenced on the Property pursuant to the approvals granted in this Ordinance unless and until all conditions of this Ordinance precedent to that work have been fulfilled and after all permits, approvals, and other authorizations for the work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. **Compliance with Laws.** The UDO, the Building Code, and all other applicable Village ordinances and regulations shall continue to apply to the Property, and the development and use of the Property must comply with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.

Section 4. **Severability.** In the event a court of competent jurisdiction finds this Ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 5. **Repeal and Saving Clause.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or cause of action which shall have accrued to the Village of Gilberts prior to the effective date of this Ordinance.

Section 6. Effective Date. Upon its passage and approval according to law, this Ordinance shall, by authority of the Board of Trustees, be published in pamphlet form; provided, however, that this Ordinance shall be of no force or effect unless and until the Owner has executed and filed with the Village its unconditional agreement and consent, in the form attached to this Ordinance as **Exhibit B**, within 30 days following the passage of this Ordinance.

ADOPTED THIS _____ DAY OF _____, 2021, pursuant to roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jeanne Allen	_____	_____	_____	_____
Trustee Dan Corbett	_____	_____	_____	_____
Trustee Brandon Coats	_____	_____	_____	_____
Trustee Lou Hacker	_____	_____	_____	_____
Trustee Justin Redfield	_____	_____	_____	_____
Trustee David LeClercq	_____	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2021

Village President, Guy Zambetti

(SEAL)

ATTEST: _____
Village Clerk, Courtney Baker

Published: _____

Exhibit A

Description of the Property

Common Address: 104 Summit Drive, Gilberts, IL

PINs: 02-36-102-010

Exhibit B

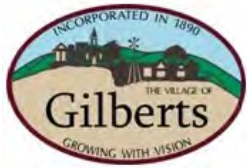
Unconditional Agreement and Consent

Pursuant to Section 6 of Ordinance No. _____, and to induce the Village to grant the approvals provided for in that Ordinance, the undersigned acknowledges for itself and its successors and assigns in title to the Property that it:

1. has read and understand all of the terms and provisions of Ordinance No. _____;
2. hereby unconditionally agrees to accept, consent to, and abide by all of the terms, conditions, restrictions, and provisions of this Ordinance, the UDO, and all other applicable codes, ordinances, rules, and regulations;
3. acknowledges and agrees that the Village is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's issuance of any permits for the use of the Property, and that the Village's issuance of any permit does not, and shall not, in any way, be deemed to insure the owner or lessee against damage or injury of any kind and at any time;
4. acknowledges that the public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, have considered the possibility of the revocation provided for in the Ordinance, and agree not to challenge any revocation on the grounds of any procedural infirmity or any denial of any procedural right; and
5. represents and acknowledges that the person signing this Unconditional Agreement and Consent is duly authorized to do so on behalf of the Owner.

Salvatore Marino

Date: _____



Village of Gilberts
Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

To: Village President and Board of Trustees
From: Riley Lynch, Administrative Intern
CC: Brian Bourdeau, Village Administrator
Date: July 20, 2021 Village Board Meeting
Re: Item 6.F: Request for a Rear Yard Setback Variance at 195 Loveland Court.

Background:

Mr. Joe Peralez (“*Applicant*”) has requested a variance from the rear yard setback requirements for the purposes of constructing an in-ground pool. The property, located at 195 Loveland (PIN 02-36-103-019), is located within the R-3 Residential zoning district, within POD 3 of a Planned Unit Development (PUD). The property borders single-family homes on all sides.

Under the PUD for this area, the minimum rear yard setback is 30 feet.

Variance Request:

The Applicant wishes to construct an 18ft by 36ft inground pool with a 4ft deep concrete skirt to be located about 11ft from the rear property line. Furthermore, Section 10-8-1(E)(1b) of the UDO states “*no private swimming pool or any accessory apron, walk or equipment room may protrude into any required rear yard.*” As a result of the proposed pool size and location in the yard, the Applicant is seeking a variance to protrude 19 feet into the required rear yard. The available location of the pool is constrained, in part, by the existing wooden deck and Com-Ed utilities running through the Eastern portion of the Applicant’s backyard.



Public Hearing and Plan Commission Recommendation

The Plan Commission held a public hearing for this variance request on July 14th, 2021. During the hearing, one of the Applicant’s neighbors spoke in support of the request. After conclusion of the public hearing, the Plan Commission voted unanimously to recommend the Village Board approve this request.

Primary Points for Discussion:

In considering the Applicant’s request, the Board should review the standards for variations as outlined in Section 10-11-10(F) of the UDO:

Standards for Variations.

1. *General Standard. No variation shall be recommended or granted pursuant to this section unless the owner shall establish that carrying out the strict letter of the provisions of this code would create a particular hardship or a practical difficulty.*
2. *Supplemental Standards. In considering proposed variations to this code, the Board of Appeals will consider whether the proposed variation will:*
 - a. *Impair an adequate supply of light and air to adjacent property.*
 - b. *Unreasonable increase the congestion in public streets.*
 - c. *Increase the danger of fire or endanger the public safety.*
 - d. *Unreasonably diminish or impair established property values within the surrounding area.*
 - e. *In any other respects impair the public health, safety, or welfare of the inhabitants of the village.*
3. *Findings of Fact. Upon review of the application and information presented at the public hearing, the Board of Appeals shall consider and adopt findings of fact sustaining each of the following criteria which are consistent with the rules provided to govern determinations of the Board of Appeals as referenced by state statute.*
 - a. *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that district.*
 - b. *The extraordinary or exceptional conditions of the property requiring the request for the variance were not caused by the applicant.*
 - c. *The proposed variance will alleviate a peculiar, exceptional or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship.*
 - d. *The denial of the proposed variance will deprive the applicant the use permitted to be made by the owners of property in the immediate area.*
 - e. *The proposed variance will result in a structure that is appropriate to and compatible with the character and scale of structures in the area in which the variance is being requested.*
 - f. *There is no other means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.*

Attachments:

- A. Staff Memo to the July 14th Plan Commission

VILLAGE OF GILBERTS
PUBLIC NOTICE
REGARDING A HEARING
ON A VARIANCE
APPLICATION

PUBLIC NOTICE IS
HEREBY GIVEN that the
Gilberts Plan Commission
will conduct a public hear-
ing on Wednesday, July 14,
2021, at 7:00 p.m., at the Gil-
berts Village Hall, 87 Gal-
ligan Road, Gilberts, Illinois,
to consider an application
from Joe Peralez ("Appli-
cant") concerning the prop-
erty commonly known as
195 Loveland Court, Gil-
berts, Illinois, 60136, and
identified by PIN: 02-36-103-
019 ("Property"). The Prop-
erty is zoned in the R-3 Ur-
ban Residence District. The
Applicant requests approval
of a variance for the Prop-
erty to decrease the re-
quired rear yard setback in
order to install an in-ground
pool, and for such other and
further zoning relief as may
be required.
All persons interested in the
variance application may
attend and will be given an
opportunity to provide writ-
ten and oral testimony.
Members of the public can
also submit written com-
ments via email at info@vil-
lageofgilberts.com. Any
comments received by 5:00
p.m. on July 14, 2021 will
be submitted into the record
of the meeting. Additional in-
formation about the vari-
ance application and the
public hearing are available
from the Village of Gilberts
at (847) 428-2861. The public
hearing may be continued
from time to time without
further public notice.
Gilberts Plan Commission
Village of Gilberts
Published in Daily Herald
June 29, 2021 (4566124)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Fox Valley Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Fox Valley DAILY HERALD**. That said **Fox Valley DAILY HERALD** is a secular newspaper, published in Elgin and has been circulated daily in the Village(s) of:

Aurora, Batavia, Burlington, Carpentersville, East Dundee, Elgin,
Elburn, Geneva, Gilberts, Hampshire, Montgomery, North Aurora,
Sleepy Hollow, Saint Charles, South Elgin, Sugar Grove, Wayne,
West Dundee

County(ies) of Kane

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the Fox Valley DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 06/29/2021 in said Fox Valley DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY 
Designee of the Publisher and Officer of the Daily Herald

Control # 4566124



Village of Gilberts
Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

To: Plan Commissioners
From: Riley Lynch, Administrative Intern
Brian Bourdeau, Village Administrator
Date: July 14th, 2021 Plan Commission Meeting
Re: Request for a Rear Yard Setback Variance at 195 Loveland Court.

Background:

Mr. Joe Peralez (“*Applicant*”) has requested a variance from the rear yard setback requirements for the purposes of constructing an in-ground pool. The property, located at 195 Loveland (PIN 02-36-103-019), is located within the R-3 Residential zoning district, within POD 3 of a Planned Unit Development (PUD). The property borders single-family homes on all sides.

Under the PUD for this area, the minimum rear yard setback is 30 feet.

Variance Request:

The Applicant wishes to construct an 18ft by 36ft inground pool with a 4ft deep concrete skirt to be located about 11ft from the rear property line. Furthermore, Section 10-8-1(E)(1b) of the UDO states “*no private swimming pool or any accessory apron, walk or equipment room may protrude into any required rear yard.*” As a result of the proposed pool size and location in the yard, the Applicant is seeking a variance to protrude 19 feet into the required rear yard. The available location of the pool is constrained, in part, by the existing wooden deck and Com-Ed utilities running through the Eastern portion of the Applicant’s backyard.

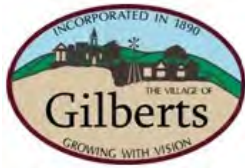


Primary Points for Discussion:

In considering the Applicant’s request, the Plan Commission should review the standards for variations as outlined in Section 10-11-10(F) of the UDO:

Standards for Variations.

1. *General Standard. No variation shall be recommended or granted pursuant to this section unless the owner shall establish that carrying out the strict letter of the provisions of this code would create a particular hardship or a practical difficulty.*



Village of Gilberts

Village Hall
87 Galligan Road, Gilberts, Illinois 60136
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www.villageofgilberts.com

2. *Supplemental Standards. In considering proposed variations to this code, the Board of Appeals will consider whether the proposed variation will:*
 - a. *Impair an adequate supply of light and air to adjacent property.*
 - b. *Unreasonable increase the congestion in public streets.*
 - c. *Increase the danger of fire or endanger the public safety.*
 - d. *Unreasonably diminish or impair established property values within the surrounding area.*
 - e. *In any other respects impair the public health, safety, or welfare of the inhabitants of the village.*
3. *Findings of Fact. Upon review of the application and information presented at the public hearing, the Board of Appeals shall consider and adopt findings of fact sustaining each of the following criteria which are consistent with the rules provided to govern determinations of the Board of Appeals as referenced by state statute.*
 - a. *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that district.*
 - b. *The extraordinary or exceptional conditions of the property requiring the request for the variance were not caused by the applicant.*
 - c. *The proposed variance will alleviate a peculiar, exceptional or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship.*
 - d. *The denial of the proposed variance will deprive the applicant the use permitted to be made by the owners of property in the immediate area.*
 - e. *The proposed variance will result in a structure that is appropriate to and compatible with the character and scale of structures in the area in which the variance is being requested.*
 - f. *There is no other means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.*

Attachments:

- A. Variance Application
- B. Aerial Snapshot of Applicant's Parcel
- C. Plat of Survey – With Location of the Pool
- D. Applicant's Response to the Standards
- E. Section I of the Timber Trails PUD – District Standards

VILLAGE OF GILBERTS

87 Galligan Road
Gilberts, IL. 60136
Telephone: 847-428-2861
Fax: 847-428-2955

APPLICATION FOR A VARIANCE

For Office Use Only

Case No. _____ Hearing Date: _____

Date Published: _____ Newspaper: _____

.....

NOTICE TO APPLICANT: A variation is a zoning adjustment which permits minor changes in requirements where an individual property is both harshly and uniquely burdened by the strict application of the law. No variation may be granted which would adversely affect surrounding or the general neighborhood.

....A plat of survey of property and a drawing or plan of proposed change drawn to scale must accompany this request along with the application fee (see fee scheduled attached). Deposits for professional fees are required in an amount to be determined by the Village.

Please Print

Name and address of the owner of the property

Joe Peralez

195 Loveland Ct

Gilberts, Illinois 60136

Applicant's Telephone Number: _____

Applicant's Cell Phone Number: 224-508-3313

Applicant's email address: jp2071@hotmail.com

Applicant's Fax Number: _____

Address of variance: 195 Loveland Ct Gilberts, Illinois 60136

Legal Description (attached to application)

Zoning District: R-3

Present Use: Residential

Request

Owner/Applicant request a change in (please circle one) Yard, Parking, Height, Lot

If other, please explain:

Requirements of Article 3 Section 6 Page _____

The following facts are pertinent to the request change:

The designated rear yard setback is 30'. There is a 10' utility easement off the rear property line and a minimum requirement of building of 10' off of the primary structure.

Conditions and/or hardship which justify changing requirements of Zoning Code (Description in detail).

The distance between the setback, primary structure and utility easement does not allow enough space for the pool. The requested change would allow for construction of a pool consistent with other pools currently in the immediate neighborhood.

To the best of my knowledge, the preceding facts are accurate and complete.

(Owner must sign this application)

Signature of Owner(s) Joe A. Parley

Date: 6-1-2021

Attest: _____

Applicant: Joe A. Parley

Date: _____

Attest: _____

Joe A. Peralez
195 Loveland Ct
Gilberts, IL 60136

June 2, 2021

Village Administrator
Village of Gilberts
87 Galligan Rd
Gilberts, IL 60136

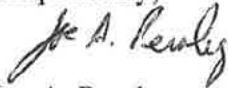
To Whom it may concern,

The variance is being requested to locate a swimming pool in our backyard. No other location on the property will allow for the pool to be installed. A hardship exists because of the particular shape of my lot property and the location of the main dwelling. An additional hardship exists because following the 30' rear lot setback will not allow for enough room for the pool installation. I did not cause or create any of these hardships. I have 3 young children 10, 8 and 3 years old with the changing times, Covid-19 has created a situation where it is safer for my family to stay home. A pool will allow for greater morale, welfare and recreation. We meet all the lot usage requirements to have a Gilberts permittable pool installed in our R3 zoning district.

Our proposed pool will meet all other requirements. The pool will not be located closer than 10' from the main dwelling. The pool and or any equipment will not protrude into any required rear easements. The pool will not impair any amount of light or air to any adjacent properties. The pool will not increase congestion on public roads nor endanger public safety. The pool will not increase the danger of fire. The pool will allow for increased property value for our property and the adjacent properties as well.

Chesapeake Pools is the selected contractor to perform the potential install, they have 20 plus years of experience installing pools. The design and engineering of our pool was driven by improving the neighborhood aesthetics, not just my backyard. The pool will allow me to improve the value of my property as well as the surrounding properties. Our pool will have the required fence needed. Our pool will be consistent with other properties in the immediate area.

Respectfully,


Joe A. Peralez

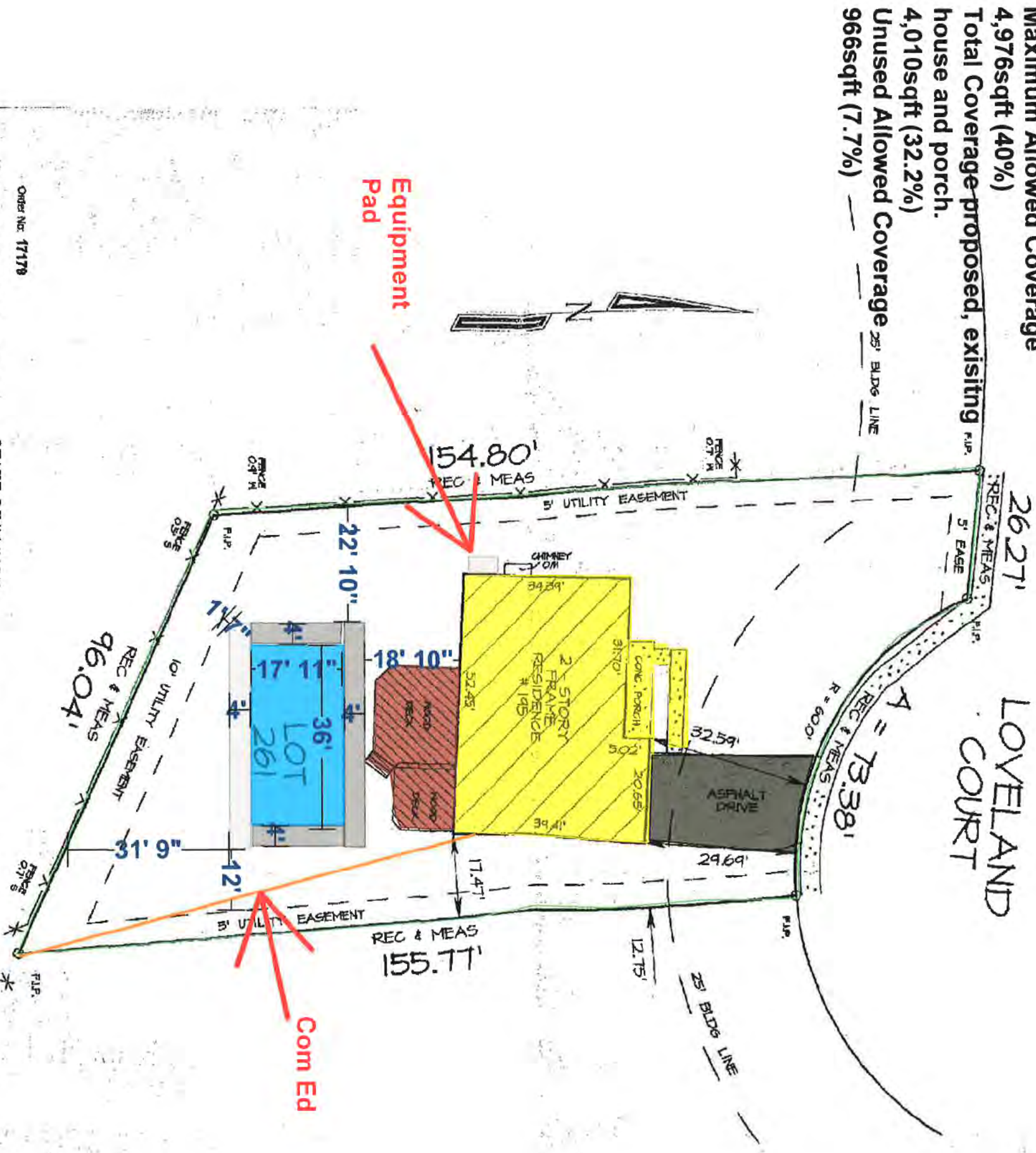
at of Survey

- 1 - EXISTING HOUSE AND PORCH 15.1% - 1,967 SF
- 2 - EXISTING DRIVEWAY 4.3% - 534 SF
- 3 - WOOD DECK 3.7% - 460 SF
- 4 - PROPOSED CONCRETE SKIRT 3.9% - 319 SF
- 5 - PROPOSED POOL 18X36 5.2% - 635 SF
- 6 - EXISTING LOT - 12,458 SF
- 7 - PROPOSED POOL EQUIPMENT PAD .15% - 195 SF
- 8 - Com Ed line - 93 LF

3 UNIT 3, BEING A PART OF THE NORTHWEST QUARTER OF SECTION 28 AND PART
 42 NORTH RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO
 NT 2001K049423, IN KANE COUNTY, ILLINOIS.

Maximum Allowed Coverage
 4,976sqft (40%)

Total Coverage proposed, existing
 house and porch.
 4,010sqft (32.2%)
Unused Allowed Coverage
 966sqft (7.7%)



Order No: 17178
 Ordered By: W. Randall Baudin II
 Attorney at Law
 Property Address: 185 Loveland Court
 Gilberts, IL

STATE OF ILLINOIS
 COUNTY OF KANE

SS JUNE 21, 2017

This is to certify that this plat and the survey on which it is based was made under my direction. This professional service conforms to the current Illinois minimum standards for a boundary survey.

Loveland Ct

195



EXHIBIT F
ZONING ORDINANCE VARIATIONS
TIMBER TRAILS

I. DESIGN STANDARDS

A. Single-Family

PER ANNEXATION AGREEMENT

	PODs 5&6	POD 2	POD 8	PODs 3&7
1. Min. Lot Size	7200 Sq. Ft.	7200 Sq. Ft.	8400 Sq. Ft.	8400 Sq. Ft.
2. Min lot Width	55 Ft.	60 Ft.	60 Ft.	65 Ft.
3. Yards: Front-Min.	25 Ft.	25 Ft.	25 Ft.	25 Ft.
- Average	27.5 Ft.	27.5 Ft.	27.5 Ft.	27.5 Ft.
- Maximum	30 Ft.	30 Ft.	30 Ft.	30 Ft.
Side Corner	15 Ft.	15 Ft.	15 Ft.	15 Ft.
Side Reverse Corner	25 Ft.	25 Ft.	25 Ft.	25 Ft.
Side Interior	6 Ft. ea.	6.5 Ft. ea.	6.5 Ft. ea.	7 Ft. ea.
Rear	25 Ft.	20 Ft.	30 Ft.	30 Ft.
4. Max. Building Height				
- Principal	35 Ft.	35 Ft.	35 Ft.	35 Ft.
- Accessory	20 Ft.	20 Ft.	20 Ft.	20 Ft.
5. Max. Lot Coverage (Principal & Accessory Bldgs.)	40%			
6. Min. Dwelling Size:				
POD 3:	1600 Sq. Ft			
All other PODs:	1350 Sq. Ft			
7. Garages All with minimum 2-car garages				

ORDINANCE 17-2021

**AN ORDINANCE APPROVING
A VARIANCE FROM THE GILBERTS UNIFIED DEVELOPMENT ORDINANCE**

(195 Loveland Court)

WHEREAS, Joe Peralez (“*Owner*”), the owner of the property located 195 Loveland Court, Gilberts, Illinois 60136, which property is more specifically described on **Exhibit A** (“*Property*”), desires to construct an in-ground pool in the rear yard of the Property; and

WHEREAS, the Property is currently zoned in the R-3 Residential Zoning District, and is subject to the regulations of the Timber Trails Planned Unit Development Ordinance (Pod 3); and

WHEREAS, Section 3-6(A) of the Gilberts Unified Development Ordinance (“*UDO*”) and the Timber Trails Planned Unit Development Ordinance require a 30-foot rear yard setback for residences served by a sewer in the R-3 Residential Zoning District; and

WHEREAS, the Owner filed an application for a variance from Section 3-6(A) to allow for the in-ground pool to protrude 19 feet into the required 30 foot rear yard setback (“*Variance*”); and

WHEREAS, the Gilberts Plan Commission/Zoning Board of Appeals held a public hearing and reviewed the Owner’s request for the Variance on July 14, 2021, and at the conclusion of the public hearing voted to recommend approval of the Variance to allow for the Owner to construct the in-ground pool within the required rear yard setback; and

WHEREAS, the Village Board makes the following findings of fact in reference to the Owner’s application for approval of the Variance for the Property:

- a. The Property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that district;
- b. The extraordinary or exceptional conditions of the Property requiring the request for the Variance was not caused by the Owner, as the variance is necessary due to the unique shape of the Property and its location on a cul-de-sac;
- c. The proposed Variance will alleviate a peculiar, exceptional or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship, as it is not feasible for the Owner to install the pool on the Property without encroaching into the required setbacks due to the location of existing utility easements and the unique shape of the Property;
- d. The denial of the proposed Variance will deprive the Owner of the use permitted to be made by the owners of property in the immediate area, as other owners of property in the area with lots of standard shapes are able to install in-ground pools;

- e. The proposed Variance will result in structures that are appropriate to and compatible with the character and scale of structures in the area in which the Variance is being requested;
- f. There is no other means other than the requested Variance by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Property.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois as follows:

Section 1. Recitals. The recitals are incorporated into this Section 1 as if fully set forth.

Section 2. Variance. Subject to the conditions set forth in Section 3 of this Ordinance, the Village Board of Trustees hereby approves the following variance for the Property:

A variance from Section 3-6(A) of the UDO to allow for the in-ground pool on the Property to be located 11 feet from the rear yard lot line instead of the required 30 feet.

Section 3. Conditions. The approvals granted pursuant to Section 2 of this Ordinance are conditioned upon and limited by the following conditions, the violation of any of which shall, in the discretion of the President and Board of Trustees, be grounds for the repeal and revocation of the approvals granted by this Ordinance in accordance with applicable law. In addition, any violation of this Ordinance will be deemed a violation of the UDO and subject the Owner to enforcement proceedings accordingly.

- A. **No Authorization of Work.** This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind may be commenced on the Property pursuant to the approvals granted in this Ordinance unless and until all conditions of this Ordinance precedent to that work have been fulfilled and after all permits, approvals, and other authorizations for the work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. **Compliance with Laws.** The UDO, the Building Code, and all other applicable Village ordinances and regulations shall continue to apply to the Property, and the development and use of the Property must comply with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.

Section 4. Severability. In the event a court of competent jurisdiction finds this Ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 5. Repeal and Saving Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or cause of action which shall have accrued to the Village of Gilberts prior to the effective date of this Ordinance.

Section 6. Effective Date. Upon its passage and approval according to law, this Ordinance shall, by authority of the Board of Trustees, be published in pamphlet form; provided, however, that this Ordinance shall be of no force or effect unless and until the Owner has executed and filed with the Village its unconditional agreement and consent, in the form attached to this Ordinance as **Exhibit B**, within 30 days following the passage of this Ordinance.

ADOPTED THIS _____ DAY OF _____, 2021, pursuant to roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jeanne Allen	_____	_____	_____	_____
Trustee Dan Corbett	_____	_____	_____	_____
Trustee Brandon Coats	_____	_____	_____	_____
Trustee Lou Hacker	_____	_____	_____	_____
Trustee Justin Redfield	_____	_____	_____	_____
Trustee David LeClercq	_____	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2021

Village President, Guy Zambetti

(SEAL)

ATTEST: _____
Village Clerk, Courtney Baker

Published: _____

Exhibit A

Description of the Property

Common Address: 195 Loveland Court, Gilberts, IL

PINs: 02-36-103-019

Exhibit B

Unconditional Agreement and Consent

Pursuant to Section 6 of Ordinance No. _____, and to induce the Village to grant the approvals provided for in that Ordinance, the undersigned acknowledges for itself and its successors and assigns in title to the Property that it:

1. has read and understand all of the terms and provisions of Ordinance No. _____;
2. hereby unconditionally agrees to accept, consent to, and abide by all of the terms, conditions, restrictions, and provisions of this Ordinance, the UDO, and all other applicable codes, ordinances, rules, and regulations;
3. acknowledges and agrees that the Village is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's issuance of any permits for the use of the Property, and that the Village's issuance of any permit does not, and shall not, in any way, be deemed to insure the owner or lessee against damage or injury of any kind and at any time;
4. acknowledges that the public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, have considered the possibility of the revocation provided for in the Ordinance, and agree not to challenge any revocation on the grounds of any procedural infirmity or any denial of any procedural right; and
5. represents and acknowledges that the person signing this Unconditional Agreement and Consent is duly authorized to do so on behalf of the Owner.

Joe Peralez

Date: _____



Village of Gilberts

Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

To: President Zambetti and Board of Trustees
From: Brian Bourdeau, Village Administrator
Date: July 20, 2021 Village Board Meeting
Re: Item 7.A: An Ordinance Amending the Village's Unified Development Ordinance Regarding Lot Coverage Requirements

Background:

The Village's Unified Development Ordinance ("UDO") currently defines lot coverage as "that area or portion of a lot occupied by building" (Section 10-13-13). The broad nature of the definition has recently led to questions of whether the definition applies only to buildings or other accessory structures and paved/covered surfaces. Historically, the Village has interpreted lot coverage to be any portion of the lot covered by an impervious structure. Examples of impervious structures would be primary buildings, accessory structures, asphalt, concrete, and brick pavers.

This text amendment seeks to update the definition of lot coverage to provide clarity regarding what structures and surfaces are included in the lot coverage calculation. The proposed definition would read as follows:

Lot Coverage means the proportion of the gross area of a lot occupied by any hard surfaces including, but not limited to, buildings, principal structures, accessory structures, decks, sidewalks, walkways, paved parking lots, paved driveways, compacted graveled areas, and permeable pavers and pavements

Public Hearing and Plan Commission Recommendation

The Plan Commission held a public hearing on July 14, 2021 to consider the above text amendment. During public comment there was discussion concerning the difference between lot coverage and impervious surface coverage for storm water purposes. Lot coverage is focused more on the general character of the lot and how much open space is desired. Stormwater calculations are based on impervious surfaces and how they will affect stormwater runoff. All hard surfaces would count toward lot coverage; however, not every hard surface would necessarily be applied to impervious surface calculations for purposes of determining stormwater impact. For example, the full area covered by permeable brick pavers would count toward lot coverage but only a percentage of that area would count toward impervious surface as the pavers would allow a certain amount of stormwater through.

No comments were received in opposition to the text amendment. Upon the conclusion of the public hearing the Plan Commission moved to recommend to the Village Board approval of the specified text amendment and the item passed unanimously.

Items for Village Board Consideration:

Under the UDO, there are no specific standards for text amendments that must be satisfied. Instead, the proposed text amendment should be evaluated against the intent of the UDO, the recommendations of the Comprehensive Plan, and the public health, safety, and general welfare. This text amendment was drafted in an effort to provide greater clarity in the definition of lot coverage in a manner that is consistent with the Village's historical application of the definition.

Attachment

- A. Staff Report from the July 14, 2021 Plan Commission Packet



Village of Gilberts

Village Hall
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Ph. 847-428-2861 Fax: 847-428-2955
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To: Plan Commission
From: Brian Bourdeau, Village Administrator
Date: July 14, 2021 Plan Commission Meeting
Re: Item 8: A Text Amendment to Section 10-13-13 of the Village's Unified Development Ordinance

Background:

The Village's Unified Development Ordinance ("UDO") currently defines lot coverage as "that area or portion of a lot occupied by building" (Section 10-13-13). The broad nature of the definition has recently led to questions of whether the definition applies only to buildings or other accessory structures and paved/covered surfaces. Historically, the Village has interpreted lot coverage to be any portion of the lot covered by an impervious structure. Examples of impervious structures would be primary buildings, accessory structures, asphalt, concrete, and brick pavers.

This text amendment seeks to update the definition of lot coverage to provide clarity regarding what structures and surfaces are included in the lot coverage calculation. The proposed definition would read as follows:

Lot Coverage means the proportion of the gross area of a lot occupied by any hard surfaces including, but not limited to, buildings, principal structures, accessory structures, decks, sidewalks, walkways, paved parking lots, paved driveways, compacted graveled areas, and permeable pavers and pavements

Items for Plan Commission Consideration:

Under the UDO, there are no specific standards for text amendments that must be satisfied. Instead, the Plan Commission is directed to evaluate the proposed text amendment against the intent of the UDO, the recommendations of the Comprehensive Plan, and the public health, safety, and general welfare. This text amendment was drafted in an effort to provide greater clarity in the definition of lot coverage in a manner that is consistent with the Village's historical application of the definition.

ORDINANCE 18-2021

**AN ORDINANCE AMENDING THE VLLAGE’S UNIFIED DEVELOPMENT
ORDINANCE REGARDING LOT COVERAGE REQUIREMENTS**

WHEREAS, on January 7, 2014, the Village Board of the Village of Gilberts adopted the Gilberts Unified Development Ordinance (“*UDO*”), which sets forth the zoning and development standards and procedures for the Village; and

WHEREAS, the UDO currently defines “lot coverage” as the area or portion of a lot occupied by buildings; and

WHEREAS, the Village Board desires to amend the UDO to clarify that accessory structures and hard surfaces such as driveways are included under the definition of lot coverage; and

WHEREAS, the Village Board has proposed an amendment to the UDO that would amend the definition of lot coverage to include accessory structures and hard surfaces (“*Amendment*”); and

WHEREAS, the Plan Commission conducted a public hearing, pursuant to notice published in accordance with Illinois state law, on the Amendment at its meeting held on July 14, 2021, at which time the Plan Commission recommended approval of the Amendment; and

WHEREAS, the Village Board of Trustees has considered the Plan Commission’s recommendation, and has determined that it is in the best interests of the Village to approve the Amendment as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS, KANE COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS The recitals set forth above are incorporated into Section 1 as set forth herein.

SECTION 2. AMENDMENT TO SECTION 13-13 OF THE UDO. Chapter 13, Section 13-13, entitled “Definitions,” is hereby amended as follows (deletions in ~~strikethrough~~, additions in **bold** and underline):

“13-13. – Definitions.

When used in this code, the following terms have the meanings ascribed to them:

* * *

Lot coverage means **the proportion of the gross area of a lot occupied by any hard surfaces including, but not limited to, buildings, principal structures, accessory structures, decks, sidewalks, walkways, paved parking lots, paved**

driveways, compacted gravel areas, and permeable pavers and pavements.
~~that area or portion of a lot occupied by buildings.:"~~

SECTION 3. SEVERABILITY. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this Ordinance is found to be invalid in any one or more of its several applications, all valid applications shall remain in effect.

SECTION 4. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however that nothing in this Ordinance shall affect any rights, actions, or causes of action which shall have accrued to the Village of Gilberts prior to the effective date of this Ordinance.

SECTION 5. EFFECTIVE DATE. This Ordinance shall only be effective upon the passage, approval, and publication in the manner required by law.

ADOPTED THIS _____ DAY OF _____, 2021, pursuant to roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jeanne Allen	_____	_____	_____	_____
Trustee Dan Corbett	_____	_____	_____	_____
Trustee Brandon Coats	_____	_____	_____	_____
Trustee Lou Hacker	_____	_____	_____	_____
Trustee Justin Redfield	_____	_____	_____	_____
Trustee David LeClercq	_____	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2021

Village President, Guy Zambetti

(SEAL)

ATTEST: _____
Village Clerk, Courtney Baker

Published: _____



Village of Gilberts

Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

To: President Zambetti and Board of Trustees
From: Brian Bourdeau, Village Administrator
Date: July 20, 2021 Village Board Meeting
Re: Item 7.B: An Ordinance Amending the Village's Unified Development Ordinance Regarding Accessory Outdoor Seating Areas

Background:

The Village's Unified Development Ordinance ("UDO") currently contains an inconsistency with respect to outdoor dining within the C-1 Commercial District. Section 10-4-1(v) allows "permanent outdoor seating areas accessory to bars, restaurants and taverns" as a permitted use. However, Section 10-4-4(B)(6), when addressing exceptions to the requirement that all operations shall take place within an enclosed structure states "temporary outdoor seating areas accessory to bars, restaurants, and taverns, subject to a temporary use permit, and **permanent outdoor seating areas accessory to bars, restaurants, and taverns pursuant to a special use permit**" [Emphasis added]. Additionally, Section 10-4-5(B) regarding C-1 district regulations states that "temporary uses are subject to the provisions of Section 8-3 of this code [UDO]." While temporary outdoor seating is addressed in Section 10-4-4(B)(6) and Section 10-4-5(B) directs that such temporary uses are in accordance with Section 10-8-3, temporary dining is not addressed in Section 10-8-3.

This text amendment seeks to clarify these inconsistencies by:

- A) Removing permanent outdoor seating areas accessory to bars, restaurants and taverns from the permitted uses in Section 10-4-1 and placing it under Section 10-4-3 Special Uses. This will make the language regarding permanent outdoor seating consistent with Section 10-4-4(B)(6). The Village has always required an establishment which sought permanent outdoor seating to obtain a Special Use, making this change consistent with past interpretation of the UDO.
- B) With respect to temporary outdoor seating, adding language to Section 10-8-3(D)(2) clarifying that temporary outdoor seating in non-residential districts is a permitted temporary use. During the COVID-19 pandemic and in response to various State of Illinois proclamations, many restaurants and bars utilized temporary outdoor dining to continue serving customers in a safe manner. The outdoor dining experience has generally been well received, and the Village desires to allow temporary outdoor dining to continue beyond the end of the Pandemic. This text amendment to the UDO will provide clarity on how these establishments will be able to continue temporary outdoor dining operations (e.g., tents with tables set up during warm weather months), subject to obtaining a temporary use permit. Such a permit can be approved by the Zoning Administrator subject to conditions and guidelines established by Section 10-8-3. Please note, permanent outdoor dining areas

would still require a Special Use permit. Moreover, an establishment that desires to serve alcohol in any outdoor seating area will still be required to obtain a Class OS Liquor License. The Class OS Liquor License imposes additional regulations on the service of alcohol in any outdoor seating area.

Public Hearing and Plan Commission Recommendation

The Plan Commission held a public hearing on the proposed text amendment at the July 14, 2021 meeting. There were no public comments received on this proposed amendment. The Plan Commission deliberated and discussed several points, including A) was there a limit on the length of the time a temporary use permit could be issued for outdoor dining and B) similarly, was there a limit of the frequency of temporary permit requests. The current UDO does not place specific limitations either on the length or frequency of temporary use permits in general, but rather leaves the interpretation and application of limits to the discretion of the Zoning Administrator. After discussion, the Plan Commission did not make a recommendation that any specific limitations be placed on either the length or frequency of these temporary use permits. The Plan Commission then voted unanimously to recommend to the Village Board approval of the proposed text amendment.

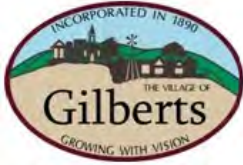
Please note, should the Board desire a limitation be placed on either the length that a temporary use permit for outdoor dining would be valid or a limitation on the frequency that such permits could be requested, those specific limits could be incorporated into the Ordinance.

Items for Village Board Consideration:

Under the UDO, there are no specific standards for text amendments that must be satisfied. Instead, the Village Board should evaluate the proposed text amendment against the intent of the UDO, the recommendations of the Comprehensive Plan, and the public health, safety, and general welfare. This text amendment was drafted in an effort to provide greater clarity to how outdoor seating areas are treated under the UDO, and to ensure the UDO is consistent with the Village's past practices and interpretations.

Attachments

- A) Staff Report from the July 14, 2021 Plan Commission packet



Village of Gilberts

Village Hall
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To: Plan Commission
From: Brian Bourdeau, Village Administrator
Date: July 14, 2021 Plan Commission Meeting
Re: Item 9: A Text Amendment to Chapter 4 of the Village's Unified Development Ordinance Regarding Outdoor Seating Areas Accessory to Bars, Taverns and Restaurants in the C-1 Commercial District

Background:

The Village's Unified Development Ordinance ("UDO") currently contains an inconsistency with respect to outdoor dining within the C-1 Commercial District. Section 10-4-1(v) allows as a permitted use "permanent outdoor seating areas accessory to bars, restaurants and taverns." However, Section 10-4-4(B)(6), when addressing exceptions to the requirement that all operations shall take place within an enclosed structure states "temporary outdoor seating areas accessory to bars, restaurants, and taverns, subject to a temporary use permit, and **permanent outdoor seating areas accessory to bars, restaurants, and taverns pursuant to a special use permit**" [Emphasis added]. Additionally, Section 10-4-5(B) regarding C-1 district regulations states that "temporary uses are subject to the provisions of Section 8-3 of this code [UDO]." While temporary outdoor seating is addressed in Section 10-4-4(B)(6) and Section 10-4-5(B) directs that such temporary uses are in accordance with Section 10-8-3, temporary dining is not addressed in Section 10-8-3.

This text amendment seeks to clarify these inconsistencies by:

- A) Removing permanent outdoor seating areas accessory to bars, restaurants and taverns from the permitted uses in Section 10-4-1 and placing it under Section 10-4-3 Special Uses. This will make the language regarding permanent outdoor seating consistent with Section 10-4-4(B)(6). The Village has always required an establishment which sought permanent outdoor seating to obtain a Special Use, making this change consistent with past interpretation of the UDO.
- B) With respect to temporary outdoor seating, adding language to Section 10-8-3(D)(2) clarifying that temporary outdoor seating in non-residential districts is a permitted temporary use. During the COVID-19 pandemic and in response to various State of Illinois proclamations, many restaurants and bars utilized temporary outdoor dining to continue serving customers in a safe manner. The outdoor dining experience has generally been well received, and the Village desires to allow temporary outdoor dining to continue beyond the end of the Pandemic. This text amendment to the UDO will provide clarity on how these establishments will be able to continue temporary outdoor dining operations (e.g., tents with tables set up during warm weather months), subject to obtaining a temporary use permit. Such a permit can be approved by the Zoning Administrator subject to conditions and guidelines established by Section 10-8-3. Please note, permanent outdoor dining areas

would still require a Special Use permit. Moreover, an establishment that desires to serve alcohol in any outdoor seating area will still be required to obtain a Class OS Liquor License. The Class OS Liquor License imposes additional regulations on the service of alcohol in any outdoor seating area.

Items for Plan Commission Consideration:

Under the UDO, there are no specific standards for text amendments that must be satisfied. Instead, the Plan Commission is directed to evaluate the proposed text amendment against the intent of the UDO, the recommendations of the Comprehensive Plan, and the public health, safety, and general welfare. This text amendment was drafted in an effort to provide greater clarity to how outdoor seating areas are treated under the UDO, and to ensure the UDO is consistent with the Village's past practices and interpretations.

ORDINANCE 19-2021

AN ORDINANCE AMENDING THE VLLAGE'S UNIFIED DEVELOPMENT ORDINANCE REGARDING ACCESSORY OUTDOOR SEATING AREAS

WHEREAS, on January 7, 2014, the Village Board of the Village of Gilberts adopted the Gilberts Unified Development Ordinance (“*UDO*”), which sets forth the zoning and development standards and procedures for the Village; and

WHEREAS, the UDO currently lists permanent outdoor seating areas accessory to bars, restaurants, and taverns as a permitted use in the C-1 Commercial District under Section 4-2 of the UDO; and

WHEREAS, the Village Board desires to amend the UDO to clarify that permanent outdoor seating areas accessory to bars, restaurants, and taverns are allowed in the C-1 Commercial District only upon the issuance of special use permit; and

WHEREAS, due to the COVID-19 Pandemic, the Village Board has allowed temporary outdoor seating accessory to restaurants, bars and taverns pursuant to the executive orders issued by Governor Pritzker; and

WHEREAS, the expansion of temporary outdoor seating areas has been well received by the public, and the Village Board desires to amend the UDO to clarify how such temporary outdoor seating areas will be permitted; and

WHEREAS, the Village Board has proposed an amendment to the UDO to clarify that permanent accessory outdoor seating areas are allowed in the C-1 Commercial District as a special use, and to include temporary outdoor seating areas as a permitted temporary use in the Village's non-residential districts (“*Amendment*”); and

WHEREAS, the Plan Commission conducted a public hearing, pursuant to notice published in accordance with Illinois state law, on the Amendment at its meeting held on July 14, 2021, at which time the Plan Commission recommended approval of the Amendment; and

WHEREAS, the Village Board of Trustees has considered the Plan Commission's recommendation, and has determined that it is in the best interests of the Village to approve the Amendment as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS, KANE COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS The recitals set forth above are incorporated into Section 1 as set forth herein.

SECTION 2. AMENDMENT TO SECTION 4-2 OF THE UDO. Chapter 4, Section 4-2, entitled “Permitted Uses,” is hereby amended as follows (deletions in ~~strikethrough~~, additions in **bold** and underline):

“4-2. – Permitted Uses.

The following uses and no other are permitted as of right in the C-1 District:

1. *Retail Business Uses.*

* * *

v. ~~Permanent outdoor seating areas accessory to bars, restaurants, and taverns.”~~

SECTION 3. AMENDMENT TO SECTION 4-3 OF THE UDO. Chapter 4, Section 4-3, entitled “Special Uses,” is hereby amended as follows (deletions in ~~striketrough~~, additions in **bold** and underline):

“4-3. – Special Uses.

The following uses may be permitted in the C-1 district, subject to the issuance of a special use permit as provided in Section 11-11 of this code and subject to the additional standards set forth in this section.

1. *Retail Business Uses.*

* * *

e. Permanent outdoor seating areas accessory to bars, restaurants, and taverns.”

SECTION 4. AMENDMENT TO SECTION 8-3 OF THE UDO. Chapter 8, Section 8-3, entitled “Temporary Uses,” is hereby amended as follows (deletions in ~~striketrough~~, additions in **bold** and underline):

“8-3. – Temporary Uses.

* * *

D. Permitted Temporary Uses.

* * *

2. Nonresidential Districts and Old Town District.

a. Temporary Outdoor Sales. A temporary use permit is required for temporary outdoor sales and display, including sidewalk sales, and similar outdoor sales. A permit shall be valid for a period not to exceed seven days, and not more than four permits shall be issued for the same property in one calendar year. The specific hours of operation shall be specified in the temporary use permit. Sales shall be conducted so as not to interfere with traffic or cause a nuisance

b. Temporary outdoor seating areas accessory to bars, restaurants, and taverns. A temporary use permit is required for temporary outdoor

seating areas accessory to bars, restaurants, and taverns. Any permittee seeking to serve alcohol in any temporary outdoor seating area must comply with all applicable liquor licensing requirements.”

SECTION 5. SEVERABILITY. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this Ordinance is found to be invalid in any one or more of its several applications, all valid applications shall remain in effect.

SECTION 6. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however that nothing in this Ordinance shall affect any rights, actions, or causes of action which shall have accrued to the Village of Gilberts prior to the effective date of this Ordinance.

SECTION 7. EFFECTIVE DATE. This Ordinance shall only be effective upon the passage, approval, and publication in the manner required by law.

ADOPTED THIS _____ DAY OF _____, 2021, pursuant to roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jeanne Allen	_____	_____	_____	_____
Trustee Dan Corbett	_____	_____	_____	_____
Trustee Brandon Coats	_____	_____	_____	_____
Trustee Lou Hacker	_____	_____	_____	_____
Trustee Justin Redfield	_____	_____	_____	_____
Trustee David LeClercq	_____	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2021

Village President, Guy Zambetti

(SEAL)

ATTEST: _____
Village Clerk, Courtney Baker

Published: _____