



BENSENVILLE
VILLAGE CLERK'S OFFICE

12 South Center Street
Bensenville, IL 60106

Office: 630.350.3404
Fax: 630.350.3408
www.bensenville.il.us

VILLAGE BOARD

October 17, 2024

President
Frank DeSimone

Board of Trustees
Rosa Carmona
Ann Franz
Marie T. Frey
McLane Lomax
Nicholas Panicola Jr.
Armando Perez

Village Clerk
Nancy Quinn

Village Manager
Evan K. Summers

Via electronic mail
Mr. John Kenney
Cervantes, Chatt & Prince PC
100 South Tower Road, Suite 180
Burr Ridge, Illinois 60527

Re: Freedom of Information Act Request
Received October 3, 2024

Dear Mr. Kenney:

I am pleased to help you with your undated request for information pursuant to the Freedom of Information Act ("FOIA"), 5 ILCS 140/1 *et seq.* Your request was received by the Village of Bensenville on October 3, 2024. You requested copies of the items indicated below:

*"1) Any and all documents and/or emails referring or relating to legal non conforming uses at 26 N. Center St., Bensenville, including anything relating to any claimed abandonment or use.
2) All zoning Maps for the Village of Bensenville from 1900 to present, including legends/zoning districts.
3) Copies of all zoning codes adopted by the Village of Bensenville and their ordinances."*

Your FOIA request is hereby granted in part and denied in part as follows. Records responsive to your FOIA request are being provided to you at no charge and are available at the following link:

<https://drive.google.com/drive/folders/1RGTu4V8iedPaV7HMn0h3Te-OaHYtYu5p?usp=sharing>

Portions of email correspondence in which opinions are expressed or policies or actions are formulated by Village officials and/or employees have been withheld as exempt from disclosure under Section 7(1)(f) of FOIA, which exempts from inspection and copying "[p]reliminary drafts, notes, recommendations, memoranda, and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body." 5 ILCS 140/7(1)(f). The information in question has not been publicly cited and identified by the Village President.

Additionally, portions of email correspondence reflecting communications between the Village's attorneys and Village staff have been withheld as exempt from disclosure under Section 7(1)(m) of FOIA, which exempts from inspection and copying communications between the Village and its attorneys that would not be subject to discovery in litigation. 5 ILCS 140/7(1)(m).

You have the right to have the partial denial of your FOIA request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You may file your Request for Review with the PAC by writing to:

Ms. Leah Bartelt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

You also have the right to seek judicial review of the partial denial of your FOIA request by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

Very truly yours,

Corey Williamsen
Freedom of Information Officer
Village of Bensenville



VILLAGE OF BENSENVILLE FREEDOM OF INFORMATION ACT REQUEST FORM

TO: **COREY WILLIAMS**

*Freedom of Information Officer
Village of Bensenville
12 S. Center Street
Bensenville, IL 60106*

FROM:

Name John Kenney / Cervantes, Chatt & Prince PC

Address 100 S. Tower Rd., Ste 180

(17051)
Burr Ridge IL 60527

Phone 630-326-4930

E-Mail jkenney@ccpchicago.com

TITLES OR DESCRIPTION OF RECORDS REQUESTED (Please Include Date of Birth and Case Number for Police Records):

1) Any and all documents and/or emails referring or relating to legal non conforming uses at 26 N. Center St., Bensenville, including anything relating to any claimed abandonment of use

2) All zoning Maps for the Village of Bensenville from 1900 to present, including legends/zoning districts

3) Copies of all zoning codes adopted by the Village of Bensenville and their ordinances

THIS REQUEST IS FOR A COMMERCIAL PURPOSE (*You must state whether your request is for a commercial purpose.* A request is for a "commercial purpose" if all or any part of the information will be used in any form for sale, resale, or solicitation or advertisement for sales or services. Failure to disclose whether a request is for a commercial purpose is a prosecutable violation of FOIA.)

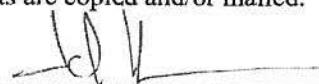
Would like your request delivered via: E-Mail U.S. Mail Pick-Up*

**Pick-Up is available by appointment at Village Hall Monday thru Friday; between 8:00 a.m. - 5:00 p.m.*

I understand that any payment need be received before any documents are copied and/or mailed.

10/3/24

Date


Signature

All FOIA responses are posted on the Village's website. Name and address of the requestor will be made public.

The first fifty (50) pages of the request are free. The fee charge is fifteen (15) cents after the first fifty (50) pages.

Unless otherwise notified, your request for public records will be compiled within five (5) working days.

Unless otherwise notified, any request for commercial purposes will be compiled within twenty-one (21) days working days.

***** **COREY WILLIAMS, FREEDOM OF INFORMATION OFFICER** *****

Telephone: (630) 350-3404 Facsimile: (630) 350-3438

E-mail Address: FOIArequest@bensenville.il.us

For Freedom of Information Officer Use Only

10/3/24
Date Request Received

10/11/24
Date Response Due

10/17/24
Date Extended Response Due

\$0
Total Charges

10/17/24
Date Documents Copied or Inspected

Received by Employee: _____



12 South Center Street

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VILLAGE BOARD

October 10, 2024

President

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Mr. John Kenney
Cervantes, Chatt & Prince PC
100 South Tower Road, Suite 180
Burr Ridge, Illinois 60527

Re: Freedom of Information Act Request
Received October 3, 2024

Dear Mr. Kenny:

I am pleased to help you with your undated Freedom of Information Act ("FOIA"). Your request was received by the Village of Bensenville on October 3, 2024. You requested copies of the items indicated below:

- "1) Any and all documents and/or emails referring or relating to legal non conforming uses at 26 N. Center St., Bensenville, including anything relating to any claimed abandonment or use.*
- 2) All zoning Maps for the Village of Bensenville from 1900 to present, including legends/zoning districts.*
- 3) Copies of all zoning codes adopted by the Village of Bensenville and their ordinances."*

The Village needs to consult with the Village Attorney to determine whether any of the records you have requested are exempt from disclosure under Section 7 of the FOIA or should be revealed only with appropriate deletions. Therefore, pursuant to Section 3(e)(v) of FOIA, 5 ILCS 140/3(e)(v), the Village is extending the time it has to respond to your request by an additional five (5) business days. The Village will respond to your request on or before October 17, 2024.

Please let me know if you have any questions.

Very truly yours,



Corey Williamsen
Freedom of Information Officer
Village of Bensenville