



Doc#: 0626427064 Fee: \$34.50
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 09/21/2006 03:32 PM Pg: 1 of 6

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, SHIRLEY C. HERBERTS, being the duly elected, qualified, and acting Clerk of the City of Countryside, and the keeper of the records of the City of Countryside, do hereby certify that attached hereto is true and correct copy of the following:

**CITY OF COUNTRYSIDE
ORDINANCE 06-35-O**

**APPROVING CLOCK TOWER POINTE OF COUNTRYSIDE
PLAN UNIT DEVELOPMENT SPECIAL USE
6531 WILLOW SPRINGS ROAD AND 6419 JOLIET ROAD
APPLICATION OF GREGORY SERDUKE AND BOOMERANG PROPERTIES, LLC**

I do further certify that said document has not been in any way altered, amended, or rescinded.

DATED this 20th day of September, 2006.

Clerk, City of Countryside

Prepared by a mail to
Clerk, City of Countryside
c/o Erik Peck, attny
47 S. 16th Avenue
LA Grange IL 60525

UNOFFICIAL COPY

ORDINANCE 06-33-O

ORDINANCE OF THE CITY COUNCIL, CITY OF COUNTRYSIDE CONSOLIDATION OF 6531 WILLOW SPRINGS ROAD AND 6419 JOLIET ROAD

BE IT ORDAINED by the City Council of the City of Countryside, Cook County, Illinois, as follows:

SECTION 1: That the following property be consolidated in accordance with the Plan Commission - Zoning Board of Appeals Recommendation dated April 25, 2006, a copy of which is attached hereto and made a part hereof, into a single contiguous parcel so it may be utilized for the proposed Planned Development condominium development.

SECTION 2: All ordinances and resolutions, or parts thereof, in conflict herewith, are hereby repealed.

SECTION 3: This Ordinance shall be published in pamphlet form by order of the City Council.

SECTION 4: This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form, as provided by law.

ADOPTED AND APPROVED this 13th day of September, 2006, by roll call vote as follows:

AYES: Conrad, Michalczyk, Pondelicek, Smetana, Straza, Von Drasek

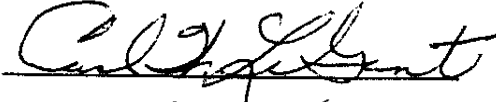
NAYS: None

ABSTAIN: None

ABSENT: None

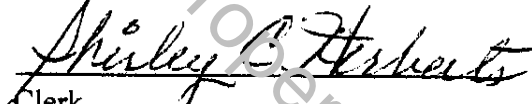
UNOFFICIAL COPY

APPROVED by me the same date as written above




Mayor

ATTEST:



Clerk

Published in pamphlet form by order of the
City Council this 13th day of September, 2006.



Clerk

W:\WPDOCS\CS\Ordinances\2006 Ordinances\06-33-C-06-33-O.dot

Property of Cook County Clerk's Office

UNOFFICIAL COPY

**CITY OF COUNTRYSIDE
PLAN COMMISSION - ZONING BOARD OF APPEALS
RECOMMENDATION ON ZONING CODE AMENDMENT**

TO: The City Council
City of Countryside
5550 East Avenue
Countryside, IL 60525

RE: Petition to Zone 6531 Willow Spring Road and 6419 Joliet Road to R5D General Residence District and to Approve Consolidation of Tracts

Pursuant to all relevant provisions of Title 10 of the Municipal Code, being the official Zoning Ordinance of the City of Countryside, a public hearing was held on April 25, 2006, on the application of Boomerang Properties, LLC to amend said Title 10 as follows: to zone the real estate commonly known as 6531 Willow Spring Road and 6419 Joliet Road to R5D General Residence District classification and to Consolidate two parcels commonly known as 6531 Willow Spring Road and 6419 Joliet Road into one contiguous parcel, at such time as said real estate may be annexed to the City of Countryside.

This Plan Commission - Zoning Board of Appeals finds as follows:

(A) Notice of said hearing was duly published and served by the Countryside Community Development Department in accordance with the provision of the Illinois Municipal Code;

(B) Owner of the subject property testified as to ownership thereof as required by the relevant City ordinances, so that this Plan Commission-Zoning Board of Appeals has jurisdiction over the subject matter and the parties hereto;

(C) The following testimony and exhibits in support of the proposition to zone the subject property were received and considered during said hearing and during the deliberations to consider these findings and recommendation:

(1) Report of the City of Countryside Economic Development Department, dated at April 21, 2006, recommending the proposed zoning and consolidation.

(2) Testimony as to the character of the subject property and its immediately adjoining and surrounding area, as well as the general nature of the proposed development of the site was given by Gregory Sirduke, an owner thereof; additional testimony was presented by Charles E. Smith, Architect; Daniel Brinkman, Transportation Engineer and Traffic Specialist; Patrick Haaving, of Heuer & Associates Engineers; Philip McKenna, Municipal Financial and Tax Specialist; and Ed Hall of Coldwell Banker, Residential Mortgage Brokers.

(3) Testimony as to the proposed zoning's consistency with and effect upon the City on Countryside Comprehensive Plan given by Charles E. Smith, Architect.

(4) Testimony as to the effect of the proposed zoning upon adjoining and surrounding real estate given by Ed Hall of Coldwell Banker.

(5) The Petitioner's Exhibits A through D, to wit: Petition for Planned Unit Development and Annexation, with accompanying documents (Exhibit A); Site Plan and Elevations (Exhibit B.); Traffic Study (Exhibit C.); and Engineer's Plans and Specifications (Exhibit D.) were admitted into evidence. Also admitted into evidence as Exhibit E was the Community Development Department's Staff Report. All exhibits admitted into evidence are hereby incorporated herein and made a part hereof by reference, and all such exhibits were available for review and consideration during the hearing and during this Commission's deliberations.

UNOFFICIAL COPY

(D) Numerous members of the public were present, all were given an opportunity to cross-examine witnesses, and several raised objections to the proposed zoning. Many spoke with regard to living adjacent to the proposed buildings and had concerns with regard to privacy and real estate values. Several testified as to concerns regarding increased traffic, water drainage issues and an increased burden upon the school system. No exhibits were presented by any of the objectors.

We find of particular significance the testimony of the Tax Specialist to the effect that the proposed development will produce additional future real estate tax revenues for the school districts of approximately \$500,000, as opposed to an estimated \$100,000 if the real estate is developed with 16 single family homes, as originally planned by the developer and as favored by many of the objectors.

(E) Giving consideration to the factors laid down by the Illinois Supreme Court in the case of *La Salle Bank v. County of Cook*, we make the further following findings:

(1) **Existing uses and zoning of nearby property:** The subject real will act as a barrier to commercial uses on the south and the single-family residential uses to the north of the property. Therefore, the granting of an R-5 D classification to permit multi-family residential condominium uses is consistent with existing surrounding uses and zoning.

(2) **The extent to which (any) property values are diminished by the particular zoning restrictions (either those existing or those proposed):** Based upon the testimony of the real estate expert, we are of the opinion that proposed R-5 D classification to permit multi-family residential condominium uses will not diminish values of adjoining or surrounding properties.

(3) **The extent to which the destruction of the owners property values (if the rezoning is denied) promotes the health, safety, morals and general welfare of the public:** While we are not certain as to the effect denial of the proposed zoning would have upon the value of the subject property, we do find that denial of such zoning will do nothing to promote the health, safety, morals in general welfare of the public.

(4) **The relative gain to the public as compared to the hardship imposed upon the individual property owner if the rezoning is denied:** We find that to the extent denial of the proposed zoning will impose a hardship upon the owner of the subject property, there would be no relative gain to the public, whereas there would be definite gain to the public if the proposed rezoning is granted.

(5) **The suitability of the subject property for purposes to which it is currently restricted by existing zoning and the purposes to which it will be put if rezoned:** The subject property is currently vacant. We find that the subject property is suitable for use under the proposed zoning for condominium development.

(6) **The extent to which existing land restrictions or proposed zoning changes are supported by comprehensive planning:** Based upon the testimony of Mr. Smith, the architect, and the report City of Countryside Community Development Department's Staff Report, we find that the proposed rezoning to permit the proposed condominium development is well supported by City's current comprehensive plan.

(7) **The extent to which there is a need for the proposed use:**
Based on the testimony of Mr. Gregory Sirduke, an owner of the real estate and Mr. Hall, the real estate expert, who testified that the proposed development is beneficial as it will be directed towards an older clientele, and no such development exists currently in Countryside. Based on that testimony, we find that there is a need for the proposed condominium development.

Therefore, this Plan Commission-Zoning Board of Appeals of the City of Countryside recommends to the City Council that the official zoning map of the City of Countryside, be amended to zone the real estate legally described as:

BEGINNING AT A POINT ON THE WEST LINE OF SAID NORTHEAST
¼ OF SAID SECTION 20, 574.20 FEET NORTH OF INTERSECTION
OF THE CENTER LINE OF THE JOLIET ROAD, AND THE WEST LINE OF SAID NORTHEAST ¼
RUNNING THENCE NORTH ALONG SAID WEST LINE, 321.46 TO A POINT WHICH ALSO IS 1114.77
FEET SOUTH OF THE NORTH LINE OF SAID NORTHEAST ¼ RUNNING THENCE EAST ALONG A LINE

UNOFFICIAL COPY

PARALLEL TO THE NORTH LINE OF SAID NORTHEAST 1/4 722.10 FEET RUNNING THENCE SOUTH ALONG A LINE PARALLEL TO THE WEST LINE OF SAID NORTHEAST 1/4 315.81 FEET RUNNING THENCE WEST ALONG A LINE MAKING AN ANGLE OF 90 DEGREES 15 MINUTES AND 35 SECONDS, WITH THE WEST LINE OF SAID NORTHEAST 1/4 MEASURED FROM THE SOUTH TO EAST, 722.11 FEET TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

Commonly known as 6531 Willow Springs Road (18-20-200-007-0000)

Also

LOT 9 IN PEACOCK WILLOW HEIGHTS, A SUBDIVISION IN THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 18, 1947 AS DOCUMENT NUMBER 14124829, IN COOK COUNTY, ILLINOIS

Commonly known as 6419 Joliet Road (18-20-200-037-0000)

to an R5D General Residence District classification, at such time as said territory may be annexed to the City of Countryside. This Plan Commission-Zoning Board of Appeals also recommends the City Council permit the consolidation of the subject real estate into a single contiguous parcel so read it may be utilized for the proposed Planned Development condominium development, at such time as said territory may be annexed to the City of Countryside.

Dated this 25th day of April, 2006.

PLAN COMMISSION - ZONING BOARD OF APPEALS
CITY OF COUNTRYSIDE

BY: Richard Fullmer
Chairman