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Cook County Recorder 29.50



08144605

COOK COUNTY  
RECORDER  
JESSE WHITE  
MARKHAM OFFICE

ORDINANCE NO. M- 1354

AN ORDINANCE GRANTING ZONING VARIATIONS TO  
PERMIT THE CONSTRUCTION OF AN ADDITION AND DECK  
WITHIN THE FRONT YARD ON THE PROPERTY AT  
18116 RIEGEL ROAD, HOMewood, ILLINOIS

WHEREAS, 65 ILCS 5/11-13 et. seq. authorizes municipalities under 500,000 population to determine and vary the application of their zoning regulations relating to the use of land; and

WHEREAS, said 65 ILCS 5-11-13 et. seq. further authorizes the granting of a zoning variation by passage of an ordinance; and

WHEREAS, the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, deem it appropriate and are willing to grant zoning variations for the property hereinafter described to permit the construction of an addition with a deck within the front yards, thereby increasing the nonconformity of the existing structure, subject to the terms and provisions hereof.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, THAT:

SECTION ONE - FINDINGS OF FACT:

In connection with this Ordinance and based upon the record of public hearings before the Homewood Zone Board of Appeals, and Village Board of Trustees, and based upon evidence presented at all said public hearings, the President and Board of Trustees herewith make findings of fact as follows:

- (a) A petition has been filed by Mr. and Mrs. William Murray seeking a zoning variation from Section 703.81 of the Homewood Zoning Ordinance in the amount of 6 feet to allow for the construction of an addition (kitchen) in the Riegel Road front yard located at 18116 Riegel Road.
- (b) The petitioners also require a variation from Section 703.81 of the Homewood Zoning Ordinance in the amount of 6 feet to allow the construction of a deck in the Ashland Avenue front yard.
- (c) The petitioners also require a variation from Section 503.2 of the Homewood Zoning Ordinance as the proposed addition and deck would be an enlargement of a nonconforming structure, in that the existing house and deck do not meet front yard setback requirements on either Ashland Avenue or Riegel Road.
- (d) The proposed addition would be an expansion of the kitchen providing an eat-in kitchen to the house. The proposed addition would measure 16 feet by 14 feet.
- (e) The proposed deck would be an expansion of the existing deck and would measure 16 feet by 10 feet.
- (f) On November 12, 1998, the Zone Board of Appeals unanimously recommended approval of the request.
- (g) The addition and new deck is a de minimus extension of an existing nonconforming structure which will benefit and improve not only the existing residence, but also the surrounding neighborhood.

**SECTION TWO - LEGAL DESCRIPTION:**

Lot 1 (except the South 133.06 feet) and (except the North 102.70 feet) in W. K. Gore's Subdivision of that part of the Southwest 1/4 of Section 32, Township 36 North, Range 14 East of the Third Principal Meridian, lying West of Chicago and Vincennes Road, in Cook County, Illinois.

Permanent Index Number: 29-32-309-023

Commonly known as: 18116 Riegel Road  
Homewood, IL 60430

**SECTION THREE - GRANTING OF ZONING VARIATIONS:**

The following zoning variations are hereby granted:

- (a) A variation from Section 703.81 (front yard) of the Homewood Zoning Ordinance in order to construct an addition 16 feet by 14 feet north of the existing house.
- (b) A variation from Section 703.81 (front yard) of the Homewood Zoning Ordinance in order to erect a deck 16 feet by 10 feet north of the existing deck.
- (c) A variation from Section 503.2 (enlargement of a nonconforming structure) of the Homewood Zoning Ordinance in order to expand the nonconforming house and deck located in the front yards.

**SECTION FOUR - ADDITIONAL MATERIALS TO BECOME PART OF THIS ORDINANCE:**

The following documents are also hereby made a part of this Ordinance:

- (a) Homewood Zone Board of Appeals Minutes of November 12, 1998, as they relate to the subject zoning variances.
- (b) Homewood Village Board Minutes of November 24, 1998, as they relate to the subject zoning variances.

**SECTION FIVE - TIME LIMITATIONS:**

The proposed project shall be substantially under construction no later than twelve (12) months from the effective date of this Ordinance. Failure to substantially commence construction within that time or failure to complete construction within twenty-four (24) months from the effective date of this Ordinance shall constitute grounds for the Village Board of Trustees to declare this Ordinance null and void after notice of such proposed action to Mr. and Mrs. Murray.

**SECTION SIX - USE RESTRICTIONS AND CONDITIONS:**

The following restrictions and conditions are also hereby made a part of this Ordinance:

- (a) The uses allowed by this Ordinance shall be governed by the provisions of the Village of Homewood Zoning Ordinance No. M-537, as amended, and the Municipal Code

of the Village of Homewood.

- (b) The approved addition and deck shall be built according to the drawings as submitted by Mr. Murray, with the proposed addition not exceeding 16 feet by 14 feet in size, and the proposed deck not exceeding 16 feet by 10 feet in size.

**SECTION SEVEN - VIOLATION OF CONDITIONS:**

Violation of any of the terms and provisions of this Ordinance shall be cause to rescind this Ordinance upon prior notice to petitioner.

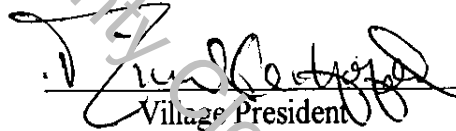
**SECTION EIGHT - RECORDING:**

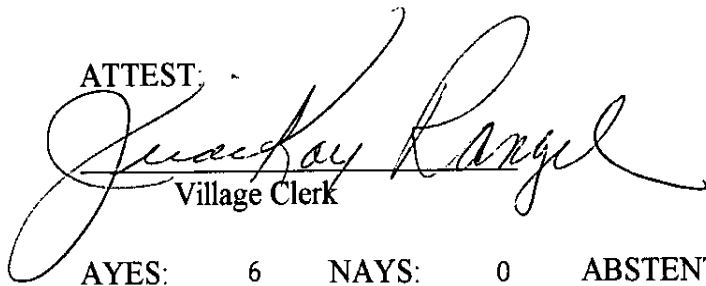
The Village Attorney shall cause this Ordinance, without attachments, to be recorded in the Office of the Recorder of Deeds of Cook County, Illinois.

**SECTION NINE - EFFECTIVE DATE:**

This Ordinance shall be effective upon its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 24th day of November, 1998.

  
 Village President

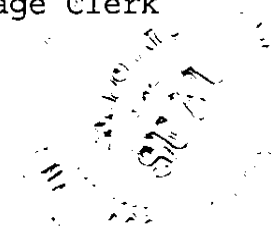
ATTEST:  
  
 Village Clerk

AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENCES: 0

I hereby certify that the attached is a true and accurate copy of an Ordinance passed by the President and Board of Trustees of the Village of Homewood on November 24, 1998.

*Ray Coxack*

Deputy Village Clerk



Property of Cook County Clerk's Office



MAIL TO  
W. CUMMINGS  
CUMMINGS & DUDA  
POST HARWOOD  
HOMERWOOD, IL 60430