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Cook County Recorder 29.50

COOK COUNTY
RECORDER
EUGENE "GENE" MOORE
MARKHAM OFFICE



Property of Cook County Clerks Office

ORDINANCE NO. M-1407

**AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A
TELECOMMUNICATIONS FACILITY TO BE LOCATED AT
915 175TH STREET, 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 special use 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 a special use permit for the property hereinafter described to permit the location of a telecommunications facility 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 Plan Commission, Homewood Zone Board of Appeals, and Village Board of Trustees, and based upon evidence presented at all of said public hearings, the President and Board of Trustees herewith make findings of fact as follows:

- a) A petition was filed by Teligent Communications proposing to lease space at 915 175th Street and seeking a special use permit under Section 413.22(b) of the Homewood Zoning Ordinance to allow a telecommunications facility on the subject property.
- b) The property is zoned B-5, Planned Unit Development. The antenna may not exceed ten feet in height above the apex of the building.
- c) The petitioner is proposing to install one antennae having a height of seven feet.
- d) On September 22, 1999, the Plan Commission unanimously recommended approval of the special use by a vote of 5-0.
- e) On October 14, 1999, the Zone Board of Appeals unanimously recommended approval of the special use by a vote of 7-0.

SECTION TWO - LEGAL DESCRIPTION.

The property which is the subject matter of this Ordinance is legally described as follows:

That part of Lot 1 in Ginsburg's Subdivision described as follows: beginning at the southwest corner of said Lot 1; thence due north 340.00 feet along the west line of said Lot 1 to the north line; thence due east 180.00 feet; thence due south 27.00 feet; thence due west 74.67 feet to a point of curve; thence southwesterly on a curve convex to the northwest having a radius 8 feet, an arc distance of 12.57 feet to a point of tangent; thence due south 89.00 feet; thence due east 30.00 feet; thence due south 42.00 feet; thence due east 30.00 feet; thence due south 28.00 feet; thence due east 57.00 feet; thence due south 24.00 feet; thence due east 30.00 feet; thence due south 122.00 feet (the easterly limits of described west parcel being the westerly limits of described east parcel); thence due west 244.33 feet to the place of beginning, all in the Northeast Quarter of Section 32, Township 36 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

Permanent Index Number: 28-32-200-044-0000

Common Address: 915 175th Street
Homewood, IL 60430

SECTION THREE - ISSUANCE OF SPECIAL USE PERMIT:

A special use permit is hereby granted to Teligent Communications for the operation of a telecommunications facility at the subject property.

SECTION FOUR - APPROVAL OF DOCUMENTS:

The site plan consisting of 16 pages prepared by JAD Associates, and dated July 27, 1999, is hereby approved and made part of this Ordinance.

SECTION FIVE - CONDITIONS AND RESTRICTIONS:

The approval granted by this Ordinance is subject to the following conditions:

- a) Prior to the issuance of a building permit to construct the facility, the petitioner shall secure a binding lease for the site.
- b) The petitioner shall comply with the requirement of the telecommunications provisions of the Village's Municipal Code.
- c) The proposed antenna shall not exceed one in number at this site.

SECTION SIX - ADDITIONAL MATERIALS TO BECOME A PART OF THIS ORDINANCE:

The following documents are hereby made part of this Ordinance:

- a) Homewood Plan Commission minutes of September 22, 1999, as they relate to the subject Ordinance.
- b) Homewood Zone Board of Appeals minutes of October 14, 1999, as they relate to the subject Ordinance.
- c) Homewood Village Board minutes of October 26, 1999, as they relate to the subject Ordinance.

SECTION SEVEN - VIOLATION OF CONDITIONS:

Failure to construct the telecommunications facilities within twelve months from the effective date of this Ordinance or violation of any of the terms and provisions of this Ordinance or the Homewood Municipal Code shall be cause to rescind this Ordinance upon prior notice to petitioner.

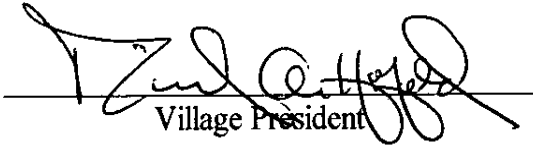
SECTION EIGHT - RECORDING:

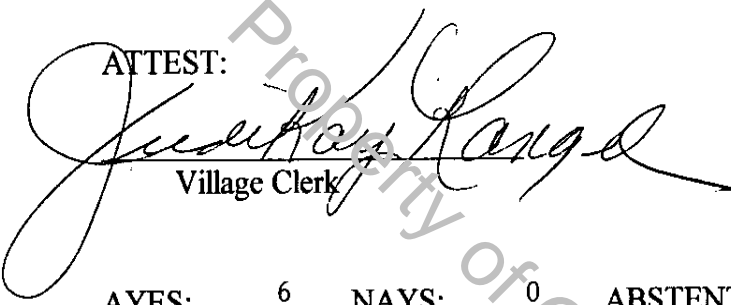
The Village Attorney shall cause this Ordinance to be recorded in the Office of the Recorder of Deeds of Cook County, Illinois.

SECTION NINE - EFFECTIVE DATE:

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

PASSED and APPROVED this 26th day of October, 1999.

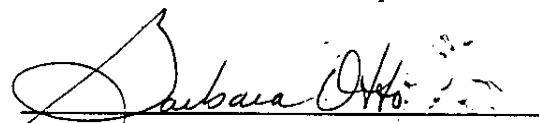

Village President

ATTEST:

Village Clerk

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

Property of Cook County Clerk's Office

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 October 26, 1999.


Deputy Village Clerk

Property of Cook County Clerk's Office