

COOK COUNTY
RECORDER
LUTENE "GENE" MOORE
MARKHAM OFFICE



09052370

Property of Cook County Clerk's Office

ORDINANCE NO. M-1410

**AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A
TELECOMMUNICATIONS FACILITY TO BE LOCATED AT
900 MAPLE AVENUE, 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:

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- a) A petition was filed by Teligent Communications proposing to lease space at 900 Maple Avenue 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. Antennae may not exceed ten feet in height above the apex of the building.
- c) The petitioner is proposing to install two antennae brackets, each with a maximum capacity to hold six antennae and having a height of six 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 the Northeast Quarter of Section 32, Township 36 North, Range 14 East of the Third Principal Meridian, described as follows: Beginning at the Southeast corner of Maple Leaf Subdivision as recorded February 16, 1989, as Document No. 89072721; thence North 0 degrees East 215.56 feet along the East line of said Subdivision; thence North 90 degrees East 375.03 feet; thence South 0 degrees West 219.00 feet along a line 60 feet West of and parallel to the West line of Commercial Subdivision Unit No. 2 to the North line of Maple Avenue as dedicated; thence North 90 degrees West 300.32 feet along last said North line to a point of curve; thence Westerly along a curve convex to the South having a radius of 470.00 feet and an arc distance of 56.86 feet to the place of beginning, all in Cook County, Illinois.

Permanent Index Number: 28-32-200-048-0000

Common Address: 900 Maple Avenue
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 nine pages prepared by JAD Associates, and dated May 12, 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 fully executed 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 antennae shall not exceed 12 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.

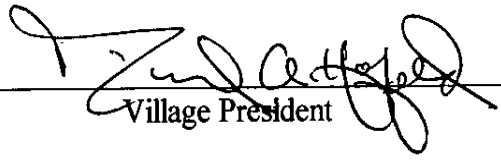
SECTION EIGHT - RECORDING:

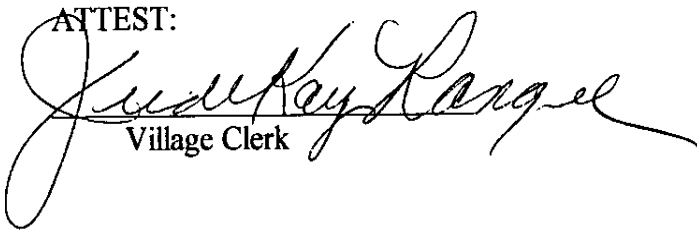
The Village Attorney shall cause this Ordinance to be recorded in the Office of the Recorder of Deeds of Cook County, Illinois.

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

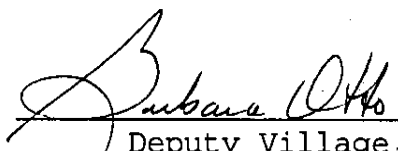
ATTEST:

Village Clerk

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

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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