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ORDINANCE NO. 1953

OFFICIAL BUSINESS
VILLAGE OF ORLAND PARK, ILL.
RAYMOND W. PIEPER
VILLAGE ATTORNEY

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN AMENDED SPECIAL USE PERMIT PURSUANT TO THAT CERTAIN ORDINANCE ENTITLED, "THE ZONING ORDINANCE OF THE VILLAGE OF ORLAND PARK, ILLINOIS, ORDINANCE NO. 656, AS AMENDED (PEGASUS GARDENS)

Property of Cook County Clerk's Office

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COOK COUNTY, ILLINOIS

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COOK COUNTY RECORDER

Published in pamphlet form this 16th day of January, 1990, by authority of the President and Board of Trustees of the Village of Orland Park, Cook County, Illinois.

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ORDINANCE NO. 1953

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN AMENDED SPECIAL USE PERMIT PURSUANT TO THAT CERTAIN ORDINANCE ENTITLED, "THE ZONING ORDINANCE OF THE VILLAGE OF ORLAND PARK, ILLINOIS, ORDINANCE NO. 656, AS AMENDED (PEGASUS GARDENS)

WHEREAS, the required Notice of Public Hearing has been given by the Plan Commission of the Village of Orland Park with respect to the issuance of an amended special use permit hereinafter described; and

WHEREAS, the Plan Commission has held a public hearing on the matter of the issuance of said amended special use permit; and

WHEREAS, the Plan Commission has made its recommendation with respect to the issuance of said amended Special Use Permit; and

WHEREAS, the Plan Commission has found and the Board of Trustees specifically finds that the issuance of the amended Special Use Permit hereinafter described is in the best interests of the Village of Orland Park, Illinois, and further finds as follows:

1. That the establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morale, comfort or general welfare.
2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
3. That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the special use will in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations are hereinafter modified by the Board of Trustees pursuant to the recommendations of the Plan Commission.

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NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Orland Park, Cook County, Illinois, as follows:

SECTION 1

That an amended Special Use Planned Development Permit amending Ordinance No. 1609 as amended be issued pursuant to the provisions of The Zoning Ordinance of the Village of Orland Park, Illinois, Ordinance No. 656, passed and approved May 26, 1975, as amended, to construct and operate a restaurant in store spaces 140 and 141 located on the following described real estate, to-wit:

The East 250.00 feet, as measured on the North and South lines thereof of that part of the East Half of the Southwest Quarter of Section 15, Township 36 North, Range 12 East of the Third Principal Meridian described as follows: Beginning at the intersection of the East line of the aforesaid Southwest Quarter of Section 15, with a line 450.00 feet northerly of (as measured perpendicular to) the South line of the East half of the aforesaid Southwest Quarter; thence Westerly, parallel with the aforesaid South line of the East Half, 500.00 feet; thence Southerly, parallel with the aforesaid East line of the Southwest Quarter, 398.78 feet, to the North line of 159th Street, as per Document No. 70 L 16926; thence Easterly, along the aforesaid North line of 159th Street, 77.92 feet; thence Northerly, along a line that forms an angle of $89^{\circ}-46'-21''$, from West to North with the last described course, 5.00 feet; thence Easterly, along the aforesaid Northerly line of 159th Street, along a line that forms an angle of $89^{\circ}-46'-21''$, from South to East with the last described course, 422.00 feet, more or less to the aforesaid East line of the Southwest Quarter; thence Northerly, along the aforesaid East line of the Southwest Quarter, 393.00 feet, more or less to the point of beginning, and that part of the Southeast Quarter of Section 15, Township 36 North, Range 12, East of the Third Principal Meridian described as follows: Beginning at the intersection of the Northerly line of 159th Street, as dedicated pursuant to condemnation Case No. 71 L 5600, with the Westerly line of Park Hill Drive, as dedicated by Park Hill Subdivision Unit No. 1-A, and running thence North $89^{\circ}-48'-11''$ West, along said Northerly line of 159th Street, 676.22 feet, more or less to the West line of the Southeast Quarter of said Section 15; thence North $00^{\circ}-08'-54''$ West, along said West line of the Southeast Quarter, 400.00 feet; thence South $89^{\circ}-48'-14''$ East 719.80 feet, more or less to the curved Westerly line of aforesaid Park Hill Drive; thence Southerly along the Westerly line of said Park Hill Drive, on a curve whose center lies Easterly and has a radius of 852.00 feet, 266.31 feet, arc, to a point of tangency on said Westerly line; thence South $00^{\circ}-11'-40''$ West, along said Westerly line of Park Hill Drive, 138.00 feet, more or less to the point of beginning, all in Cook County, Illinois, and containing 6.302 acres more or less;

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Except:

That part of the Southeast Quarter of Section 15, Township 36 North, Range 12, East of the Third Principal Meridian described as follows: Beginning at the intersection of the Northerly line of 159th Street, as dedicated pursuant to condemnation Case No. 71 L 5600, with the Westerly line of Park Hill Drive, as dedicated by Park Hill Subdivision Unit No. 1-A, and running thence North $89^{\circ}-48'-14''$ West, along said Northerly line of 159th Street, 270.00 feet; thence North $00^{\circ}-11'-46''$ East, 160.00 feet; thence South $89^{\circ}-48'-14''$ East, parallel with the aforesaid Northerly line of 159th Street, 270.28 feet to the curved Westerly line of aforesaid Park Hill Drive thence Southerly along the Westerly line of Park Hill Drive, on a curve whose center lies Easterly and has a radius of 852.00 feet, 22.00 feet, arc, (Chord 22.00, Chord bearing S $0^{\circ}-56'03''$ W), to a point of tangency; thence South $0^{\circ}-11'-40''$ West, 138.00 feet, more or less to the point of beginning, all in Cook County, Illinois, and containing 0.9918 acres more or less,

and which is at the East end of Park Hill Plaza at 9158 and 9160 West 159th Street.

SECTION 2

That the Village President and the Village Clerk be and they are hereby authorized to issue said special use permit.

SECTION 3

That the Village Clerk be and he is hereby directed to record a certified copy of this Ordinance with the Recorder of Deeds of Cook County, Illinois.

SECTION 4

That Ordinance No. 1609 as amended is hereby repealed and any and all other ordinances or parts of ordinances in conflict with the provisions hereof are hereby repealed insofar as they conflict herewith.

SECTION 5

Any person, firm, or corporation who violates, disobeys, omits, neglects, refuses to comply with, or who resists enforcement of any of the provisions of this Ordinance shall upon conviction be fined not less than Twenty-Five Dollars (\$25.00) nor more than Five Hundred (\$500.00) Dollars for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

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In the event any building or structure erected, constructed, reconstructed altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this Ordinance, the Director of Code Enforcement or any owner or tenant of real property in the same contiguous zoning district as the building, structure or land in question, in addition to other remedies, may institute any appropriate action or proceeding, (1) to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, (2) to prevent the occupancy of the building, structure or land, (3) to prevent any illegal act, conduct, business or use in or about the premises, or (4) to restrain, correct, or abate the violation.

SECTION 6

That this Ordinance shall become and be effective immediately upon its passage, approval and publication in the manner provided by law. It is ordered that publication of this Ordinance be made by duplicating thereof in pamphlet form, said pamphlets to be deposited in the Office of the Village Clerk of the Village of Orland Park, for general distribution.

PASSED this 15th day of January, 1990.

/s/ James V. Dodge, Jr.
Village Clerk

VOTING AYE: Trustees Nogal, McLaughlin, Cigone, Vogel, and
President Owens

VOTING NAY: NONE

ABSENT: Trustees Murphy and Schussler

ABSTAIN: NONE

DEPOSITED in my office this 15th day of January, 1990.

/s/ James V. Dodge, Jr.
Village Clerk

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APPROVED this 15th day of January, 1990.

/s/ Frederick T. Owens
Village President

PUBLISHED this 16th day of January, 1990.

/s/ James V. Dodge, Jr.
Village Clerk

Property of Cook County Clerk's Office

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STATE OF ILLINOIS)
COUNTY OF COOK) SS
VILLAGE OF ORLAND PARK)

CERTIFICATION

I, JAMES V. DODGE, JR., DO HEREBY CERTIFY that I am the duly elected, qualified and acting Village Clerk of the Village of Orland Park, Illinois, and as such Village Clerk, I am the keeper of the Minutes and Records of the proceedings of the Board of Trustees of said Village, and have in my custody the Ordinances, Resolutions, and Books of Records of said Village.

I DO FURTHER CERTIFY that the attached and foregoing is a true and correct copy of that certain Ordinance entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN AMENDED SPECIAL USE PERMIT PURSUANT TO THAT CERTAIN ORDINANCE ENTITLED, "THE ZONING ORDINANCE OF THE VILLAGE OF ORLAND PARK, ILLINOIS", ORDINANCE NO. 650 AS AMENDED (PEGASUS GARDENS)

Ordinance No. 1953, which was passed at a Regular Meeting of the Board of Trustees of the Village of Orland Park, Illinois, held on the 15th day of January, 1990; that at said meeting 4 Trustees were present and the Village President was present; that at said meeting, on motion duly made and seconded that said Ordinance do pass, and upon the roll being called, the vote of each Trustee present and the Village President on the question of the passage of said Ordinance was duly and separately taken by ayes and nays and the vote recorded in the Minutes of the proceedings of said Board of Trustees; that it appears from such record that 4 Trustees voted aye and NO Trustees voted nay; that NO Trustees abstained; 2 Trustees was/were absent; the Village President voted AYE, and the office of NO Trustees was/were vacant.

I DO FURTHER CERTIFY that the said Ordinance was deposited in my office on the 15th day of January, 1990.

I DO FURTHER CERTIFY that the said Ordinance was delivered to the Village President of the Village of Orland Park after the passage thereof by the said Board of Trustees on the 15th day of January, 1990, by the Village Clerk of the said Village of Orland Park, and that the said Ordinance was approved by the Village President of said Village of Orland Park on the 15th day of January, 1990.

I DO FURTHER CERTIFY that said ORDINANCE was published on the 16th day of January, 1990.

I DO FURTHER CERTIFY that the original Ordinance of which the foregoing is a true copy is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Orland Park aforesaid, at the said Village, in the County and State aforesaid, this 25th day of January, 1990.

CORPORATE SEAL

James V. Dodge, Jr.
Village Clerk

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