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ORDINANCE NO. M- 984

AN ORDINANCE GRANTING A ZONING VARIATION TO THE PROPERTY COMMONLY KNOWN AS 18341 DIXIE HIGHWAY, HOMEWOOD, ILLINOIS, TO ALLOW THE USE OF THAT PROPERTY AS A PRESCHOOL CHILDREN'S DAY CARE CENTER.

WHEREAS, Chapter 24, Division 13 of the Illinois Revised Statutes 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 Chapter 24, Division 13 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 a zoning variation for the property hereinafter stated and 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 and meetings before the Homewood Plan Commission, Zone Board of Appeals and Homewood Village Board, 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 Kathleen M. Larsen, Carl Larsen, Rick Komar and Jean Komar for a zoning variation to permit the subject property to be used for a child care center.
- (B) Pursuant to said petition, a public hearing was held on February 14, 1990 before the Village Plan Commission at which time that Commission recommended approval of the petition by a vote of 5-1.
- (C) Also pursuant to said petition, and pursuant to duly published notice, the Village's Zone Board of Appeals held a public hearing on March 22, 1990 at which time that Board recommended approval of the petition by a vote of 4-2.
- (D) The property is zoned R-2.
- (E) On May 28, 1968 the Village approved a variance for the property to allow the construction of an office building for the operation of an insurance business. That one

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Lots 1, 2, 3, 4 and 5 in Block 8 in Gottschalk's Homewood Addition, being a resubdivision of Blocks 1 to 10 both inclusive in Smith's addition to Homewood, a subdivision of the North Thirty rods of the West Eighty rods of the

Parcel One:

Following described property:

A zoning variation be and the same is hereby granted to the

SECTION TWO - GRANTING OF VARIATION:

(J) The President and Board of Trustees of the Village of Homewood are willing to grant a zoning variation for the subject property to allow its use as a preschool day care center and that the reasons for granting such variation are as stated in all of the above findings of fact.

(I) The Village Board hereby finds that the requirements of Paragraph 1206.2 of the Homewood Zoning Ordinance have been satisfied by the petitioners and by the entire Zone Board of Appeals and Village Board.

(3) The parking requirement for a day care center is one space per 500 square feet. Petitioners' proposed plan exceeds that requirement.

(2) The maximum permitted floor area ratio is 0.6. The floor area ratio of the existing building is 0.17.

(1) The existing building conforms to all R-2 yard standards. It has 25' front yards on both Dixie Highway and Evergreen and exceeds the required 6' side yard and 30' rear yard.

(H) The proposed use complies with required Village standards as follows:

(G) The subject site is approximately 19,100 square feet with an existing 3,200 square foot masonry building. The property abuts single-family residences to the south and east and directly across Dixie Highway to the west. A parking area and K&R Automotive business are north of the property on the north side of Evergreen Road.

(F) Children to be cared for under this proposal will range in age from 6 weeks to 6 years. Petitioners anticipated hours of operation are from 6:30 A.M. to 6:30 P.M.

story structure was erected and the property has been so used from that time to the present.

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Northeast Quarter (NE-1/4) of Section 6, Township 35 North, Range 14 East of the Third Principal Meridian (except Lots 1, 2, 3, 9 and 10 in Block 1, Lots 1 and 2 in Block 2, Lots 1 to 12 both inclusive and Lots 17 to 20 both inclusive in Block Three together with that part of the North One-Half (N $\frac{1}{2}$) of the Northwest Quarter (NW-1/4) of Section 6 aforesaid, lying East of Chicago and Vincennes Road, in Cook County, Illinois.

Parcel Two:

The West One-Half (W $\frac{1}{2}$) of the vacated alley lying Easterly of and adjacent of said Lots 1, 2, 3, 4 and 5 in Block 8 in Gottschalk's Homewood Addition, being a resubdivision of Blocks 1 to 10 both inclusive in Smith's addition to Homewood, a subdivision of the North Thirty rods of the West Eighty rods of the Northeast Quarter (NE-1/4) of Section 6, Township 35 North, Range 14 East of the Third Principal Meridian (except Lots 1, 2, 3, 9 and 10 in Block 1, Lots 1 and 2 in Block 2, Lots 1 to 12 both inclusive and Lots 17 to 20 both inclusive in Block Three together with that part of the North One-Half (N $\frac{1}{2}$) of the Northwest Quarter (NW-1/4) of Section 6 aforesaid, lying East of Chicago and Vincennes Road, in Cook County, Illinois.

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32-06-204-002
32-06-204-003
32-06-204-004
32-06-204-005

Commonly known as: 18341 Dixie Highway
Homewood, Illinois 60430

to be used as a preschool day care center, in accordance with the terms and provisions of this Ordinance.

SECTION THREE - APPROVAL OF DOCUMENTS:

The Site Plan entitled "Homewood Children's Center: Proposed Site Circulation & Improvements" dated March, 1990 presented by Attorney Thomas McGrath is hereby approved. There shall be no substantial deviation from that document without the prior consent of the Homewood Village Board.

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SECTION FOUR - USE RESTRICTIONS AND CONDITIONS:

The granting of this variation is subject to the following conditions:

- (A) The use 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 property shall be used only for the above stated purpose or any other use permitted by the Village Zoning Ordinance in an R-2 zoning district.
- (C) Petitioners shall not begin operation of the preschool day care center without first obtaining all necessary licenses and permits from the State of Illinois.

SECTION FIVE - VIOLATION OF CONDITIONS:

Violation of any of the terms or provisions of this Ordinance shall be grounds for the repeal of this Ordinance and shall be considered as a violation of the Village of Homewood Zoning Ordinance No. M-537 as amended.

SECTION SIX - ADDITIONAL MATERIAL TO BECOME PART OF THIS ORDINANCE:

- (A) Homewood Plan Commission minutes of February 14, 1990, as they relate to the subject property; and
- (B) Homewood Zone Board of Appeals minutes of transcript of March 22, 1990, as they relate to the subject property.
- (C) Homewood Village Board minutes of April 24, 1990 and May 8, 1990 as they relate to the subject property.


SECTION SEVEN - RECORDING:

The Village Attorney is directed to cause this Ordinance to be recorded in the office of the Recorder of Deeds of Cook County, Illinois, or Registrar of Titles of Cook County, Illinois, as appropriate. The attachments made a part of this Ordinance shall not be recorded, but shall be maintained on file in the office of the Village Clerk for public inspection. Petitioners shall furnish the Village Attorney with title documentation to show whether the property is or is not registered under the Torrens Act.

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SECTION EIGHT - EFFECTIVE DATE:

This ordinance shall be in effect from and after its passage, approval, publication and recordation in accordance with law.



Village President

ATTEST:



Village Clerk

PASSED: May 8, 1950

AYES: 6

NAYS: 0

ABSENT: 0

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VILLAGE OF HOMEWOOD

2020 CHESTNUT ROAD, HOMEWOOD, ILLINOIS 60430 ■ AREA 312 798-3000



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 May 8, 1990.

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Margaret J. Dalton
Village Clerk

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