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Cook County Recorder 27.50



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COOK COUNTY  
RECORDER  
EUGENE "GENE" MOORE  
MARKHAM OFFICE

Property of Cook County Clerk's Office

ORDINANCE NO. M-1389

**AN ORDINANCE GRANTING ZONING VARIATIONS TO PERMIT  
THE CONSTRUCTION OF A DECK WITHIN THE SIDE YARD ON THE  
PROPERTY AT 1930 183RD 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 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 a deck within the side yard, 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:**

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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 Tim Sullivan seeking a zoning variation from Section 704.62 of the Homewood Zoning Ordinance in an amount of 3 feet six inches to allow for the construction of a wooden deck in the side yard located at 1930 183rd Street.
- (b) The petitioner also requires a variation from Section 503.2 of the Homewood Zoning Ordinance as the proposed deck would be an enlargement of a nonconforming structure,, in that the building does not meet current side and rear yard setback requirements.
- (c) The proposed deck will measure 8 feet by 15 feet 9 inches.
- (d) The deck, with stairs, will provide a means of ingress/egress to the second floor apartment.
- (e) On June 24, 1999, the Zone Board of Appeals recommended approval of the request.
- (f) The addition of the new deck to the existing concrete stoop is a deminimus extension of an existing nonconforming use which will benefit and improve not only the existing residence, but also the surrounding neighborhood.

**SECTION TWO - LEGAL DESCRIPTION:**

Lot 3, Block 1 in Haas and Almer's Subdivision of the West 380.96 feet of Lot 4 in County Clerk's Division of the West Half (W 1/2) of the Southeast Quarter (SE 1/4) of Section 31, Township 36 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, together with the South 1/2 of the vacated alley lying north and adjoining.

Permanent Index Number: 29-31-409-033-0000

Commonly known as: 1930 183rd Street  
Homewood, IL 60430

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

The following zoning variations are hereby granted:

- (a) A variation from Section 704.62 (side yard) of the Homewood Zoning Ordinance in order to erect a deck 2 feet 6 inches from the west lot line.
- (b) A variation from Section 503.2 (enlargement of a nonconforming structure) of the Homewood Zoning Ordinance in order to expand the nonconforming structure presently located in the side

and rear yards.

**SECTION FOUR - APPROVAL OF DOCUMENTS:**

The plans as prepared by Menard's and submitted by the petitioner at the Zone Board of Appeals meeting on June 24, 1999, are hereby made part of this Ordinance, with the exception that the deck shall measure 8 feet by 15 feet 9 inches.

**SECTION FIVE - 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 June 24, 1999, as they relate to the subject zoning variances.
- (b) Homewood Village Board Minutes of July 13, 1999, as they relate to the subject zoning variances.

**SECTION SIX - 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. Sullivan.

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

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.

**SECTION EIGHT - 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 NINE - RECORDING:**

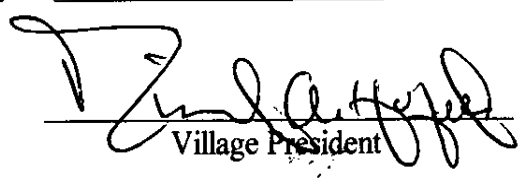
The Village Attorney shall cause this Ordinance, without attachments, to be recorded in the Office of the Recorder of Deeds of Cook County, Illinois.

**SECTION TEN - EFFECTIVE DATE:**

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

PASSED and APPROVED this 13th day of July, 1999.

  
Village President

ATTEST:

  
Village Clerk

AYES: 4    NAYS: 0    ABSTENTIONS: 0    ABSENCES: 2

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Prepared for trial by  
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