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Cook County Recorder 27.50



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ORDINANCE NO. M- 1374

AN ORDINANCE GRANTING ZONING VARIATIONS TO PERMIT CONSTRUCTION OF AN ADDITION ON THE PROPERTY AT 18327 ASHLAND 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 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 an addition, 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:

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:

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- (a) A petition has been filed by Don Craemer seeking an administrative variation from Section 408.5 of the Homewood Zoning Ordinance to allow the construction of an addition that would include a garage that would exceed 50 percent of the front facade of the principal residence located at 18327 Ashland Avenue.
- (b) The petitioner also requires a variation from Section 503.2 of the Homewood Zoning Ordinance as the proposed addition would be an enlargement of a nonconforming structure, in that the existing residence does not meet current rear yard setback requirements.
- (c) The proposed addition would provide off-street parking facilities as well as additional storage space for his lawn equipment.
- (d) The proposed addition would measure 49.5 feet by 46 feet with the 49.5 feet being the width of the front facade. The garage would occupy 28 feet of the 49.5 foot front facade.
- (e) On February 25, 1999, the Zone Board of Appeals unanimously recommended approval of the request.
- (f) The construction of the addition to the residence is a de minimus extension of an existing nonconforming structure which will benefit and improve not only the existing residence, but also the surrounding neighborhood.

SECTION TWO - LEGAL DESCRIPTION:

Parcel 2: Ingress and Egress Easement as per Document No. 20653297.

Also

Parcel 3: The West 203 feet of a tract of land commencing at the Southeast Corner of the South 2 acres of the North 5 acres of that part of the Northwest Quarter of the Northwest Quarter in Section 5, Township 35 North, Range 14 East of the Third Principal Meridian, lying West of the Highway running Northerly and Southerly through said Northwest Quarter sometimes called Chicago and Vincennes Road, thence West along the South line of said 2 acres 413 feet and 2 3/8 inches to a section line at the Southwest corner of said 2 acres, thence North along said section line 51 feet, thence East parallel to said South line 203 feet, thence North 13 feet, thence East parallel to said South line 197.25 feet to the Westerly line of Riegel Road thence Southerly along said line of said road to the point of beginning.

Permanent Index Number: 32-05-100-005-0000

Commonly Known As: 18327 Ashland Avenue
Homewood, IL 60430

SECTION THREE - GRANTING OF ZONING VARIATIONS:

The following zoning variations are hereby granted:

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- (a) A variation from Section 408.5 of the Homewood Zoning Ordinance in order to construct an addition with a garage occupying 28 feet of the 49.5 foot front facade.
- (b) A variation from Section 503.2 (enlargement of a nonconforming structure) of the Homewood Zoning Ordinance in order to allow the construction of an addition to the house located within the rear yard.

SECTION FOUR - APPROVAL OF DOCUMENTS:

The floor plans submitted by the petitioner at the Zone Board of Appeals meeting of February 25, 1999, are hereby made part of this Ordinance.

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 February 25, 1999, as they relate to the subject zoning variances.
- (b) Homewood Village Board Minutes of March 9, 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. Craemer.

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.

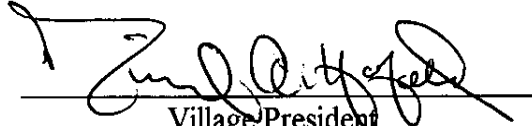
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SECTION TEN - EFFECTIVE DATE:


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

PASSED and APPROVED this 9th day of March, 1999.



Village President

ATTEST:



Village Clerk

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

Property of Cook County Clerk's Office

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Christophers J Cummings
Cummings & Duda, Ltd.
1157 Lincolnwood Av
Evanston, IL 60202
(708) 325-3222