



VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us

Ordinance No: 4511

File Number: 2009-0282

ORDINANCE GRANTING VARIANCES - (COLONIAL CHAPEL FUNERAL HOME, 15525
SOUTH 73RD AVENUE)

VILLAGE OF ORLAND PARK STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 6th day of October, 2009 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

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Ordinance No: 4511

ORDINANCE GRANTING VARIANCES - (COLONIAL CHAPEL FUNERAL HOME, 15525 SOUTH 73RD AVENUE)

WHEREAS, a petition seeking a variance for certain real estate, as set forth below, has been filed with the Building Department of this Village and has been referred to the Plan Commission of this Village and has been processed in accordance with the Orland Park Land Development Code, as amended; and

WHEREAS, the Plan Commission of this Village held a public hearing on August 11, 2009 on whether the requested variance should be granted, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, public notice, in the form required by law, was given of said public hearing by publication not more than 30 days nor less than 15 days prior to said hearing in The Orland Park Prairie, a newspaper of general circulation and a newspaper published in this Village; and

WHEREAS, the Plan Commission has filed with this President and Board of Trustees its report of findings and recommendation that the requested variance be granted, and this Board of Trustees has duly considered said report, findings and recommendation.

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

SECTION 1

The report, findings and recommendation of the Plan Commission of this Village are herein incorporated by reference as the findings of this Board of Trustees, as completely as if fully recited herein at length. Also, all exhibits submitted at the public hearing are hereby incorporated by reference as fully as if attached hereto. This Board of Trustees further finds that the proposed variance is in the public good and in the best interests of the Village and its residents and is consistent with and fosters the purposes and spirit of the Land Development Code of the Village of Orland Park as set forth in Section 1-102 thereof.

SECTION 2

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds in relation to the proposed variance as follows:

- a. The Subject Property is located at 15525 South 73rd Avenue in Orland Park, Illinois. The Subject Property is zoned RSB Residential Supporting Business District under the Village's Land

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Development Code (the "Code").

- b. The Subject Property currently has an existing funeral home and petitioner is seeking to construct a four car attached masonry garage at the northeast corner of the existing building.
- c. The variance requested is to reduce the required 15-foot front yard setback to 5 feet 7 inches and is an approximately 63% variance.
- d. The front yard variance requested is to reduce the setback to 5 feet, 7 inches, but due to the irregular shape of the parcel, the proposed garage building will actually be setback from the street a total of 150 feet
- e. The property in question cannot yield a reasonable return if permitted to be used only under the setback requirement of the Code due to the irregular shape of the lot and the additional expense to construct a detached garage.
- f. The plight of the owner is due to the unique circumstance of the location of the existing building and the irregular shape of the lot.
- g. The variance, if granted, will not alter the essential character of the locality and the proposed building will be architecturally similar to the existing building.
- h. Because of the irregular shape of the property, the denial of the requested variance would be a hardship to the Petitioner.
- i. The conditions of the property are unique to the property and not generally applicable to other properties.
- j. The hardship is caused by the application of the Code and has not resulted from any act of the petitioner or another person presently having an interest in the property.
- k. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood, especially since the garage will be located 150 feet from the street and the proposed garage doors will face the parking lot.
- l. The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase congestion in the public streets, or increase the danger of fire or endanger the public safety or impair property values within the neighborhood.
- m. The variance granted is the minimum necessary for the reasonable use of the land for the purpose

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proposed.

n. The aforesaid circumstances or conditions are such that the strict application of the RSB setback requirement would deprive the Petitioner of any reasonable use of the land.

SECTION 3

Subject to the conditions below, a variance for the Subject Property described below to permit a 5 foot 7 inch front yard on the east side adjacent to the existing building, rather than the 15 feet otherwise required is hereby granted. The Subject Property is legally described as:

LOT 150 IN SILVER LAKE GARDENS UNIT 5, A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER AND PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF ORLAND PARK, ILLINOIS.

The variance is subject to the conditions that:

A. Development shall be pursuant to the hereby-approved Site Plan titled "A New Garage Addition for Colonial Chapel 15525 South 73rd Avenue, Orland, Park, IL," prepared by Michael E. Hubert, AIA Architect, dated 8/28/2008, last revised 8/05/2009, Sheet A-1 and the elevations titled the same, prepared by Michael E. Hubert, AIA Architect, dated 8/28/2008, last revised 8/05/2009, Sheet A-1, with the following conditions:

1. That all new lights on the proposed garage building are energy efficient CFL or LED lights;
2. That the petitioner paints/stripes a three (3) foot-wide pedestrian walkway or path leading from the Wheeler Drive sidewalk system to the main entrance of Colonial Chapel on the east side of the Wheeler Drive driveway;
3. That the petitioner installs two (2) new parkway trees according to Section 6-305 of the Land Development Code in the parkway in front of the garage addition along Wheeler Drive;
4. That all utility conduits and infrastructure are screened from public view through landscaping; and
5. That all building code related items are met.

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SECTION 4

The Village Clerk is hereby ordered and directed to publish this Ordinance in pamphlet form, said pamphlet to be deposited in the office of the Village Clerk for general distribution, and this Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED this 5th day of October, 2009



David P. Maher, Village Clerk

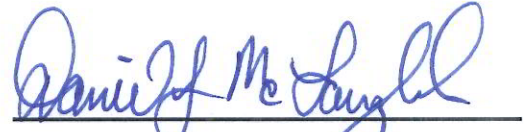
Aye: 4 Trustee Fenton, Trustee O'Halloran, Trustee Schussler, and Trustee Gira
Nay: 0
Absent: 3 Trustee Murphy, Trustee Dodge, and Village President McLaughlin

DEPOSITED in my office this 5th day of October, 2009



David P. Maher, Village Clerk

APPROVED this 5th day of October, 2009



Daniel J. McLaughlin, Village President

PUBLISHED this 6th day of October, 2009



David P. Maher, Village Clerk