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RESOLUTION PROTESTING AND OBJECTING TO THE ZONING RELIEF (SPECIAL USE) REQUESTED FOR PROPERTY COMMONLY KNOWN AS 17101 SOUTH WOLF ROAD, ORLAND TOWNSHIP, COOK COUNTY, ILLINOIS

WHEREAS, an application for zoning relief for property located in unincorporated Cook County, seeking a Special Use for the Planned Unit Development (PUD) in C-4 General Commercial District for the operation of an automobile holding facility, has been filed with the Cook County Zoning Board of Appeals by Michael Terreault, as Owner and Dwight Welch (AssetsBiz Corp.) as Applicant, identified as SU-24-0007(the “Application”); and

WHEREAS, the Application involves approximately 5.9 acres of land in the Cook County C-4 General Commercial District and generally located at 17101 South Wolf Road, Orland Township, Cook County, Illinois (the “Subject Property”); and

WHEREAS, no portion of the Subject Property is located within the corporate limits of the Village of Orland Park. However, the Village is a zoned municipality within one and one-half (1-1/2) miles of the Subject Property and, additionally, the Village is the owner of property immediately adjacent on the south to the Subject Property. Accordingly, the Village of Orland Park has the right to file a formal protest and objection to the Application to the Cook County Zoning Board of Appeals; and

WHEREAS, the Village has adopted a Comprehensive Plan that identifies recommended future land uses within and in proximity to the corporate limits of the Village. The Planning District Map in said Comprehensive Plan identifies the Subject Property as being appropriate for “Open Space, Park & Recreation” and designated “High Priority” and “Protection Floodplain”. EXHIBIT A to this Resolution is a certified, true and correct copy of the “Grasslands Planning District Map” included in the Village’s Comprehensive Plan for the Subject Property and in the general vicinity of the Subject Property; and

WHEREAS, the Village has also adopted a Land Development Code that specifically addresses the review and approval of subdivision and development activities in areas within one and one-half (1-1/2) miles of the Village’s corporate limits. Attached to this Resolution as EXHIBIT B is a certified, true and correct copy of Section 5-112B of the Land Development Code which provides, in pertinent part, that:

“B. Jurisdiction and Applicability.

1. These procedures shall be applicable to:

a. all lots of record, subdivisions and re-subdivisions, planned developments and development of land within the corporate limits of the Village and within one and one-half (1-1/2) miles beyond the corporate limits of the Village;”

Development activity on the Subject Property in the manner contemplated by the Application is subject to the standards and procedures of the Orland Park Land Development Code. As of the

date of this Resolution, no special use or development request has been filed with the Village for the contemplated development of the Subject Property.

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

SECTION 1: Protest.

The development proposed for the Subject Property that is contemplated in the Special Use Application for a automobile holding facility is not consistent with the Planning Districts and Future Land Use Categories as set forth in the Village's Comprehensive Plan, for the following reasons:

- A. The Subject Property is almost entirely in the "Flood Plain" and "Flood Way" as depicted and designated in the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) produced by FEMA and is in a Zone AE Flood Way from nearby Marley Creek. This is an area designated as a Special Flood Hazard Area (SFHA), or "high flood risk" as pointed out in Applicant's Environmental Impact Assessment filed with the Zoning Board of Appeals;
- B. This development of the Subject Property as applied for is accessory to and an expansion of the current use of the Subject Property within a designated Flood Plain and Flood Way thereby being detrimental to or endangering the public health, safety and general welfare of the surrounding community;
- C. This development is potentially injurious to the use and enjoyment of other property in the immediate vicinity for the uses already permitted and will diminish and impair property values within the neighborhood; and
- D. As the Subject Property is in the designated Flood Plain and Flood Way and is served only by well and septic, the Subject Property has no adequate utilities or drainage being provided.

Accordingly, the Village of Orland Park does hereby protest and object to Application SU-24-0007.

This protest is made pursuant to the authority provided under Illinois law as well as Section 13.13 of the Cook County Zoning Ordinance of 2003, as amended.

SECTION 2: Authorization and Direction to file the Protest.

The Village President and the Village Clerk are hereby authorized and directed to file an original certified copy of this Resolution with the Secretary of the Cook County Zoning Board of Appeals not earlier than seven (7) days and not later than thirty (30) days after the last public hearing on the Application conducted by the Cook County Zoning Board of Appeals.