

**ORDINANCE NO. M-2279**

**AN ORDINANCE GRANTING A VARIANCE TO OPERATE A CARRYOUT RESTAURANT AT 810 MAPLE AVENUE, HOMEWOOD, ILLINOIS WITH ELEVEN FEWER SPACES THAN ARE REQUIRED BY THE HOMEWOOD ZONING ORDINANCE.**

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**WHEREAS**, 65 ILCS 5/11-13-1 *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**, 65 ILCS 5/11-13-5 authorizes granting a zoning variation by passage of an Ordinance; and

**WHEREAS**, Majid RE, LLC, an Illinois limited liability company, recently purchased the property at 810 Maple Avenue in the B-4 Shopping Center Zoning District and renovated the building into two commercial retail establishments; and

**WHEREAS**, the petitioner proposes to renovate a third commercial space for the operation of a food service establishment; and

**WHEREAS**, the site plan submitted proposes 28 parking spaces; however, based upon the classification of a multi-tenant shopping center in the Homewood Zoning Ordinance, the property requires 39 parking spaces; and

**WHEREAS**, the Homewood Planning and Zoning Commission considered the parking variance at its January 11, 2024, regular meeting and voted unanimously (5-0) to recommend approval of the requested variance; 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 variance, 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 – INCORPORATION OF RECITALS:**

The above recitals are incorporated into this ordinance as if restated here.

**SECTION TWO – FINDINGS OF FACT:**

1. The subject property is located at 810 Maple Avenue and owned by the applicant, Mohammad Majid.
2. The subject property is located in the B-4 Shopping Center Zoning District.
3. Carry-out restaurant facilities, as proposed by the applicant, are permitted in the B-4 Shopping Center Zoning District.
4. The existing development on the site, including an 11,940-square-foot building and 28 surface parking spaces, was formerly built for vehicle repair and service.
5. The subject property received approval in 2022 to support the renovation of the building to support two new commercial and retail tenants and received a parking variance to allow for reduced parking requirements for these proposed uses.
6. The building on the subject property was designed to accommodate three tenants, with a third tenant space not considered in 2022 remaining vacant. This vacant tenant space is the subject of this planning case. This space is 1,827 square feet in area.
7. The building on the site is now designed to support multiple tenants and has been classified as a *multi-tenant shopping center* in the Homewood Zoning Ordinance.
8. The proposed use in the third tenant space is a carryout food service business.
9. The Homewood Zoning Ordinance requires one off-street parking space per 300 square feet of gross square footage within a multi-tenant shopping center, and the building requires a total of 39 parking spaces for the 11,940 square feet of retail and commercial space.
10. The applicant proposed to provide 28 parking spaces on the subject property to support the uses within the multi-tenant shopping center on the site.
11. The proposal from the applicant includes four additional parking spaces and spaces with signage indicating that additional spaces are reserved for carryout/pickup customers.
12. The tenant space is proposed to be modified to provide additional egress to the north to provide access to parking currently unutilized by existing businesses.
13. The proposed variance is for relief from the provision of 11 total parking spaces.

**SECTION THREE – LEGAL DESCRIPTION:**

The subject property is legally described as follows:

Lot 1 in Commercial Subdivision Unit Number 2, Being a Subdivision of Part of the Northeast Quarter of Section 32, Township 36 North, Range 14, East of the Third Principal Meridian, according to the plat therefor recorded April 13, 1984 Document 27043822, in Cook County, IL.

Permanent Index Number: 29-32-200-022-0000

Common Address: 810 Maple Avenue, Homewood, IL 60430

**SECTION FOUR - GRANTING OF VARIANCE:**

The following variance is granted to the petitioner:

A variance from Table 44-05-01(c) and Section 44-05-01(a) of the Homewood Zoning Ordinance, Parking Requirements to allow the operation of a 1,827 sf food service establishment with 28 parking spaces instead of 39 spaces required by the ordinance.

**SECTION FIVE - DOCUMENTS TO BECOME A PART OF THIS ORDINANCE:**

These documents are made part of this Ordinance:

Homewood Planning and Zoning Commission minutes of January 11, 2024, as they relate to the subject zoning.

Homewood Village Board minutes of February 13, 2024, as they relate to this ordinance.

**SECTION SIX - RECORDING:**

The Village Attorney shall cause this Ordinance without attachments to be recorded in the Office of the Cook County Clerk - Recording Division.

PASSED and APPROVED this 13<sup>th</sup> day of February 2024.

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Village President

\_\_\_\_\_  
Village Clerk

YEAS: \_\_\_\_\_ NAYS: \_\_\_\_\_ ABSTENTIONS: \_\_\_\_\_ ABSENCES: \_\_\_\_\_