

ORDINANCE NO. M - 2222

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
AND PARKING VARIATION TO ALLOW THE OPERATION OF A SALON
AT 18159 DIXIE HIGHWAY, HOMEWOOD, COOK COUNTY, ILLINOIS**

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 5/11-13-1.1 authorizes the granting of a special use by passage of an Ordinance; and

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

WHEREAS, Halston Shanklin recently purchased the property at 18159 Dixie Highway, a one-story condominium unit of a three-unit commercial building in the B-1, Central Business District; and

WHEREAS, Shanklin proposes to divide the space into an office in the front and two suites for barbers to rent (one barber per suite); and

WHEREAS, this business (salon/spa) is classified in the Homewood Zoning Ordinance as a special use in the B-1, Central Business District; and

WHEREAS, the property at 18159 Dixie Highway has three off-street parking spaces; however, based upon the number of employees and stations at the proposed salon, the Homewood Zoning Ordinance requires seven off-street parking spaces; and

WHEREAS, the Homewood Planning and Zoning Commission reviewed and considered the request at its regular meeting on April 28, 2022. With six members present, the Commission voted 3-3 on the proposed special use and zoning variance to allow the operation of a salon with four fewer parking spaces than are required by the zoning ordinance; and

WHEREAS, Commission members who voted against this application stated that they could not support the variance because the applicant had not secured sufficient parking; and

WHEREAS, Commission members who voted in favor of this application stated that the parking standards in the zoning code are based on a business model that is outdated and that public parking is available in the area; and

WHEREAS, since the Planning and Zoning Commission meeting, an adjacent property owner agreed to lease four (4) additional parking spaces to the applicant, thus meeting the intent of the zoning ordinance's off-street parking requirement; 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 special use permit and 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 fully restated here.

SECTION TWO – FINDINGS OF FACT:

1. The subject property is located at 18159 Dixie Highway;
2. The property is owned by Halston Shanklin;
3. The property is an existing one-story unit of a three-unit commercial building.
4. The property owner proposes to divide the space into three units and lease two suites to barbers;
5. The subject property is located in the B-1 Central Business District;
6. Salons are allowed as a special use in the B-1 district;
7. The subject property has 3 on-site parking spaces;
8. With the proposed uses, the property requires 7 parking spaces;

9. The use is a change in parking use intensity from the previous use and requires a variation for 4 parking spaces;
10. The applicant has leased four (4) parking spaces from an adjacent property owner and has provided a copy of the lease to the village.

SECTION THREE – LEGAL DESCRIPTION:

The subject property is legally described as follows:

The South sixteen (16) feet (except the East 147 feet thereof) of the North 100 feet of that part of the West half (1/2) of the Southeast quarter (1/4) of Section 31, Township 36 North, Range 14, East of the Third Principal Meridian, bounded and described as follows: beginning at the Northeast corner of Lot one (1) in the subdivision of Lot 6 in the County Clerk Division of the West half (1/2) of the Southeast quarter (1/4) of said Section according to Plat thereof recorded October 21, 1927, as Document Number 9816722 in Book 253 of Plats, Page 2; thence West along the North line of said Lot (1), 297 feet to the East line of Dixie Highway; thence North along said East line of Dixie Highway 346 feet; thence East parallel with the North line of Lot one (1) aforesaid 297 feet; thence South parallel with the West line of the Southeast quarter (1/4) of said Section 346 feet to the Place of Beginning.

Permanent Index Number: 29-31-409-062-0000

Common Address: 18159 Dixie Highway
Homewood, IL 60430

SECTION FOUR – ISSUANCE OF SPECIAL USE PERMIT:

A special use permit is hereby granted to Halston Shanklin to use two units as barber suites in the commercial building at the above-described property.

SECTION FIVE – GRANTING OF VARIATION:

The following variation is hereby granted to the petitioner:

A variation from Section 11.2 and Table 11.2 of the Homewood Zoning Ordinance to allow the operation of two barber suites at 18159 Dixie Highway with four fewer parking spaces than the minimum required by the zoning ordinance.

SECTION SIX – DOCUMENTS TO BECOME A PART OF THIS ORDINANCE:

These documents are made a part of this ordinance:

Lease Agreement with Unchecked Capital LLC, 18201-18209 Dixie Highway for four (4) parking spaces, dated _____.

SECTION SEVEN – ADDITIONAL MATERIALS TO BECOME PART OF THIS ORDINANCE:

The following documents are hereby made part of this Ordinance:

The Homewood Planning and Zoning Commission minutes of April 28, 2022, as they relate to the subject zoning.

The Homewood Village Board minutes of May 24, 2022, as they relate to the subject zoning.

SECTION EIGHT – 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 24th day of May 2022.

Village President

Village Clerk

YEAS: _____ NAYS: _____ ABSTENTIONS: _____ ABSENCES: _____