

ORDINANCE NO. M - 2228

**AN ORDINANCE GRANTING A PARKING VARIANCE
FOR 810 MAPLE AVENUE, 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 5/11-13-5 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 proposes to divide the building into two commercial retail establishments; and

WHEREAS, the site plan submitted by the petitioner proposes 26 parking spaces; however, based upon the area of proposed retail establishments, the Homewood Zoning Ordinance requires 48 parking spaces; and

WHEREAS, the property was operated as a motor vehicle service and repair facility, but when the former owner sold the property it imposed restrictive covenants prohibiting such use by future owners; and

WHEREAS, the Homewood Planning and Zoning Commission considered the parking variance at its August 11, 2022 regular meeting and voted unanimously (7-0) 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 at 810 Maple Avenue and owned by the applicant, Majid RE, LLC - Mohammad Majid, Managing Member.
2. The subject property is in the B-4 Shopping Center Zoning District.
3. Commercial retail is a permitted use in the B-4 Shopping Center Zoning District.
4. The existing development of the subject property, including the 11,940 sf building and surface parking, was formerly purpose-built for motor vehicle service and repair.
5. The Homewood Zoning Ordinance requires one parking space for every 250 sf of retail space, or 48 spaces for the proposed 11,940 sf of retail.
6. The applicant proposes to provide 26 parking spaces on the subject property.

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 11.2 (Municode Table 44-487.2) Parking Requirements to allow the operation of 11,940 sf of retail space with 26 parking spaces, approximately 54% of the total parking spaces required by the zoning ordinance.

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

These documents are made part of this Ordinance:

The Homewood Planning and Zoning Commission minutes of August 11, 2022, as they relate to the subject zoning.

The Homewood Village Board minutes of September 13, 2022, 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 13th day of September 2022.

Village President

Village Clerk

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