



VILLAGE OF ORLAND PARK

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Orland Park, IL 60462
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Ordinance No: 4226

File Number: 2006-0766

AN ORDINANCE GRANTING VARIATIONS (AMBASSADOR CAR CARRIERS, 16242 SOUTH 107TH AVENUE) AND RESCINDING ORDINANCE NO. 4142, ADOPTED JUNE 5, 2006

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 6th day of March, 2007 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

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WHEREAS, a petition seeking variations for certain real estate, as set forth below, has been filed with the Village Clerk of this Village and has been referred to the Plan Commission of this 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 January 9, 2007 on whether the requested variations 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 Star and The Daily Southtown, newspapers of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations that the variations be granted with this President and Board of Trustees, and this Board of Trustees has duly considered said reports, findings and recommendations;

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 of the Plan Commission of this Village is herein incorporated by reference, as completely as if fully recited herein at length. Also, all exhibits submitted at the public hearings held by the Plan Commission are hereby incorporated by reference as fully as if attached hereto. This Board of Trustees further finds that the proposed variations are in the public good and in the best interests of the Village and its residents and are consistent with and foster 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 variations as follows:

- a. The Subject Property is an approximately 1-acre parcel located at 16242 S. 107th Avenue in Orland

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Park, Illinois. The site is zoned MFG Manufacturing District. The proposal is to build a 3,200 square foot building on the Subject Property and operate a vehicle towing and storage facility. An ordinance, Ordinance No. 4142, was passed on June 5, 2006 regarding this property, but since then, a new plan has been submitted, which is the subject of this Ordinance. Ordinance No. 4142 should be rescinded.

b. Petitioner requests variances from the permitted maximum size of the outdoor storage area from 25% to allow 41.3% of the area of the Subject Property to be used for outdoor storage, in order to accommodate the large number of towed cars anticipated to be stored there, and from the required setback from the on-site detention area from 25 feet to no less than 7 feet.

c. The proposed use will be consistent with the character of the immediate vicinity of the Subject Property. The surrounding property is zoned MFG to the north, south, east and west and is all vacant land within the Beemsterboer Industrial Park. Railroad right-of-way exists to the northwest of the Subject Property, about 100 feet away, and to the direct west is detention for the industrial park. One lot away to the north is Apple Chevrolet vehicle storage and detailing. The proposed use will be consistent with these uses as well as other possible uses for the vacant parcels in the industrial park. The proposed use is not a specifically enumerated permitted use under the Beemsterboer Industrial Park special use permit, but is similar enough to the permitted "truck, tractor and other vehicle storage" to be considered as a permitted use.

d. The proposed use is consistent with the purposes, goals, objectives and standards of the comprehensive plan, any adopted overlay plan (such as the Beemsterboer special use) and the Land Development Code of the Village. The proposed use is permitted in the MFG District, and the Comprehensive Plan designates the Subject Property as Regional Intensity Commercial. The proposed vehicle towing and storage use is therefore consistent with all these purposes and goals.

e. The design of the proposed project will minimize any adverse effects, including visual impacts on adjacent properties. All lot line setback requirements are met and the building height is 18 feet, far below the 40 feet permitted. The reduced detention setback will not affect other properties, and the provision of additional detention may be a benefit for other properties.

f. The variations requested will not alter the essential character of the locality because the Subject Property is in an industrial park and all lot line setbacks and landscaping requirements will be met.

g. The variations requested will be consistent with the character of the immediate vicinity. The Subject Property is located in an industrial park. Permitting a large outdoor storage area on the Subject Property will not affect the character of the area as a whole. Apple Chevrolet has outdoor vehicle storage on its property, just one lot to the north of the Subject Property. Reducing the detention setback will not affect the neighboring properties.

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- h. The property in question cannot yield a reasonable return if permitted to be used only under the outdoor storage and detention setback requirements of the Land Development Code. Without the variations, there is not enough room to store the many vehicles that Petitioner's use requires.
- i. The Petitioner has demonstrated that public facilities and services will be capable of serving the proposed use at an adequate level of service.
- j. The plight of the owner is due to the unique circumstances of the need for storage on the Subject Property, as well as the nature of the partly gravel vehicle storage area requested, which is less intrusive than many other possible forms of development. The owner is a towing and storage business and therefore requires a large outdoor storage area.
- k. The denial of the requested variations would be a hardship to the Petitioner because it would render the Subject Property unusable for his purposes.
- l. The granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood, for the reasons cited above.
- m. The proposed variations 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. They will not detrimentally impact neighboring properties, as stated above. No fire danger increase will result.

SECTION 3

Subject to the conditions below, variations are hereby granted to Ambassador Car Carriers to permit the construction and operation of a vehicle towing and storage facility with outdoor storage on 41.3% of the lot, rather than the 25% otherwise permitted, and with a detention area setback no less than 7 feet, on property legally described as:

LOT 39 IN BEEMSTERBOER'S INDUSTRIAL PARK, PHASE 5, A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 20, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 20, 1993, AS DOCUMENT NO. 93046791, IN COOK COUNTY, ILLINOIS.

The above variations are subject to the following conditions:

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A. That development on the Subject Property be pursuant to the hereby-approved final plan entitled "Site Plan - Lot 39, Beemsterboer Industrial Park," prepared by Geotech Inc., Job No. 16698, dated April 1, 2005, last revised November 3, 2006, Sheet No. 2, subject to the following further conditions:

1. That the westernmost parking stall on the south side of the property be converted into a landscape island with curbs to facilitate vehicular parking movements in this area;
2. That a gate be provided in the west fence line adjacent to the proposed detention pond for maintenance access;
3. That the grading of the site be adjusted to prevent gravel in the outdoor storage area from washing into the pond or onto adjacent lots;
4. That this grant of variations be subject to final engineering approval; and
5. That a Landscape Plan based on final engineering drawings be submitted within sixty (60) days of final engineering approval; and

B. That building elevations be pursuant to the hereby-approved Building Elevations Plan entitled, "Elevations - Ambassador Car Carrier Inc.," prepared by Farhad Niroumand-Rad Architects, dated January 8, 2006, Sheet No. A-3, subject to the condition that all building code requirements are met.

SECTION 4

Ordinance No. 4142, passed June 5, 2006, an ordinance purporting to grant a special use and a variation for the Subject Property, is hereby rescinded.

SECTION 5

This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

SECTION 6

