



# VILLAGE OF ORLAND PARK

14700 Ravinia Avenue  
Orland Park, IL 60462  
[www.orland-park.il.us](http://www.orland-park.il.us)

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**Ordinance No: 4441**

**File Number: 2007-0634**

ORDINANCE GRANTING VARIANCES - (DISTINCTIVE OFFICE BUILDING, 18301  
DISTINCTIVE PLACE)

## VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 16th day of December, 2008 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

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## Ordinance No: 4441

ORDINANCE GRANTING VARIANCES - (DISTINCTIVE OFFICE BUILDING, 18301  
DISTINCTIVE PLACE)

WHEREAS, a petition seeking variances for certain real estate, as set forth below, has been filed with the Building Department of this Village and has been referred to the Plan Commission of this Village 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 November 27, 2007, properly continued to December 11, 2007, on whether the requested variances 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 November 27, 2007 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, a newspapers of general circulation in this Village at that time, there being no newspaper published in this Village; and

WHEREAS, the Plan Commission has filed with this President and Board of Trustees its report of findings and recommendation that the requested variance be granted, and this Board of Trustees has duly considered said report, findings and recommendation.

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, findings and recommendation of the Plan Commission of this Village are herein incorporated by reference as the findings of this Board of Trustees, as completely as if fully recited herein at length. Also, all exhibits submitted at the public hearing are hereby incorporated by reference as fully as if attached hereto. This Board of Trustees further finds that the proposed variances 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 variances as follows:

- a. The Subject Property is located on 183rd Place, 1 block west of Wolf Road, in the Will County portion

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of Orland Park, Illinois. The Subject Property is zoned ORI Mixed Use Office/Research/Industrial or Manufacturing District under the Village's Land Development Code (the "Code"). The purpose of the district has changed somewhat since the Petitioner sought the variances and it is now described in Section 6-211A of the Land Development Code as "providing locations for a wide range of employment-generating office, institutional, research and light manufacturing uses." This change does not have an effect Petitioner's request.

b. The Subject Property is a 207,779 square foot parcel that will be subdivided into two (2) lots, Lot 1 being 143,839 square feet and Lot 2 being 57,940 square feet. Petitioner plans a 6 unit office building on Lot 2, to bear the address of 18304 Distinctive Drive, Orland Park, Illinois.

c. The variances requested are for Lot 2, to (1) reduce the required 80-foot front yard setback to 30 feet; and (2) reduce the bufferyard to separate office and industrial uses (bufferyard D) from the required 30 feet to 18.5 feet for the eastern 69 feet of the north property line of Lot 2 and from 30 feet to 5 feet for the remainder of the north property line.

d. The front yard variance requested is a 62.5% variance; the bufferyard variances are 38.3% and 83.3%. The bufferyard is required because Lot 1 is currently used for industrial purposes, the storage of raw materials, plants and equipment associated with landscaping.

e. The property in question cannot yield a reasonable return if permitted to be used only under the setback and bufferyard requirements of the Code. The division of the lots and the location of the building on Lot 1 leaves inadequate space for the building on Lot 2 without variances.

f. The plight of the owner is due to the unique circumstance of the location of the existing building and the detention basins on Lot 1, leaving only the proposed space for Lot 2.

g. The variances, if granted, will not alter the essential character of the locality since the area will retain the ORI classification and the proposed use is a permitted use in the ORI District. Surrounding property on all four sides is zoned ORI District. Moreover, the proposed building will be architecturally similar to the Distinctive Office Park buildings located immediately to the east of Lot 2, and a sidewalk will connect the areas.

h. The denial of the requested variances would be a hardship to the Petitioner because without the variances, the desired building cannot be built. A similar setback for a similar building exists in the Distinctive Office Park immediately to the east of Lot 2.

i. The granting of the variances will not be detrimental to the public welfare or injurious to other property or

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improvements in the neighborhood. The neighborhood is a mixed-use district and has other instances of reduced building setbacks. The building actually presents its side to 183rd Place, so there is a smaller building wall facing the street than if the width of the building faced 183rd Place.

j. The location of the property in mixed-use district, and the planned division of a single large lot with an existing building and two (dry) detention basins into two (2) lots, are conditions not generally applicable to other property in the Village.

k. The proposed variances 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.

l. The variances granted are the minimum necessary for the reasonable use of the land for the purpose proposed.

m. The aforesaid circumstances or conditions are such that the strict application of the ORI setback and bufferyard requirements would deprive the Petitioner of any reasonable use of the land.

### SECTION 3

Subject to the conditions below, variances for proposed Lot 2 of the Subject Property described below to permit a 30 foot front yard on 183rd Place, rather than the 80 feet otherwise required and to permit a reduced bufferyard along the irregular north property line of 18.5 feet rather than 30 feet for the eastern 69 feet and of 5 feet rather than 30 feet for the remainder of the north property line, are hereby granted. The Subject Property is legally described as:

LOT 1 IN GOLDEN EAGLE PARK, BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 35 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 11, 2000, AS DOCUMENT R200-73181, IN WILL COUNTY, ILLINOIS

These variances for Lot 2 are subject to the conditions that:

A. Development shall be pursuant to the hereby-approved Preliminary Site Plan titled "Site Plan Distinctive Office Building," prepared by Burke Engineering Corporation, dated 8/14/2007, last revised 1/15/08, Job Number 06-133 Sheet number 1 of 1, with the following conditions:

1. That the landscape plan include a screening strategy for the southeast rear corner of the proposed

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building;

2. That a landscape plan be submitted within sixty (60) days of final engineering approval;
3. That a cross drainage agreement is established between Lots 1 and 2 of the subdivision;
4. That a water-main connection is made between this site and the adjacent Orland Park Business Center;  
and
5. That all building code and final engineering related items are met.

B. Building elevations shall be pursuant to the hereby-approved Building Elevations entitled "Office Building 183rd Place, West of Wolf Road, Orland Park, IL," prepared by Craig A. Podolak Architects, dated 10/16/07, Project Number 0715, Sheet 1 of 1.

C. The Subject Property described above be subdivided into two lots as depicted in the Site Plan approved in A, above.

### SECTION 4

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

### SECTION 5

The Village Clerk is hereby ordered and directed to publish this Ordinance in pamphlet form, said pamphlet to be deposited in the office of the Village Clerk for general distribution, and this Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

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PASSED this 15th day of December, 2008

/s/ David P. Maher

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**David P. Maher, Village Clerk**

**Aye:** 7 Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler,  
Trustee Gira, and Village President McLaughlin

**Nay:** 0

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DEPOSITED in my office this 15th day of December, 2008

/s/ David P. Maher

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**David P. Maher, Village Clerk**

APPROVED this 15th day of December, 2008

/s/ Daniel J. McLaughlin

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**Daniel J. McLaughlin, Village President**

PUBLISHED this 16th day of December, 2008

/s/ David P. Maher

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**David P. Maher, Village Clerk**