



# 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: 4501**

**File Number: 2006-0012**

AN ORDINANCE GRANTING VARIANCES - (SOUTHEAST CORNER 151ST STREET &  
LAGRANGE ROAD)

## VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 4th day of August, 2009 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

# VILLAGE OF ORLAND PARK

## Ordinance No: 4501

AN ORDINANCE GRANTING VARIANCES - (SOUTHEAST CORNER 151ST STREET & LAGRANGE ROAD)

WHEREAS, a petition seeking variances for certain real estate, as set forth below, has been filed with the Village, 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 February 28, 2006, properly continued to March 14, 2006, 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 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 said Plan Commission has filed with this President and Board of Trustees its report of findings and its recommendation for approval of the requests, and this Board of Trustees has duly considered said reports and findings and recommendation of approval.

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 and findings 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 is 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 requested variances as follows:

- a. The Subject Property is located at the southeast corner of 151st Street and LaGrange Road, in Orland Park, Illinois. The Subject Property is zoned COR, Mixed-Use Core District, under the

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Village's Land Development Code. It consists of 3 parcels: Parcel 1 is owned by Orland Chi-Chi's, LLC and consists of 1.25 acres; Parcel 2 (approximately 0.72 acre) and Parcel 3 (approximately 900 square feet) are leased by Orland Chi-Chi's for development as a part of this project. Thus the overall project area is approximately 2 acres.

- b. The Subject Property is being developed by Petitioner as a commercial/retail project, including a restaurant with possible outdoor seating and a landscape feature at the northwest corner, on Parcel 3.
- c. Petitioner seeks approval of certain variations from the provisions of the Land Development Code of the Village, specifically, to permit parking in the building setback area, to reduce the required parking lot setback from 10 feet to 9 feet, and to allow a reduction in the required foundation landscape area.
- d. The requirement of the Code is for no parking between the roadway and the building, but the topography of the site and the sight lines from the adjacent buildings that would result, make this an undesirable alternative for this project. Petitioner has designed the building with greater setbacks than required, 75 feet instead of 35 feet along LaGrange Road and 55 feet instead of 25 feet along 151st Street, but seeks to have parking in the setbacks.
- e. When parking is allowed along LaGrange Road, a ten-foot parking lot setback is required, but Petitioner has requested to reduce that setback to nine feet. For this project, the sidewalk is on private property, because of the proposed widening of the LaGrange Road right of way, but a nine-foot setback still allows a five-foot sidewalk and a four-foot planting area.
- f. In addition, Petitioner has requested to reduce the required foundation planting area from 70% to 0%. Because of the size constraints and the existing buildings adjacent to the project site, there is effectively no area left for foundation planting.
- g. Petitioner asserts that the small size of the project, the preservation of existing set-back lines, and the corner landscape feature means that the project will be an asset to the area and the variations requested will have little impact on adjoining property.
- h. No one spoke in opposition to Petitioner's requests at the public hearing.
- i. The property in question cannot yield a reasonable return if the requested variances are not permitted. It is a small corner lot to be redeveloped, between two developed lots
- j. The plight of the owner is due to the unique circumstances of the size and location of the lot and the location and setbacks of the adjacent buildings.

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k. The variances, if granted, will not alter the essential character of the locality. In fact, the corner landscape feature will enhance the area. That the essential character of the locality will not change was also demonstrated by the fact that no neighbors spoke in opposition to the variances requested.

l. The denial of the requested variances would be a hardship to the Petitioner because an entirely new plan would have to be developed and the sight lines and other features of the current plan would likely not be present.

m. The granting of the variances will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

n. 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.

### SECTION 3

The site plan and building elevations entitled "Orland Park Place Retail Building," prepared by Greenberg Farrow, project number 20050213, sheet A.20 dated 9-28-05, latest revision 03-24-06, and sheet C-3.1 dated 03-23-06 are hereby approved subject to the conditions that:

1. Petitioner submits a landscape plan for separate review and approval within 60 days of final engineering approval; and
2. Petitioner meets all final engineering related items.

The above approval of the site and building elevations plans includes approval of the following variances:

1. A variance to allow the parking in the building setback areas along LaGrange Road and along 151st Street;
2. A variance to allow the parking lot setback to be reduced from 10 feet to nine feet along LaGrange Road; and
3. A variance to reduce the foundation area landscape requirements from 70% to zero.

All variances are for the property legally described as follows:

Parcel 1:

LOT 10 IN ORLAND COURT SUBDIVISION BEING A SUBDIVISION OF PART OF THE

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WEST HALF OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 15 TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 20, 1981 AS DOCUMENT NUMBER 25811986, IN COOK COUNTY, ILLINOIS.

P.I.N.: 27-15-100-021-0000

Parcel 2:

THAT PART OF LOT 1 IN ORLAND COURT SUBDIVISION BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 15 TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 20, 1981 AS DOCUMENT NUMBER 25811986, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, THENCE SOUTH 89 DEGREES 58 MINUTES 25 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 241.95 FEET TO THE SOUTHEAST CORNER OF LOT 10 IN SAID ORLAND COURT SUBDIVISION; THENCE SOUTH 00 DEGREES 00 MINUTES 23 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 10 EXTENDED, A DISTANCE OF 129.50 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 25 SECONDS WEST ALONG A LINE PARALLEL TO SAID NORTH LINE OF LOT 1, A DISTANCE OF 241.92 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE NORTH 00 DEGREES 00 MINUTES 23 SECONDS WEST A DISTANCE OF 129.50 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

P.I.N.: Part of 27-15-100-031-0000

Parcel 3:

LOT 12 IN ORLAND COURT SUBDIVISION BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 15 TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 20, 1981 AS DOCUMENT NUMBER 25811986, IN COOK COUNTY, ILLINOIS.

P.I.N.: 27-15-100-023-0000

The above described property is generally located at the southeast corner of 151st Street and LaGrange Road.

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## 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 3rd day of August, 2009

*/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

DEPOSITED in my office this 3rd day of August, 2009

*/s/ David P. Maher*

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**David P. Maher, Village Clerk**

APPROVED this 3rd day of August, 2009

*/s/ Daniel J. McLaughlin*

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**Daniel J. McLaughlin, Village President**

PUBLISHED this 4th day of August, 2009

*/s/ David P. Maher*

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**David P. Maher, Village Clerk**