



# 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: 4164**

**File Number: 2005-0776**

ORDINANCE GRANTING A VARIANCE - (LEXUS OF ORLAND PARK, LIGHTING)

## VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 8th day of August, 2006 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 GRANTING A VARIANCE - (LEXUS OF ORLAND PARK, LIGHTING)

WHEREAS, a petition seeking a variance 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 14, 2006, on whether the requested variance 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 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 approved variance is in the public good and in the best interests of the Village and its residents and is consistent with and fosters 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 variance as follows:

- a. The Subject Property is a 7.35-acre parcel located at 8485 West 159th Street, in Orland Park, Illinois. The Subject Property is zoned BIZ General Business District under the Village's Land Development Code

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(the "Code").

- b. The Subject Property is being developed as a Lexus car dealership.
- c. Petitioner seeks approval of lighting levels that exceed those permitted under Section 6-302 of the Land Development Code.
- d. The requirement of Section 6-302 of the Code is for a maximum wattage of 250 watts per luminaire without a variance. Petitioner originally requested 1000 watts.
- e. Petitioner has stated that at night, certain of the light standards would not operate, reducing the night light levels considerably.
- f. Petitioner has requested the variance to more effectively light the outdoor display areas of the dealership and to provide round-the-clock security.
- g. No one spoke directly in opposition to Petitioners' request at the public hearing. Two neighbors asked about the intensity of the lights as they affect nearby residential property, seeking ways to reduce the effects of any lighting variance granted.
- h. The property in question cannot yield a reasonable return if the requested lighting variance are not permitted. Lighting is essential to generate customer interest and provide security, Petitioner asserts.
- i. The plight of the owner is due to the unique circumstances of the need for security at an automobile dealership for customers, employees and neighbors.
- j. The variance, as conditioned by this Ordinance, will not alter the essential character of the locality. Several neighboring automobile dealerships also have high lighting levels.
- k. The denial of the variance, as conditioned by this Ordinance, would be a hardship to the Petitioner because the desired level of security could not be attained if a variance were not granted, and the property could not meet Lexus standards.
- l. The granting of the variance, as conditioned by this Ordinance, will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. Light levels will be reduced at 10:00 P.M. daily and the dealership is closed on Sundays. There will be extensive landscaping between the dealership and the residential uses at the rear.

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m. The proposed variance 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

A variance to Section 6-302 of the Land Development Code of the Village of Orland Park is hereby granted to Lexus of Orland Park to permit lighting as shown in the documents "Electrical Site Plan - NL Photometric" Sheet E0.1 of 14 and "Electrical Site Plan" Sheet E0.1 of 14 for the new 2006 Lexus Dealership Facility, prepared by R. L. Millies and Associates, Inc., dated 9/27/04, latest revision 2/25/05, subject to the conditions enumerated below, for the property located at 8485 W. 159th Street, Orland Park, Illinois, and legally described as:

#### PARCEL 1:

A PART (EXCEPTING THEREFROM THAT PORTION LYING SOUTH OF THE NORTH LINE OF PROPERTY, ACQUIRED FOR WIDENING OF 159TH STREET BY CONDEMNATION PROCEEDING BY CASE 71 L1 2086 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS) OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOD COUNTY, ILLINOIS; SAID PART DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER BEING 823.79 FEET EAST OF THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 481.19 FEET ON A LINE (WHOSE NORTHERN TERMINUS IS ON THE NORTH LINE OF THE SOUTH HALF OF SAID SOUTHEAST QUARTER MEASURED NORMAL THERETO) TO A POING; THENCE WEST 328.83 FEET ON A LINE 481.19 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF SAID SOUTHEAST QUARTER TO A POINT ON A LINE 495.00 FEET EAST OF A AND PARALLEL WITH SAID WEST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 481.19 FEET ON SAID LINE 495.00 FEET EAST TO A POINT ON SAID SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE EAST 328.79 FEET ON SAID SOUTH LINE OF SAID SOUTHEAST QUARTER TO SAID POINT OF BEGINNING OF SAID PART.

#### PARCEL 2;

BEGINNING AT A POINT IN THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 14 THAT IS 823.79 FEET EAST OF THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 14 AND RUNNING NORTHERLY ALONG A STRAIGHT LINE WHOSE NORTHERN TERMINUS IS A POINT IN THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 14 AFORESAID LOCATED 823.90 FEET EAST OF THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 14, A

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DISTANCE OF 500.00 FEET; THENCE EAST ALONG A LINE 500 FEET NORTH OF (BY RECTANGULAR MEASUREMENT) THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 14 A DISTANCE OF 391.18 FEET TO THE WESTERLY LINE OF THE 215.0 FEET WIDE RIGHT-OF-WAY OF THE COMMONWEALTH EDISON COMPANY, THENCE SOUTHWESTERLY ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF THE COMMONWEALTH EDISON COMPANY, A DISTANCE OF 291.55 FEET TO A POINT THAT IS 208.90 FEET NORTH OF (BY RECTANGULAR MEASUREMENT) THAT SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 14, THENCE WESTERLY ALONG A LINE PARALLEL TO AND 208.90 FEET NORTH OF (BY RECTANGULAR MEASUREMENT) THE SAID SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 14, A DISTANCE OF 218.79 FEET TO A POINT THAT IS 356.06 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14 AFORESAID; THENCE SOUTHERLY ALONG SAID LINE PARALLEL TO THE SAID EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14 AFORESAID TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 14, THENCE WESTERLY ALONG THE SAID SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 14, A DISTANCE OF 156.19 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

### PARCEL 3:

THE SOUTH 208.9 FEET (EXCEPT THE SOUTH 50 FEET THEREOF) OF THE EAST 356.06 FEET (EXCEPT THE EAST 156.06 FEET THEREOF) OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This variance is subject to the following conditions:

1. That Petitioner submit luminaire details to confirm that all applicable outdoor lights are properly shielded per code.
2. That the site lighting and photometric plan sheets be revised accordingly to meet the 0.50 and 0.25 footcandle requirements for operating and security hours respectively, at the rear property line.
3. That Village staff inspect the property to insure adequate year round screening for the residential properties to the north.

### SECTION 4

