

VILLAGE OF JUSTICE

ORDINANCE NO. 2005-13

**AN ORDINANCE ADOPTING THE SECOND PHASE OF THE VILLAGE OF JUSTICE
COMPREHENSIVE PLAN TO REZONE ARCHER ROAD, ROBERTS ROAD, AND
88TH AVENUE, AND AMENDING SECTIONS 12-86 AND 12-181 OF THE VILLAGE
OF JUSTICE ZONING CODE.**

ADOPTED BY THE BOARD OF TRUSTEES

OF THE

VILLAGE OF JUSTICE

THIS 23rd DAY OF MAY 2005

Published in pamphlet form by authority of the Board of Trustees of the Village of Justice, Cook County, Illinois, this 23rd day of May 2005.

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**VILLAGE OF JUSTICE
COOK COUNTY, ILLINOIS
ORDINANCE NO. 2005-13**

**AN ORDINANCE ADOPTING THE SECOND PHASE OF THE VILLAGE OF JUSTICE
COMPREHENSIVE PLAN TO REZONE ARCHER ROAD, ROBERTS ROAD, AND 88TH
AVENUE, AND AMENDING SECTIONS 12-86 AND 12-181 OF THE VILLAGE OF
JUSTICE ZONING CODE.**

WHEREAS, pursuant to section 65 ILCS 5/11-13-14, public hearings were held on January 25, 2004, February 22, 2005 and March 22, 2005 at 7:00 p.m., under the terms of the statute for the Amendment of Regulations and Districts; and

WHEREAS, Zoning Petition 04-03 Phase II has been filed, for the creation of a comprehensive plan for the Village of Justice Phase II to address rezoning issues along Archer Road, Roberts Road, 88th Avenue, Special and Non-conforming Use, and Permitted uses under zoning district B-1, and public hearing were held as listed herein, the findings of which are attached hereto as Exhibit A and incorporated herein as if written out in full; and

WHEREAS, upon review of all testimony and information and upon open public meetings with public discussions on the impact of the proposed changes, as submitted in the Approved Minutes from the Zoning Commission, attached hereto as Exhibit B and incorporated herein as if written out in full, and as submitted by the Village of Justice, attached hereto as Exhibit C and incorporated herein as if written out in full, the Board of Trustees feel it is in the best interest to review the existing zoning regulations in light of keeping housing affordable and maximizing the value of the land, as well as maximizing the business and services afforded to the residents of the Village and adopt a Comprehensive Zoning Plan in phases, amending the existing Village of Justice Zoning Code (the "Village Code") from time to time as recommended; and

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WHEREAS, the Board of Trustees feel it is in the best interest to adopt further provisions to Section 12-24 of the Village Code “Authorizing the Comprehensive Plan in Phases” and amend Section 12-86, “B-1 Permitted Uses” and Section 12-181, “Nonconforming Uses.”

BE IT ORDAINED by the President and Board of Trustees of the Village of Justice, Cook County, Illinois, as follows:

Section One: The above recitals are hereby incorporated herein as if written out in full.

Section Two: Section 12-24 shall be created authorizing the adoption of the Village of Justice Comprehensive Plan in Phases and as amended from time to time, with Section 12-24 written out in full as follows:

Section 12-24, Adoption of the Village of Justice Comprehensive Plan in Phases.

A. Phase One.

The review of all Village zoning regulations and an Official Comprehensive Plan for the Village of Justice and the unincorporated territory within one and one-half miles of the boundaries of the Village of Justice, as compiled and subsequently recommended by the Village of Justice Zoning and Planning Commission beginning on July 27, 2004 shall be adopted, and amended from time to time, as follows;

1. For single family homes south of 79th Street, there shall be a maximum of a 20% square footage footprint based on the property size, not to exceed 2,500 square feet of living space, excluding the attached garage.
2. For single family homes north of 79th Street, there shall be a maximum of a 25% square footage footprint based on the property size, not to exceed 4,000 square feet of living space, excluding the attached garage.
3. In all residential or multiple family districts within the Village limits as stated herein, there shall be a minimum green space requirement of 35% of the lot size unless limited by flood plain designation or other state or federal restrictions.

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4. In all residential or multiple family districts within the Village limits as stated herein, wherein there is a request to subdivide an existing, developed lot of record into two or more lots, no such subdivision shall be allowed unless each subdivided lot meets the minimum requirements of the Village of Justice Code and adheres to the minimum green space requirements herein, whether such subdivided lot is developed or not.

B. Phase Two.

1. The south side of 79th street from Roberts Road (80th Avenue) to I-294 to be shall be zoned B-1. All property on the north side of Archer Road with an Archer Road Address in the Village limits shall be zoned B-1.

2. All property on the south side of Archer Road in the Village boundary limits shall be zoned B-1.

3. All cemetery property shall be rezoned B-1 as long as the permitted uses under B-1 in Village Code Section 12-86 is amended to add "Churches and Cemeteries."

4. The property on the east and west side of Roberts Road shall be zoned B-

5. The property on the east of 88th Avenue (Cork Ave.) from 79th Street to the I-294, shall be zoned B-1.

6. The property on the east side off 88th Avenue from I-294 to 83rd Street shall remain as currently zoned.

7. The property along the east side of 88th Avenue from 83rd Street to 87th Street shall remain as currently zoned.

8. The property on the west side of 88th Avenue from 79th Street to I-294 shall be zoned B-1.

9. The property on the west side of 88th Avenue from I-294 to 83rd Street shall remain as currently zoned.

10. The property on the West side 88th Ave from 83rd Street to 86th Street shall be zoned B-1.

11. The property along the north side of 80th Street between 82nd Ave and the East Village limits shall be zoned B-1.

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Section Three: Section 12-89, B-2 Business District-Permitted Uses, of the Village Zoning Code shall be incorporated in Section 12-86, B-1 Permitted Uses, and amend Section 12-86 subsections (1) and (3) to eliminate the phrase “excluding those serving intoxicating drinks and add subsection (9) to read “The permissive use a liquor license upon the Board of Trustee’s approval to allow a business licensed in the Village to sell alcohol” and to amend Village Code Section 12-86-(10) to read “The permissive use of gasoline sales upon the Board of Trustee’s approval of a business licensed in the Village to sell gasoline”, and to add Section 12-86 (11) section (11) to read “Churches and Cemeteries.” Section 12-86 shall read as follows:

Sec. 12-86. B-1 Business District-Permitted Uses:

In the B-1 District the uses which may hereafter be established are:

- (1) Motels and hotels at the rate of one room for each one thousand (1,000) square feet of lot or tract of land and one parking space for each room and also one additional parking space for each employee;
- (2) Retail business or service establishment, excluding those permitted only in the B-2, I-1 and I-2 Districts;
- (3) Restaurants;
- (4) Professional and business offices;
- (5) Private music, dancing, business and vocational schools and colleges;
- (6) Lodge halls;
- (7) Municipal buildings, waterworks, police and fire stations;
- (8) Theaters;
- (9) The permissive use a liquor license upon the Board of Trustee’s approval to allow a business licensed in the Village to sell alcohol;
- (10) The permissive use of gasoline sales upon the Board of Trustee’s approval of a business licensed in the Village to sell gasoline;
- (11) Churches and Cemeteries and related uses;
- (12) Taverns;
- (13) Nightclubs;
- (14) Dance halls;

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- (15) Picnic groves;
- (16) Temporary carnivals and circuses operating not more than ten (10) consecutive days in any one year;
- (17) Bowling alleys, roller skating rinks, practice golf driving course, archeries, carnival devices such as merry-go-rounds, miniature railroads, pony riding tracks, circuses and commercial amusement establishments;
- (18) Auto Laundries.

Section Four. The Village Code shall be amended to modify Article III, "Nonconforming Buildings, Structures, Uses," Section 12-181, "Buildings, Structures," subparagraphs (4) and (5) and add subparagraph (6). Section 12-181 shall read in full as follows:

Section 12- 181. Buildings, Structures:

Any use, building or structure lawfully existing or under construction on the adoption date of the ordinance from which this chapter derives or of any subsequent amendment thereto, which does not conform to the provisions of this chapter, shall be known as nonconforming. Such nonconforming use, building or structure may be continued, maintained or changed to a conforming use, but a nonconforming use shall not be:

- (1) Changed to a use of a lower class;
- (2) Expanded or structurally altered;
- (3) Reestablished if discontinued for six (6) months or more;
- (4) Reestablished if any building or structure is destroyed by any means to an extent of more than fifty percent (50%) of the net square footage of the living area, such building or structure shall not be rebuilt or reoccupied for any use except in accordance with the regulations of the zoning district and building codes in which it is located. For the purposes of this Article, net square footage shall be defined as the gross square footage less the square footage for any attached garage, basement, irrespective of whether it is finished or not, and rooms or decks that are not secured with a properly poured legal foundation.
- (5) Expanded or structurally altered in any way in the event the damage or destruction to any building or structure is less than fifty percent (50%) of the net square footage as defined in this Article, the building or structure may

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then be restored to its original condition in accordance to current building codes and such use and occupancy may be continued as it existed at the time of partial destruction. The burden of proof of square footage shall be upon the owner. Normal maintenance and repairs shall be permitted.

- (6) Reestablished if a non-conforming use, building or structure permitted to exist as non-conforming use, building or structure is altered upon the occurrence of catastrophic destruction, destruction as provided for in this Article, or upon the transfer, reconfiguration or change of one of the following, whichever shall first occur:
- (a) the ownership of the business; or (
 - b) the real estate or structure, irrespective of the manner of such transfer, reconfiguration or change of ownership. A transfer due to a death of a joint tenant, a tenant in entirety, tenant in common or of an immediate family member shall not be considered a transfer, reconfiguration or change of ownership under this section.

Section Five: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance. All Ordinances, or parts of Ordinances in conflict with the provisions of this Ordinance, are hereby repealed insofar as they conflict herewith. This Ordinance shall be immediately in full force and effect after passage, approval, and publication as required by law. This Ordinance is authorized to be published in pamphlet form.

Section Six: Any person violating the terms and conditions of this Ordinance shall be subject to a penalty not exceeding \$750.00, with each and every day that the violation of this Ordinance is allowed to remain in effect being deemed a complete and separate offense. In addition, the appropriate authorities of the Village may take such other actions they deem proper to enforce the terms and conditions of this Ordinance, including, without limitation, an action in equity to compel compliance with its terms. Any person violating the terms of this Ordinance shall be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorney's fees of the Village.

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Passed by the Board of Trustees, Village of Justice, at a meeting thereof held on the 23rd day of May 2005, on the following roll call vote with at least a majority vote of the Board of Trustees:

Kelly YEA

Gabrys YEA

Jurgel YEA

Maruszak YEA

Berkowicz YEA

Sparr ABSENT

Approved this 23rd day of May 2005

Melvin D. VanAllen, Village President

Attested this 23rd day of May 2005

Kathleen M. Svoboda, Village Clerk

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VILLAGE OF JUSTICE)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Kathleen M. Svoboda, the elected and duly qualified Clerk of the Board of Trustees of the Village of Justice, Cook County, Illinois, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:

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**AN ORDINANCE ADOPTING THE SECOND PHASE OF THE VILLAGE OF JUSTICE
COMPREHENSIVE PLAN TO REZONE ARCHER ROAD, ROBERTS ROAD, AND
88TH AVENUE, AND AMENDING SECTIONS 12-86 AND 12-181 OF THE VILLAGE
OF JUSTICE ZONING CODE.**

which Ordinance was duly adopted by the President and Board of Trustees of the Village of Justice at a meeting held on the 23rd day of May 2005 and approved by the Village President on the 23rd day of May 2005. I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board complied with all the requirements of the Illinois Open Meetings Act.

I do further certify that the Ordinance, of which the attached is a true and correct copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

DATED at Justice, Illinois, this 23rd day of May 2005.

(SEAL)

Kathleen M. Svoboda
Village Clerk

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EXHIBIT A

FINDINGS AND RECOMMENDATIONS

Petition # 04-03 – Phase II

March 22, 2005

INTRODUCTION

This report of Findings and Recommendation is made pursuant to the requirements of the Illinois Municipal Code, 65 ILCS 5/11-13-5, 5/11-13-6 and 5/11-13-11, and Village of Justice Municipal Code Section 2-53. A Notice of Public Hearing was published on January 10, 2005 at least fifteen and not more than 30 days prior to the hearing, in the Daily Southtown, a newspaper of general circulation in the Village of Justice. A hearing on Petition # 04-03 Phase II to request a Public Hearing to continue the creation of a comprehensive plan for the Village of Justice Zoning Code; specifically to address a portion of the comprehensive plan as it relates to Special or Nonconforming Use; 79th Street Zoning; Archer Road Zoning; Roberts Road Zoning and 88th Avenue (Cork Road) – including “Un-Named Road” Zoning, was held on January 25, 2004, February 22, 2005, March 22, 2005 at 7:00 p.m. at the Village Hall. At each hearing date there was a quorum of the members of the Zoning Board in attendance. The Village of Justice Mayor and Village Clerk testified in January and Trustee Sparr represented the Village in the subsequent hearings. The Petition for Phase II sets forth the reasons the Village has requested changes for this portion of the Comprehensive Plan and is incorporated into these findings as if written out in full.

There were a handful of citizens in the audience at each meeting.

There were extensive discussions on whether to amend the zoning districts to allow for special uses and to establish the necessary criteria to meet a special use designation for the sale of alcohol and gasoline. The locations of existing businesses that either sells alcohol or gasoline were noted for the Board to consider. There were also numerous discussions on the criteria of non-conforming use and the hardships imposed by incorporating a time period where upon on the expiration of that time period all nonconformities in use and structures would need to be removed.

There were extensive discussions between the board members and audience members about the consequence of rezoning cemetery and church land. Representatives from two of the cemeteries raised concerns about having land and building with multiple zoning districts if only the lots along the major roads in the Village were rezoned. It was pointed

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out that the lots along the cemetery boundaries are irregular in size and shape. Representatives were also concerned about having legal non-conforming status with certain buildings that existed on their properties. Both cemetery representatives voiced a preference to having the entire cemetery rezoned business over having only portions of the cemetery rezoned. It was also noted that Resurrection Cemetery has land that has already been rezoned for B-1 usage.

There was also discussions with the audience and the board members regarding the need for businesses along the major roads but a concern of the hardships that would be present to a family with a single family home to be made to move or sell if we placed a time frame on non-conforming use and structures to remove the nonconformity after a period of years.

There were discussions about what constituted spot zonings and the fact that zoning variations and redistricting runs with the land and does not expire after a certain period of time.

After discussion and taking all public comments into account, a vote was taken on the following motions for this portion of the Comprehensive Plan as follows.

(1) Commissioner Brock moves and Commissioner Figura seconds a motion to amend Village Code Section 12-86, subsections (1) and (3) to eliminate the phrase “excluding those serving intoxicating drinks and add subsection (9) to read “The permissive use a liquor license upon the Board of Trustee’s approval to allow a business licensed in the Village to sell alcohol” and to amend Village Code Section 12-86-(10) to read “The permissive use of gasoline sales upon the Board of Trustee’s approval of a business licensed in the Village to sell gasoline.”

Motion passed 6 – 0; Commissioner Kennedy absent

(2) Commissioner Brock moves and Commissioner Figura seconds a motion that the south side of 79th street from Roberts Road (80th Avenue) to I-294 to be shall be zoned B-1. It was further motioned that all property on the north side of Archer Road with an Archer Road Address in the Village limits shall be zoned B-1.

Motion passed 6-0; Commissioner Kennedy absent

(3) Commissioner Brock moves and Commissioner Oszakiewski seconds a motion that all property on the south side of Archer Road in the Village boundary limits shall be zoned B-1.

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Motion passed 6-0; Commissioner Kennedy absent

- (4) Commissioner Kennedy moves and Commissioner Bartoszek seconds a motion that all cemetery property shall be rezoned B-1 as long as the permitted uses under B-1 in Village Code Section 12-86 is amended to add section (11) to read "Churches and Cemeteries."

Motion passed 6-0; Commissioner Brock absent.

- (5) Commissioner Oszakiewski moves and Commissioner Kennedy seconds a motion that property on the east and west side of Roberts Road shall be zoned B-1.

Motion passes 6-0; Commissioner Brock absent.

- (6) Commissioner Oszakiewski moves and Commissioner Kennedy seconds a motion that the property on the east of 88th Avenue (Cork Ave.) from 79th Street to the I-294, shall be zoned B-1.

Motion passed 6-0; Commissioner Bruce abstained from voting due to conflict of interest in owning property on this portion of town; Commissioner Brock absent

- (7) Commissioner Oszakiewski moves and Commissioner Kennedy seconds a motion that the property on the east side off 88th Avenue from I-294 to 83rd Street shall remain as currently zoned.

Motion passed 6-0; Commissioner Brock absent

- (8) Commissioner Oszakiewski moves and Commissioner Kennedy seconds a Motion that the property along the east side of 88th Avenue from 83rd Street to 87th Street shall remain as currently zoned.

Motion passed 6-0; Commissioner Brock absent.

- (9) Commissioner Oszakiewski moves and Commissioner Kennedy seconds a motion that the property on the west side of 88th Avenue from 79th Street to I-294 shall be zoned B-1.

Motion passed 6-0; Commissioner Brock absent

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(10) Commissioner Oszakiewski moves and Commissioner Kennedy seconds a motion that the property on the west side of 88th Avenue from I-294 to 83rd Street shall remain as currently zoned.

(11) Commissioner Oszakiewski moves and Commissioner Kennedy seconds that the property on the West side 88th Ave from 83rd Street to 86th Street shall be zoned B-1.

Motion passed 5-0; Commissioner Brock absent.

(12) Commissioner Bartoszek moves and Commissioner Figura seconds a motion to incorporate all B-2 uses into B-1 district uses.

(13) Commissioner Oszakiewski moves and Commissioner Figure seconds a motion that the property along the north side of 80th Street between 82nd Ave and the East Village limits shall be zoned B-1.

Motion passed 6-0; Commissioner Brock absent.

(14) Commissioner Oszakiewski moves and Commissioner Kennedy seconds a motion to amend Village Code Section 12-181 (4) and (5) and to add provisions for (6) as the provisions relate to a nonconforming use, building, and structure as follows:

(4). If any building or structure is destroyed by any means to an extent of more than fifty percent (50%) of the net square footage of the living area, such building or structure shall not be rebuilt or reoccupied for any use except in accordance with the regulations of the zoning district and building codes in which it is located. For the purposes of this Article, net square footage shall be defined as the gross square footage less the square footage for any attached garage, basement, irrespective of whether it is finished or not, and rooms or decks that are not secured with a properly poured legal foundation.

(5) In the event the damage or destruction to any building or structure is less than fifty percent (50%) of the net square footage as defined in this Article, the building or structure may then be restored to its original condition in accordance to current building codes and such use and occupancy may be continued as it existed at the time of partial destruction but in no event may such use, structure or building be expanded or structurally altered in any way. The burden of proof of square footage shall be upon the owner. Normal maintenance and repairs shall be permitted.

(6) A non-conforming use, building or structure shall be permitted to exist as non-

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conforming use, building or structure until occurrence of catastrophic destruction, destruction as provided for in this Article, or the transfer, reconfiguration or change of one of the following, whichever shall first occur: (a) the ownership of the business; or (b) the real estate or structure, irrespective of the manner of such transfer, reconfiguration or change of ownership. A transfer due to a death of a joint tenant, a tenant in entirety, tenant in common or of an immediate family member shall not be considered a transfer, reconfiguration or change of ownership under this section.

Motion passed 6-0; Commissioner Brock absent.

As evidence and support for the above Motions the following documents and information are provided.

- (1) Attached as Exhibit A is the Petition for Phase II.
- (2) Attached as Exhibit B are the Zoning and Planning Commission monthly minutes from:

- January 25, 2005,
- February 22, 2005,
- March 22, 2005,
- April 26, 2005

Respectfully submitted,

Village of Justice Zoning and Planning Commission

John W. Bruce

John W. Bruce, Chairman

EXHIBIT B

Zoning & Planning Commission
APPROVED MINUTES

January 25, 2005

CALL TO ORDER:

Mr. Bruce called the meeting to order at 7:04 p.m.

ROLL CALL:

Present at the meeting were Henry Oszakiewski, Kinga Bartoszek, Ed Figura, George Heslop, Jim Brock and Chairman John Bruce. Absent was Jack Kennedy. Secretary Jill Lustig was and Attorney Paula Wallin were present.

READING AND APPROVAL OF MINUTES FROM NOVEMBER 23, 2004:

Mr. Bruce asked if everyone had a chance to go over the Minutes.

No corrections were noted

Mr. Bruce entertains a **MOTION**.

Mr. Figura **MOVES** to accept the Minutes.

SECOND: Mr. Brock

VOTE: All Ayes **MOTION** passed

PETITION 2003-14

If the concept needs to be addressed further by the Village Board, it can be done in the Comprehensive Plan.

Mr. Bruce entertains a **MOTION** to close Petition 2003-14.

Mr. Oszakiewski so **MOVES**

SECOND: Ms. Bartoszek

VOTE: All Ayes **MOTION** passed

PETITION 2004-03 (Phase 2)

Page One:

Trustee Richard Sparr was present to represent the Village Board.

1) Keeping alcohol liquor license in B-2. Variances have been granted previously, Mayor Van Allen recommends not allowing variances any longer. Attorney Paula Wallin

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recommends we eliminate the intoxicating liquors out of B-1, but can be allowed a license with approval by Village Board.

Ms. Bartoszek questioned if the business with liquor licenses in B-1 would be able to keep them?

Attorney Wallin pointed out that it wasn't an issue for existing liquor license holders but more for future businesses.

Mr. Bruce asked if there were any questions from the audience.

Mr. Roman Szabelski from the Archdiocese of Chicago, representing Resurrection Cemetery, asked what was the procedure for zoning changes as far as notification.

Attorney Wallin stated it was to be published in a newspaper of general circulation no less than 15 days and no more than 30 days.

2) Automotive related businesses must be rezoned to I-1 within a few years. Mr. Bruce asked about gas stations in B-1 because of being a service business.

Mayor Van Allen stated it was a special use because of gas storage and must be granted the special use.

Attorney Wallin asked what gas stations were currently in B-1?

Mr. Bruce replied that Marathon, Mobil, Citgo, and Clark were all currently B-1.

Gasoline sales are currently allowed in I-1 and permissive use needs to be addressed in B-1 and B-2.

Strike I-1 wording from page 1. I-1 zoning runs with the land and would have to be rezoned again to change it back.

Mr. Bruce entertains a **MOTION, Petition 2004-03 Phase 2, Page 1** recommend to the Village Board that alcoholic liquor sales be stricken from Paragraph 12-86-3 and a Paragraph added to 1286 that it require license upon Board approval and Paragraph 1286 and 1288 add use of gasoline sales license upon Board approval.

Mr. Brock makes a **MOTION** to add a Paragraph to alcohol sales as specified and also the sentence to Paragraph 2 as specified for gasoline sales

SECOND: Mr. Figura

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VOTE: All Ayes, **MOTION** passed

Page Two:

Section Two:

Attorney Wallin suggested adding a 4th category to Legal Non-Conforming Use, stating that after 20 years it is no longer grandfathered.

Mr. Bruce suggested making it 10 years.

Mr. Oszakiewski agreed that 20 years was too long.

Mr. Bruce asked if the legal non-conforming use time line was specifically for page 2 or as a whole?

Legal non-conforming use time line would apply to all.

Section One:

Strike out second, third, and forth sentence and change first sentence to read- Property currently zoned and used as other than B-1 will continue as legal non-conforming use.

Mr. Bruce entertains a **MOTION** to accept **Section One – South Side of 79th Street**.

Mr. Brock makes a **MOTION** to accept **Section One Page Two** as stated by Mr. Bruce.

SECOND: Mr. Figura

VOTE: All Ayes, **MOTION** passed.

Mr. Bruce suggested tabling **Section Two, Legal Non-Conforming Use**, and looking at it at a later time.

Page 3, Section One:

The North side of Archer Road, from 71st Street to Oak Grove Avenue, shall be zoned B-1.

Attorney Wallin suggested adding the sentence with an Archer Road address to above and striking exception, do not single out church. We do not want to spot zone.

Mr. Oszakiewski asked if churches could be zoned as B-1?

Attorney Wallin said yes they could, current code does not prohibit them in B-1.

Mr. Bruce entertains a **MOTION** for **Section One** – North side of Archer Road with an Archer Road address. Village limit to Village limit (East limit to West limit) shall be zoned B-1.

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Mr. Oszakiewski makes a **MOTION** as stated.

SECOND: Mr. Brock

VOTE: All ayes, **MOTION** passed.

Page 3, Section 2:

South side of Archer Road:

R-4 (cemetery) to be zoned B-1.

Mr. Bruce asked if there was any reason the cemetery could not be B-1?

Attorney Wallin said it would be legal non-conforming in B-1 as it is written right now.

Mr. Oszakiewski suggested cemetery should not be grouped in with other types of businesses. We should leave them as is and not re-zone.

Trustee Richard Sparr stated that the Village is not trying to push the cemetery out they were just looking down the road in case of future development.

Mr. Bruce entertains a **MOTION**.

Mr. Oszakiewski makes a **MOTION** to include Cemeteries as accepted uses in B-1.

Attorney Wallin stated cemeteries have never been established as a service business.

MOTION withdrawn.

Mr. Bruce entertains a **MOTION**.

Mr. Oszakiewski makes a **MOTION** to amend **B-1 Zoning Classification** to include **Churches and Cemeteries**.

SECOND: Mr. Brock

VOTE: All ayes, **MOTION** passed.

Mr. Bruce entertains a **MOTION** to zone South side of Archer Road as B-1 (Village limit to Village limit)

Mr. Brock makes a **MOTION** as stated.

SECOND: Mr. Oszakiewski

VOTE: All ayes, **MOTION** passed.

Mr. Bruce entertains a **MOTION** to extend page 4 and 5 and also Legal Non-Conforming Use to the next meeting.

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Ms. Bartoszek makes a **MOTION** as stated above.

SECOND: Mr. Heslop

VOTE: All ayes, **MOTION** passed.

Discussion:

Trustee Richard Sparr stated that no requests were made by the Village Board to rezone the North side of 79th Street. Cannot change zoning.

Questions were brought up of how many parcels exist in Resurrection Cemetery.

Mr. Bruce reminded everyone about the Saturday morning breakfast at 10 a.m.

Next meeting to be held on February 22, 2005.

Mr. Bruce entertains a **MOTION** to adjourn.

Mr. Oszakiewski so moves.

SECOND: Mr. Heslop

VOTE: All ayes, **MOTION** passed.

Meeting adjourned at 10:05 p.m.

RESPECTFULLY SUBMITTED

Jill Lustig, Secretary

John W. Bruce

John W. Bruce, CHAIRMAN

EXHIBIT B

Zoning & Planning Commission

APPROVED MINUTES

February 22, 2005

CALL TO ORDER:

Meeting was called to order at 7:10 p.m. by Chairman John Bruce.

ROLL CALL:

Roll call taken. Present at the meeting were, Henry Oszakiewski, Kinga Bartoszek, Ed Figura, George Heslop, Jack Kennedy, and Chairman John Bruce. Jim Brock was absent. Secretary Jill Lustig and Attorney Paula Wallin were present.

READING & APPROVAL OF MINUTES FROM PREVIOUS MEETING:

Mr. Bruce asked if everyone had a chance to go over the Minutes.

Minor corrections were noted.

Mr. Bruce entertains a **Motion** to approve the Minutes from January 25, 2005

MOTION:

Mr. Oszakiewski **SO MOVES.**

SECOND: Mr. Heslop

VOTE: All Ayes

2004-03 Amendments to Village Code

Phase 2, Page 3

Attorney Wallin stated the cemetery would keep its existing zoning. Would stay R-4 usage, if any development it would be under B-1. John Bruce commented the cemetery will have the benefit of a dual zoning. It will fall under R-4 but will also be an accepted use in B-1. Cemeteries will be added to a B-1 usage.

Mr. Roman Szabelski, of Resurrection Cemetery, asked how the zoning will appear on the zoning map.

Attorney Wallin said the map will show its existing use.

Mr. Bruce entertains a **Motion** to re-zone the entire cemetery property (Resurrection/Bethania) as B-1. (Parallel to B-1 permitting cemeteries & churches)

MOTION:

Mr. Kennedy **SO MOVES**

SECOND: Ms. Bartoszek

VOTE: All Ayes

PAGE 3, POINT 3

The triangle which is west of un-named Road, South of Archer, North of 79th Street, shall also be re-zoned B-1. Parcels there are currently zoned B-2 and R-3.

Mr. Bruce entertains a **MOTION** to re-zone the above mentioned triangle B-1.

MOTION:

Mr. Oszakiewski **SO MOVES**

SECOND: Mr. Figura

VOTE: All Ayes

PAGE 4

Strike Archer from title replace with 79th Street on the North end to 87th Street.

Strike exceptions from page. Section 1, East side of Roberts Road from 83rd Street to 87th Street will continue all current zoning.

Mr. Bruce entertains a **MOTION** to re-zone Roberts Road, east and west side, B-1.

MOTION:

Mr. Oszakiewski **SO MOVES**

SECOND: Mr. Kennedy

VOTE: All Ayes

PAGE 5

88th (aka Cork) Ave, Strike Un-named Road

79th Street to 87th Street (not Archer Road)

Mr. Bruce entertains a **MOTION** for east & west side of 88th (aka Cork) Ave. zoned B-1.

79th Street to the Toll road.

MOTION:

Mr. Kennedy **SO MOVES**

SECOND: Mr. Oszakiewski

VOTE: All Ayes

Noted: Mr. Bruce lives at 7927 S. 88th (aka Cork) Ave. and is removed from the vote.

MOTION amended to read 88th (aka Cork) Ave. from 79th Street south to 294, the east side of 88th (aka Cork) Ave. and the west side of 88th (aka Cork) Ave. and also

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79th Place, the north side and the south side west of 88th (aka Cork) Ave. will be B-1

Mr. Kennedy amends his **MOTION**

Mr. Oszakiewski amends his **SECOND**.

VOTE: All Ayes

Mr. Bruce is removed from the above vote.

Mr. Bruce entertains a **MOTION** to leave east side of 88th (aka Cork) Ave. (Between 294 and 87th Street) as is.

Mr. Kennedy **SO MOVES**

SECOND: Mr. Figura

VOTE: All Ayes

Mr. Bruce stated he wanted to strike the exception from page 5.

Mr. Bruce entertains a **MOTION** to leave west side of 88th (aka Cork) Ave. (Between 294 and 83rd Street) as is.

Mr. Figura **SO MOVES**

SECOND: Mr. Kennedy

VOTE: All Ayes

West side of 88th (aka Cork) Ave. (with exception removed), with an 88th (aka Cork) Ave. address changes to B-1.

Mr. Bruce entertains a **MOTION**, 83rd Street south to 86th Street (west side of 88th (aka Cork) Ave. /Cork Ave.) with an 88th (aka Cork) Ave. address will be zoned B-1.

Mr. Kennedy **SO MOVES**

SECOND: Mr. Oszakiewski

VOTE: All Ayes

Mr. Bruce entertains a **MOTION** to incorporate B-2 uses into B-1.

Ms. Bartosek **SO MOVES**

SECOND: Mr. Figura

VOTE: All Ayes

Mr. Bruce entertains a **MOTION** that any existing B-2 businesses are now B-1

Mr. Kennedy **SO MOVES**

SECOND: Ms. Bartosek

VOTE: All Ayes

LEAGAL NON-CONFORMING USE

Suggestion to postpone any discussion to the March 22, 2005 meeting

Mr. Bruce entertains a **MOTION** to continue discussion of legal non-conforming use to March 22, 2005 meeting.

Mr. Oszakiewski **SO MOVES**

SECOND: Mr. Heslop

VOTE: All Ayes

Attorney Wallin noted that any discussion on non-conforming use, Mr. Bruce has stated he has a personal interest.

Mr. Bruce reminded everyone of the April 23, 2005 class at Elgin College.

Mr. Bruce entertains a **MOTION** to adjourn

Mr. Heslop **SO MOVES**

SECOND: Mr. Kennedy

VOTE: All Ayes

Meeting adjourned at 10:07 p.m.

Respectfully Submitted

Jill Lustig, Secretary

John W. Bruce

John W. Bruce, Chairman

EXHIBIT B

Zoning & Planning Commission

APPROVED MINUTES

March 22, 2005

CALL TO ORDER:

Meeting was called to order at 7:04 p.m. by Chairman John Bruce.

ROLL CALL:

Roll call taken. Present at the meeting were, Henry Oszakiewski, Kinga Bartoszek, Ed Figura, George Heslop, Jack Kennedy, and Chairman John Bruce. Jim Brock was absent. Secretary Jill Lustig and Attorney Paula Wallin were present.

READING & APPROVAL OF MINUTES FROM PREVIOUS MEETING:

Mr. Bruce asked if everyone had a chance to go over the Minutes.

Minor corrections were noted and will be corrected.

Mr. Bruce entertains a **Motion** to approve the Minutes from February 22, 2005 as corrected

MOTION:

Mr. Kennedy **SO MOVES.**

SECOND: Mr. Figura

VOTE: All Ayes

2004-03 Amendments to Village Code

Non-Conforming Use

Time frame not specifically mentioned in current code. Currently reads, will expire with the purchase or demolition for future development with repairs or improvements required exceeding one half the value of any property, with failure of any inspection that reveals repairs or improvements exceeding one half the value of the structure.

Attorney Wallin recommended changing the wording from property value to square footage.

Change Non-Conforming Use to read: With repairs or improvements required exceeding one half of the square footage of the structure. Garage and/or Basement area/s, Finished or Un-Finished, will be excluded from Total Square Footage calculations.

Time frame for non-conforming use, Mr. Bruce suggested there be no time frame based on current ownership, if sold time frame would go into effect.

Ms. Bartoszek was concerned that if a time frame were to be imposed a hardship would be created for the current owner and also the new owner, for example the apartment buildings along 79th Street.

Village Trustee Richard Sparr stated that was not the Boards intent and would not recommend a time frame for that reason.

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Ms. Bartoszek asked what were the Boards plans.

Trustee Sparr said the Board wanted to be able to let the owner of the property sell to a business. To give the current owner more options and not just have to sell the property as an apartment building.

Trustee Sparr also stated he did not foresee a single property being sold off for business development.

Attorney Wallin suggested grandfathering or having a non conforming district, but at some point allowing it to turn over.

Mr. Oszakiewski's concern was that a change in the Board might create problems as far as time frames being granted.

Mr. Bruce recommended not having a time frame on non conforming use.

Voices from the Floor

John Marusarz of 8407 Roberts Road commented that if zoning needed to be changed on a property it might scare off businesses from buying.

Mr. Bruce questioned that the above mentioned property is currently zoned R-1, single family, what will this do to your property when it is zoned B-1?

Mr. Marusarz stated it would increase the value.

Trustee Sparr asked if Mr. Marusarz would have an objection to dual zoning.

Mr. Marusarz said he would not have an objection as long as people were not being forced out of their homes.

Trustee Sparr stated that is what the Board is trying to do, not force people out of their homes, just give them more options.

Mr. Oszakiewski asked Mr. Bruce, as a resident, what are your personal feelings on your options?

Mr. Bruce said it would be a bonus to him, it is a potential to increase value.

Mr. Kennedy asked if the property was sold would it go from residential to B-1?

Attorney Wallin stated that this is what needs to be decided. The zoning will take place once it is passed by the Board. It will be legal non-conforming use until terminating effect.

Mr. Oszakiewski made the suggestion to not lump the trailer park in with residential. If property is sold it should go B-1 automatically.

Building Commissioner Edward Shilka said as far as he knew Chief Trailer Park had no intent to sell. Rezoning may persuade them to sell off property along 79th Street and Roberts Road because the Bridgeview Fire Stadium will have a big impact. They also cannot upgrade trailers because new trailers are larger and the parks current lot sizes are too small.

Trustee Sparr said that by making it B-1 they will be able to move in a different direction without being forced out.

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Mr. Bruce entertains a **MOTION** that the entire Chiefs Trailer Park parcel be rezoned B-1.

MOTION:

Addition to **MOTION** to include the nine lots between 82nd Ave. east to the Village limit be rezoned B-1.

Mr. Oszakiewski **SO MOVES**

SECOND: Mr. Figura

VOTE: All Ayes

Non-Conforming use of property

Change 50% of property value to square footage.

Mr. Bruce entertains a **MOTION** to change section 12-181 of the Village Code, sub section 4 and 5 to read 50% square footage of the living area as defined. Future Development-same criteria as taxing authority.

Mr. Oszakiewski **SO MOVES**

SECOND: Ms. Bartoszek

VOTE: 6 Ayes, *Mr. Bruce abstained from the vote due to personal interest.*

Mr. Bruce reminded the Board about the zoning class April 23, 2005 at Elgin Community College.

Next zoning meeting will be held April 26, 2005

Mr. Bruce entertains a **MOTION** to adjourn.

MOTION:

Ms. Bartoszek **SO MOVES**

SECOND: Mr. Heslop

VOTE: All Ayes

Meeting adjourned at 8:41 p.m.

Respectfully Submitted

Jill Lustig, Secretary

John W. Bruce

John W. Bruce, Chairman

EXHIBIT B

Zoning & Planning Commission
APPROVED MINUTES

April 26, 2005

CALL TO ORDER:

Meeting was called to order at 7:10 p.m. by Chairman John Bruce.

ROLL CALL:

Roll call taken. Present at the meeting were, Henry Oszakiewski, Kinga Bartoszek, Ed Figura, George Heslop, Jack Kennedy, Jim Brock, and Chairman John Bruce. Secretary Jill Lustig and Attorney Paula Wallin were present.

Mr. Bruce entertains a **Motion** to state that if there is any discrepancy between the F&R and the minutes, the F&R overrules.

MOTION:

Mr. Oszakiewski **SO MOVES**

SECOND: Mr. Kennedy

VOTE: All Ayes

READING & APPROVAL OF MINUTES FROM PREVIOUS MEETING:

Mr. Bruce asked if everyone had a chance to go over the Minutes.

Corrections were noted and will be made.

Mr. Bruce entertains a **Motion** to approve the Minutes from March 22, 2005 as corrected

MOTION:

Mr. Kennedy **SO MOVES.**

SECOND: Mr. Brock

VOTE: All Ayes

READING & APPROVAL OF PETITION #2004-03 – PHASE II, FINDINGS AND RECOMMENDATION

Corrections were discussed and noted.

Note – See F&R 2004-03 Phase II, March 22, 2005. Approved April 26, 2005 for added reference.

ORDINANCE NO. 2005-13

Mr. Bruce entertains a **MOTION** to approve F&R, Petition #2004-03 – Phase II as amended.

MOTION:

Mr. Oszakiewski **SO MOVES**.

SECOND: Mr. Kennedy

VOTE: All Ayes

Notes – Mr. Bruce abstains from vote. No one in attendance.

Old Business

Clarification of tax division, if legal shows one person owns the entire lot it is buildable. But the owner cannot sell the tax division as buildable.

The Elgin College seminar on April 23, 2005 that was attended by several zoning board members was discussed. Everyone agreed that the seminar brought up some good points and was very informative.

Next zoning meeting will be held May 24, 2005

Mr. Bruce entertains a **MOTION** to adjourn.

MOTION:

Mr. Kennedy **SO MOVES**

SECOND: Mr. Heslop

VOTE: All Ayes

Meeting adjourned at 8:14 p.m.

Respectfully Submitted

Jill Lustig, Secretary

John W. Bruce

John Bruce, Chairman

ORDINANCE NO. 2005-13

EXHIBIT C

PROPOSED CODE CHANGES

Village of Justice

Comprehensive Zoning and Use Plan

Zoning and Planning Board

February 29, 2004

John Bruce, *Chairman*

Page one

Prevention of gentrification in R-1 neighborhoods

In recent years we have seen areas of the Village change from the original 1,000 to 1,200 square foot single level ranch homes to huge homes with more than 3,000 square feet. Eventually this will raise the property taxes in an area beyond what the current homeowners can afford.

My request is a limit on the size of single family homes of 2,000 square feet or less. In order to build a larger home, the builder or developer will need to petition the Village Board or the Zoning and Planning Board for permission. This permission will not be granted unless the developer can prove that the new home will not be disproportionate in size to the majority of the homes in the neighborhood.

Affordable housing

The State of Illinois has mandated that all municipalities establish an affordable housing policy. We must maintain at least ten percent affordable housing and increase the number of units annually. The formula for affordable housing is complicated and based on income. Currently any home under \$145,000 is considered affordable.

We are currently in compliance with the mandate, but with the values of homes and land increasing we are losing affordable housing faster than we can build. The easiest way to stay in compliance is to promote owner-occupied town homes, especially senior citizen only units.

My request is to change the current 3,300 square feet of land per unit requirement to 3,500 square feet. However, allow senior citizen only housing at 3,000 square feet per unit. Parking spaces will remain at 3.5 per unit, except senior citizen will be allowed at 2.5 per unit.

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Village of Justice
Plan

Comprehensive Zoning and Use

Zoning and Planning Board

February 29, 2004

John Bruce, *Chairman*

Page two

Special or non-conforming business use

1. The current Village Code does not allow for Special Use or non-conforming use in most zoning classifications.

As a result, most of our alcoholic liquor license establishments are improperly zoned. I request that the Zoning and Planning Board establish a procedure that will allow B-2 use at a B-1 address for the purpose of alcoholic liquor sales.

2. All automotive related businesses must be re-zoned to I-1 within a few years. This was enacted to promote retail businesses on our major roads.

I request that the Zoning and Planning Board establish a procedure that will allow I-1 use at a B-1 or B-2 address for the purpose of gasoline sales. This zoning shall be issued to a licensee after petition to and approval by the Zoning and Planning Board. The zoning use will expire with the sale or transfer of the property or the business or any change of the license holder. The zoning use will not be "grandfathered".

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Village of Justice

Comprehensive Zoning and Use Plan

Zoning and Planning Board

February 29, 2004

John Bruce, *Chairman*

Page three

79th Street

Roberts Road (80th Avenue) to I-294 (Illinois Tollway)

The south side of 79th Street for the entire length shall be zoned B-1.

Property currently zoned and used as R-3 will continue as a legal non-conforming use.

Property currently used as B-2 (liquor licenses) will continue as a legal non-conforming use.

Property currently zoned and used as I-1 (Mobile Home Park) will continue as a legal non-conforming use.

Property currently zoned B-1 and used as I-1 (trucking) would retain the B-1 zoning, but efforts will continue to re-locate the business.

The legal non-conforming use of property will expire:

1. With the purchase and/or demolition for future development
2. With repairs or improvements required exceeding one-half of the value of any property
3. With failure of any inspection that reveals repairs or improvements exceeding one-half of the value of any structure

ORDINANCE NO. 2005-13

Village of Justice

Comprehensive Zoning and Use Plan

Zoning and Planning Board

February 29, 2004

John Bruce, *Chairman*

Page four

Archer Road

Roberts Road (80th Avenue) to I-294 (Illinois Tollway)

The north side of Archer Road, from 71st Street to Oak Grove Avenue, shall be zoned B-1.

Exception: Holy Cross Church shall remain R-2.

The south side of Archer Road, from Roberts road to I-294 or 79th Street, shall be zoned B-

1.

This includes all property currently used as cemetery. If the property is sold or Offered for development it shall become B-1.

The legal non-conforming use of property will expire:

1. With the purchase and/or demolition for future development
2. With repairs or improvements required exceeding one-half of the value of any property
3. With failure of any inspection that reveals repairs or improvements exceeding one-half of the value of any structure

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Village of Justice

Comprehensive Zoning and Use Plan

Zoning and Planning Board

February 29, 2004

John Bruce, *Chairman*

Page five

Roberts Road

Archer Road to 87th Street

The east side of Roberts Road from 83rd Street to 87th Street shall continue all current zoning and use.

Exception: Technicraft Auto Body may be re-zoned to I-1 (industrial).

The west side of Roberts Road from Archer Road to 79th Street shall be zoned B-1.

The west side of Roberts Road from 79th Street to 87th Street shall continue all current zoning and use.

Exception: The southwest corner of 84th Place and Roberts Road shall be zoned B-1. The current R-1 use shall continue as legal non-conforming.

Property currently used as B-2 (liquor licenses) will continue as a legal non-conforming use.

Property currently zoned and used as I-1 (Mobile Home Park) will continue as a legal non-conforming use.

The legal non-conforming use of property will expire:

1. With the purchase and/or demolition for future development
2. With repairs or improvements required exceeding one-half of the value of any property
3. With failure of any inspection that reveals repairs or improvements exceeding one-half of the value of any structure

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Village of Justice

Comprehensive Zoning and Use Plan

Zoning and Planning Board

February 29, 2004

John Bruce, *Chairman*

Page six

**88th Avenue (Cork Road) including “Un-named Road”
(Between Archer & 79th St.)**

Archer Road to 87th Street

The east side of 88th Avenue from 79th Street to I-294 shall be zoned B-1.

Property currently zoned and used as R-1 will continue as a legal non-conforming use.

The east side of 88th Avenue from I-294 to 83rd Street shall be zoned I-1.

The east side of 88th Avenue from 83rd Street to 87th Street shall be zoned R-3.

The west side of 88th Avenue from 79th Street to I-294 shall be zoned B-1.

Property currently zoned and used as R-1 will continue as a legal non-conforming use.

The west side of 88th Avenue from I-294 to 83rd Street shall be zoned R-3.

The west side of 88th Avenue from 83rd Street to 86th Street shall remain with current zoning.

Exception: The service station at 84th Street shall require special use for I-1 zoning if/when property is transferred.

The legal non-conforming use of property will expire:

1. With the purchase and/or demolition for future development
2. With repairs or improvements required exceeding one-half of the value of any property
3. With failure of any inspection that reveals repairs or improvements exceeding one-half of the value of any structure

Requested changes to the Village of Justice Municipal Code

(As proposed by The Justice Village Board)

- 2,500 Maximum Sq. Ft. of living space for Single-Family Homes South of 79^t Street, with a footprint not to exceed 1,500 Sq. Ft., excluding attached garage.
- 3,000 Maximum Sq. Ft. of living space for Single-Family Homes North of 79th Street, with a footprint not to exceed 2,000 Sq. Ft., excluding attached garage.
- 50' x 125' Minimum lot size for Single-Family Homes East of Roberts Road.
- 3,000 Sq. Ft. of property per Unit and two and one-half parking spaces per Unit for Senior Citizen owner (age restricted) Multiple-Family Units.
- 3,500 Sq. Ft. of property per Unit and three and one-half parking spaces per Unit for non-age restricted Multiple-Family Units.
- Minimum green space of 35% for any Single-Family Home Lot, unless otherwise limited by Flood Plain designation or other restrictions.
- Lots that are larger than the minimum requirements, and already developed before subdivision, must adhere to the minimum green space for each lot after subdivision.

Explanations of requested changes

Prevention of gentrification in R-1 neighborhoods

In recent years we have seen areas of The Village change from the original 1,000 to 1,200 Sq. Ft. single level ranch homes to huge homes with more than 3,000 Sq. Ft. Eventually this will raise the property taxes in an area beyond what the current homeowners can afford.

The request is a limit on the size of Single-Family Homes. This maximum size should be based on the general character of homes in each area of The Village.

The suggestion for building areas and size is:

- 2,500 Maximum Sq. Ft. for Single-Family Homes south of 79th Street, with a footprint not to exceed 1,500 Sq. Ft., excluding attached garage.
- 3,000 Maximum Sq. Ft. for Single-Family Homes north of 79th Street with a footprint not to exceed 2,000 Sq. Ft., excluding attached garage.

In order to build a larger home, the builder or developer will need to Petition the Village Board or The Zoning and Planning Board for permission. This permission will not be granted unless the developer can prove that the new home will be comparable in size to a majority of existing homes in the neighborhood.

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Clarify the lot size in each neighborhood

The Village Code requires a minimum of 65' x 125' (8125 Sq. Ft.) for development.

In The Roberts Park neighborhood many lots have been allowed at 50' x 125' (6,250 Sq. Ft.). This has led to major redevelopment and improvement of the entire area.

The suggestion for a change of minimum lot size is:

50' x 125' minimum lot size for Single-Family Homes east of Roberts Road

Variations will only be granted if the variance is an advantage to The Village or if a denial is a hardship to The Village. Variations will not be granted due to financial hardship of the developer.

Affordable housing

The State of Illinois has mandated that all municipalities establish an affordable housing policy. Currently any home under \$145,000 is considered affordable. We are currently in compliance with the mandate, but with the values of homes and land increasing we are losing affordable housing faster than we can build.

The easiest way to stay in compliance is to promote senior citizen only (age restricted), living units. Currently all Multiple-Family Units requires a minimum of 3,300 Sq. Ft. of vacant land per living unit.

The suggestion is to change the square footage of lot size and the required parking spaces for Multiple-Family Units, including town homes and rental units to:

- 3,000 Sq. Ft. per unit and two and one-half parking spaces per living unit for senior citizen (age restricted) Multiple-Family Units;
- 3,500 Sq. Ft. per unit and three and one-half parking spaces per living unit for non-age restricted Multiple-Family Units

Although The State of Illinois has several options of age restricted housing, our past policy has been to adopt The option of eighty per cent of The units must be owned or occupied by persons fifty-five and over and no residents under The age of twenty-one.

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Green space/Impervious surface

There have been several discussions regarding green space requirements for Single-Family Homes. In order to accomplish a reasonable ratio both current and proposed requirements must be addressed.

Proposed Changes	#'s below in Sq. Ft.		
Minimum lot size - 65' x 125'	=	8,125	
Maximum proposed footprint	=	1,500	
Maximum garage size - 24' x 36' (or 36' x 24')	=	864	
Largest driveway possible - 91' x 24' (125', 24' garage depth, 10' rear setback x 24' wide)	=	2,184	
Maximum storage shed size - 12' x12'	=	144	4,692
			- 4,692
Total remaining open space:			3,433

This is **42.25%** green space. However, some homes have sidewalks to be considered. Currently most homeowners prefer decks to patios.

The suggestion is to establish a minimum green space:

- Minimum green space of any lot for a Single-Family Home is **35%**, unless restricted otherwise by flood plain designation or other restrictions.
- Lots that are larger than the minimum requirements, and already developed before subdivision, must adhere to the minimum green space after subdivision.