
**THE VILLAGE OF WILLOW SPRINGS
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2015-O-16A**

**AN ORDINANCE AMENDING TITLE 9A “ZONING REGULATIONS” OF THE
VILLAGE CODE OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY,
ILLINOIS**

**ALAN NOWACZYK, President
ADENA BASKOVICH, Clerk**

**GEROGE BARTIK
MARIO IMBARRATO
ANNETTE KAPTUR
KEVIN MALONEY
KATHERINE STANPHILL
JERRY STRAZZANTE**

**Published in pamphlet form by authority of the President and Board of Trustees of the Village of Willow Springs on
09/24/2015 ODELSON & STERK, LTD. – Village Attorneys – 3318 West 95th Street – Evergreen Park, Illinois 60805**

ORDINANCE NO. 2015-O-16 A

AN ORDINANCE AMENDING TITLE 9A "ZONING REGULATIONS" OF THE VILLAGE CODE OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS

WHEREAS, the Village of Willow Springs (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and Board of Trustees of the Village (the "*Corporate Authorities*") may amend the text of the Village code from time to time to meet the changing needs of the Village;

WHEREAS, the Corporate Authorities have determined it is necessary to amend the zoning regulations in Title 9A.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Willow Springs, Cook County, Illinois, as follows:

Section 1. That the above recitals are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. Section 9A-1-5(C) of Chapter 1 ("*General Zoning Provisions*") of Title 9A ("*Zoning Regulations*") shall be amended by adding the following new underlined Plan Commission Recommendation to read, as follows:

C. Authorization: An application for a special use shall be acted upon by the president and board of trustees only after a public hearing has been held by the plan commission, and the findings and recommendations of the plan commission have been reported to the president and board of trustees. The President and Board of Trustees shall place on agenda and approve, deny, or table the recommendations within sixty days (60) days of its next regular meeting following receipt of the written

recommendations of the Plan Commission. The plan commission of the village is hereby designated as the commission or committee, as provided by the statutes of the state of Illinois, for the purpose of conducting the required public hearings. Notice of the time and place of such public hearing shall be given at least once not more than thirty (30) nor less than fifteen (15) days before the hearing by publishing a notice thereof in one or more newspapers published in the village, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the village.

The plan commission shall make findings based upon the evidence presented to it in each specific case with respect to each of the following matters:

1. The establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare;
2. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
3. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
4. If applicable, adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided;
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

Section 3. Section 9A-1-5(E)(3) of Chapter 1 (“*General Zoning Provisions*”) of Title 9A (“*Zoning Regulations*”) shall be amended by adding the following new underlined language to read, as follows:

3. Following such hearing, the plan commission shall prepare written findings of fact and its recommendations regarding the continuation or termination of the special use and regarding the rezoning of the property to another reclassification. Such findings and recommendations shall be transmitted

forthwith to the president and board of trustees for final action. The president and board of trustees, within sixty (60) days after its next regular meeting after receiving such findings and recommendations, may grant a further extension of the special use permit or may terminate the special use permit.

Section 4. Subsection 9A-1-5-1(E)(2)(b) (“*Final Development Plan*”) of Section 9A-1-5-1 (“*Special Use – Planned Unit Developments*”) of Chapter 1 (“*General Zoning Provisions*”) of Title 9A (“*Zoning Regulations*”) shall be amended by adding the following new underlined language to read, as follows:

b. The village board, after receipt of the recommendation of the plan commission, shall itself review the final development plan and shall, within sixty (60) days after its next regular meeting following the receipt of the recommendation, if it is in conformity with the preliminary development plan, authorize issuance of building permits after recording of the final development plans. If the final development plan is held not to be in substantial conformity with the preliminary development plan, the village board shall inform the applicant with regard to the specific areas found to be not in compliance and shall order a public hearing before the plan commission after which a recommendation shall be made as to whether such modifications shall be approved, rejected or approved as further changed by the board.

Section 5. Subsection 9A-1-7(C)(2) (“*Processing*”) of Section 9A-1-7 (“*Amendments*”) of Chapter 1 (“*General Zoning Provisions*”) of Title 9A (“*Zoning Regulations*”) shall be amended by adding the following new underlined language and deleting the stricken language to read, as follows:

2. The president and board of trustees, within sixty (60) days after its next regular meeting following ~~upon~~ receipt of the findings and recommendations of the plan and zoning commission and without further public hearing, may grant, deny, or table any proposed amendment in accordance with applicable statutes of the state of Illinois, or may refer it back to the plan and zoning commission for further considerations.

Section 6. Subsection 9A-1-9(B) (“*Procedure*”) of Chapter 1 (“*General Zoning Provisions*”) of Title 9A (“*Zoning Regulations*”) shall be amended by adding the following new underlined language to read, as follows:

B. Procedure: A written application for site plan review shall be submitted to the Village Administrator who will schedule the item for review by the Plan Commission. Ten (10) copies of the site plan shall be submitted by the property owner or his certified agent to the Village Administrator at least ten (10) days prior to the Plan Commission meeting at which the site plan will be reviewed. The Village Administrator shall review the site plan for conformance with the Zoning Ordinance of the Village, and shall make a report to the Plan Commission. After reviewing the report of the Village Administrator, the Plan Commission shall recommend approval or denial of the site plan, with or without conditions, or may defer the item for further study. Once a recommendation is made, the site plan shall be forwarded to the Village Board for consideration and approval. Consultation with the appropriate Village staff and consultants is encouraged throughout this process to insure a minimum of delay. The Village Board may approve, approve with conditions, table, or deny the site plan. The President and Board of Trustees shall take action on the site plan within sixty (60) days after its next regular meeting following the receipt of the written recommendations of the Plan Commission.

Section 7. Section 9A-1-10(A) (“*Plan Commission Recommendations*”) of Chapter 1 (“*General Zoning Provisions*”) of Title 9A (“*Zoning Regulations*”) shall be amended by adding the following new underlined language to read, as follows:

A. Notwithstanding any other term or provision to the contrary contained in either this title or title 9B of this code, all required recommendations and findings or reports to be provided from the plan commission to the president and board of trustees, whether or not public hearings are required, including, but not limited to, applications for zoning amendments, special uses (including planned unit developments), variations, site plan reviews and subdivision reviews, shall be in writing. The President and Board of Trustees shall take action on said recommendations within sixty (60) days after its next regular meeting following the receipt of the written recommendations.

Section 8. Section 9A-2-4 (“*Authorized Variations*”) of Chapter 2 (“*Zoning Variations*”) of Title 9A (“*Zoning Regulations*”) shall be amended by adding the following new underlined language to read, as follows:

Variations from the regulations of this title shall be recommended by the plan and zoning commission only in accordance with the standards established in section 9A-2-3 of this chapter, and may be granted by the president and board of trustees, within sixty (60) days after its next regular meeting following receipt of the recommendation, only in the following instances and in no others:

- A. To permit any yard or setback less than the yard or setback required by the applicable regulations, but not more than twenty five percent (25%).
- B. Except as specifically provided in subsections H and I of this section, to permit the use of a lot or lots for a use otherwise prohibited solely because of insufficient area or width of the lot or lots, but in no event shall the respective area and width of the lot or lots be less than ninety percent (90%) of the required area and width. The percentage set forth in this subsection, except as set forth in subsections H and I of this section, is not to be reduced by any other percentage for minimum lot area and area set forth in this title.
- C. To permit the same off street parking facility to qualify as required facilities for two (2) or more uses, provided the substantial use of such facility by each use does not take place at approximately the same hours of the same days of the week.
- D. To reduce the applicable off street parking or loading facilities required by not more than one parking space or loading space, or twenty percent (20%) of the applicable regulations, whichever number is greater.
- E. To increase by not more than twenty five percent (25%) the maximum distance that required parking spaces are permitted to be located from the use served.
- F. To increase by not more than ten percent (10%) the maximum gross floor area of any use so limited by the applicable regulations.
- G. To exceed any of the authorized variations allowed under this section, when a lot of record or a zoning lot, vacant or legally used on the effective date hereof, is by reason of the exercise of the right of eminent domain by any authorized governmental body or by reason of a conveyance under threat of an eminent domain proceeding reduced in size so that the remainder of said lot of record or zoning lot or structure on said lot does not conform with one or more of the regulations of the district in which said lot of record or zoning lot or structure is located.
- H. To permit in those lots which: 1) are zoned within an R-1 residence district; and 2) were legally platted prior to January 1, 1970; and 3) are located within an area of the village bounded as follows:

On the north by the Des Plaines River, on the south by Archer Avenue, on the east by LaGrange Road and on the west by Willow Springs Road,

variations in minimum lot size which exceed the ten percent (10%) maximum variation allowed in subsection B of this section, but in no event shall such variation be granted which would authorize a minimum lot size of less than six thousand five hundred (6,500) square feet. Additionally, the plan and zoning commission in its recommendation, and/or the president and board of trustees in its final approval, may condition the approval of a variation in lot size authorized by this subsection upon the completion by the owner of the subject lot(s) of certain development considerations, including, but not limited to, approved landscaping, architectural review to assure quality construction, adequate buffering and screening of adjacent lots and any special setback requirements deemed necessary to limit impacts to surrounding properties and the village as a whole and in order to maintain property values.

- I. To permit in the following ten (10) lots located on Hill Street and Spring Street, designated by the permanent real estate index numbers:

18-33-209-007 18-33-209-009

18-33-209-008 18-33-209-010

18-33-209-022 18-33-209-025

18-33-209-023 18-33-209-026

18-33-209-024 18-33-209-027

variations in minimum lot size which exceed the ten percent (10%) maximum variation allowed in subsection B of this section, but in no event shall such variation be granted which would authorize a minimum lot size of less than five thousand three hundred seventy five (5,375) square feet. Additionally, the plan and zoning commission in its recommendation to the president and board of trustees, and/or the president and board of trustees in its final approval, may condition the approval of a variation in lot size authorized by this subsection upon the completion by the owner of the subject lot(s) of certain development considerations, including, but not limited to, approved landscaping, architectural review to construction, adequate buffering and screening of adjacent lots and any special setback requirements deemed necessary to limit impacts to surrounding properties and the village as a whole and in order to maintain property values.

Section 9. 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.

Section 10. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

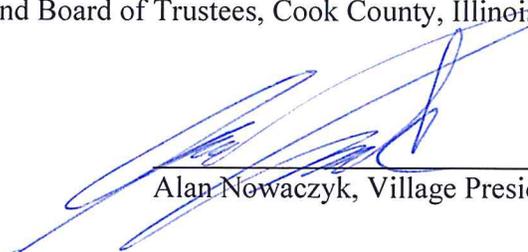
Section 11. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally left blank)

ADOPTED by the President and Board of Trustees of the Village of Willow Springs, Cook County, Illinois this 24th day of September 2015, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Bartik	✓	-	-	X
Imbarrato			X	
Kaptur	✓			X
Maloney	✓			X
Stanphill	✓			X
Strazzante	✓			X
(Mayor Nowaczyk)				X
TOTAL	5	0	1	6

APPROVED by the President and Board of Trustees, Cook County, Illinois on this 24th day of September 2015.


 Alan Nowaczyk, Village President

ATTEST:


 Adena Baskovich, Clerk

