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

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**ORDINANCE  
NUMBER 2018-O-47**

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**AN ORDINANCE GRANTING A VARIANCE TO REDUCE  
THE SIZE OF THE RIGHT OF WAY ON THE PROPERTY  
COMMONLY KNOWN AS 11411 GERMAN CHURCH ROAD.**

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**JOHN M. CARPINO, President**

**MARY JANE MANNELLA, Clerk**

**THOMAS E. BIRKS  
TERRANCE M. CARR  
MICHAEL C. KENNEDY  
MELISSA N. NEDDERMEYER  
FRED POSCH  
KATHRYN STANPHILL**

**TRUSTEES**

**ORDINANCE OF THE VILLAGE BOARD  
VILLAGE OF WILLOW SPRINGS**

**ORDINANCE 2018-O-47**

**GRANTING A VARIATION  
TO VARIANCE TO REDUCE SIZE OF RIGHT OF WAY  
11411 GERMAN CHURCH ROAD**

**WHEREAS**, this Village Board has received Findings and Recommendations from the Planning and Zoning Commission dated October 3, 2018 recommending that the following zoning variation be granted to Rafaat Abdel Malek upon the real estate commonly known as 11411 German Church Road, Illinois:

A. Section 9B-8-2(E): Variance to reduce right of way from the required 66 feet to 50 feet.

**WHEREAS**, said Findings and Recommendations are subject to certain conditions and restrictions;

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

**SECTION 1:** That the Findings and Recommendations of the Village of Willow Springs Planning and Zoning Commission, dated October 3, 2018 a copy of which is attached hereto as Exhibit A, are hereby concurred by this Village Board and adopted as a part of this ordinance, by reference, as though the same were fully set forth herein.

**SECTION 2:** That the variation is hereby granted to the above mentioned applicant, or his successor in interest, for the relief requested upon the aforesaid real estate which is legally described as:

THE EAST 304 FEET OF THE NORTH 660 FEET OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN #: 18-31-400-019-0000

ADDRESS: 1411 German Church Road, Willow Springs

**SECTION 3:** That said variation is granted solely for the purposes, and subject to all conditions and restrictions, set forth in said Findings and Recommendations of the Planning and Zoning Commission attached hereto as Exhibit A.

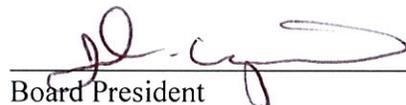
**SECTION 4:** The granting of said variation shall not alleviate or negate the requirement of compliance with all applicable Village codes and ordinances, except that portion of the Village Zoning Ordinance which would otherwise prohibit the land use permitted hereby.

**SECTION 5:** This Ordinance shall not be held to repeal a former ordinance

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**Ordinance 2018-O-47, approved and adopted** by the President and Board of Trustees of the Village of Willow Springs, Cook County, Illinois this 25<sup>th</sup> day of October, 2018, pursuant to a roll call vote, as follows:

	PRESENT	ABSENT	YES	NO	ABSTAIN
Trustee Birks	✓		✓		
Trustee Carr	✓		✓		
Trustee Kennedy	✓		✓		
Trustee Neddermeyer	✓		✓		
Trustee Posch	✓		✓		
Trustee Stanphill	✓			✓	
President Carpino	✓				
<b>TOTAL</b>	7	0	5	1	0

  
 Board President

ATTEST:

  
 Village Clerk

(SEAL)

Published in pamphlet form by order of the Village Board this 25<sup>th</sup> day of October, 2018.

  
 Village Clerk

**Exhibit "A"**

**VILLAGE OF WILLOW SPRINGS**

**PLANNING AND ZONING COMMISSION  
RECOMMENDATION ON APPLICATION FOR  
VARIANCE TO REDUCE SIZE OF RIGHT OF WAY**

TO: The Village Board  
Village of Willow Springs  
1 Village Circle  
Willow Springs, IL 60480

RE: Application of Rafaat Abdel Malek  
For Variance to Reduced Right of Way at 11411 German Church Road

Pursuant to all relevant provisions of Title 9 of the Municipal Code, being the Zoning Ordinance of the Village of Willow Springs, a public hearing was held on October 3, 2018 on the application of the above applicant for the following zoning variation:

B. Section 9B-8-2(E): Variance to reduce right of way from the required 66 feet to 50 feet.

On the property commonly known as 11411 German Church Road, Willow Springs, Illinois.

Having heard and considered all of the testimony and evidence presented at said hearing, the Planning and Zoning Commission of the Village of Willow Springs, Illinois, makes the following findings:

Petitioner has established the following:

- (A) That the particular physical surroundings, shape or typographical condition of the property involved would result in a particular hardship on the owner as distinguished from a mere inconvenience or loss of revenue if the strict letter of the zoning regulations were carried out;
- (B) That the conditions upon which the requested variation is based would not be applicable generally to other properties within the same zoning classification;
- (C) That the alleged difficulty or hardship has not been created by any person presently having an interest in the subject property;

- (D) That granting of the variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject property is located;
- (E) That the proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets, or increase the danger of fire or endanger the public safety, or substantially diminish or impair property values within the neighborhood; and
- (F) That the proposed variation complies with the spirit and intent of the restrictions imposed by the zoning ordinance.
- (G) One written and several oral objections to the proposed amendment have been received by this Planning and Zoning Commission prior to, during, or subsequent to said hearing; the objections being concerns over the zoning lots being too small for the surrounding area, size of required detention pond and negative impact on property values.

Therefore, the Planning and Zoning Commission of the Village of Willow Springs recommends to the Village Board of the Village of Willow Springs the following: That the following zoning variation be granted to Rafaat Abdel Malek or his successor in interest of the aforesaid real estate:

C. Section 9B-8-2(E): Variance to reduce right of way from the required 66 feet to 50 feet.

subject to the following conditions:

- 1) Applicant shall obtain and environmental assessment phase I report, at Applicant's expense, and such shall be provided to the Village for review and comment by the Village Engineer. Applicant shall resolve all issues identified by the Village Engineer prior to final approval of the requested variance.
- 2) All construction and operation permitted by such zoning variation shall be subject to all applicable codes, ordinances and regulations of the Village of Willow Springs from time to time in effect.

Further, that said variation be granted for and apply only to the real estate legally described as follows:

THE EAST 304 FEET OF THE NORTH 660 FEET OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN #: 18-31-400-019-0000  
ADDRESS: 1411 German Church Road, Willow Springs

and that such variation be subject to all applicable codes, ordinances and regulations of the Village of Willow Springs from time to time in effect.

Dated this 3<sup>rd</sup> day of October, 2018.

**PLANNING AND ZONING COMMISSION  
VILLAGE OF WILLOW SPRINGS, ILLINOIS**

By: \_\_\_\_\_  
Chairman



