

**AN ORDINANCE GRANTING A LAND USE VARIATION
AND CERTAIN VARIATIONS FROM CHAPTER 28 OF
THE VILLAGE OF ARLINGTON HEIGHTS**

WHEREAS, the Plan Commission of the Village of Arlington Heights, in Petition Number 14-025, pursuant to notice, has on February 11, 2015, conducted a public hearing on the application of Johler Demolition for a land use variation to allow a construction yard in an M-1 Research, Development and Light Manufacturing District and certain variations from Chapter 28 of the Arlington Heights Municipal Code; and

WHEREAS, the Plan Commission has recommended the granting of a land use variation and variations from the Zoning Ordinance for the subject property; and

WHEREAS, the President and Board of Trustees have considered the report and recommendation of the Plan Commission and have determined that authorizing and granting the request, subject to certain conditions hereinafter described, would be in the best interests of the Village of Arlington Heights,

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: That a land use variation is hereby granted to allow a construction yard in an M-1 Research, Development and Light Manufacturing District at the property legally described as:

Lot 1 in Tschurtz's Subdivision being a subdivision of that part of the Northwest quarter of Section 8, Township 42 North, Range 11 East of the Third Principal Meridian, more particularly described as follows:

Commencing at the Northwest corner of the Northwest quarter of said Section 8, thence South along the West line of said Northwest quarter of Section 8, a distance of 485.60 feet; thence East along the North line of North Ridge Subdivision, a distance of 307.86 feet to the point of beginning; thence continuing East along the aforesaid line, a distance of 566.60 feet to a point in the West line of Freedom Small Farms Subdivision; thence South along the aforesaid line, a distance of 768.70 feet to a point on the North line of Fairview Lane Subdivision;

thence West along the aforesaid North line, a distance of 566.06 feet to a point on the East line of the North Ridge Subdivision; thence North along the aforesaid East line, a distance of 769.52 feet to the point of beginning in Cook County, Illinois.

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and commonly described as 125 Boeger Drive, Arlington Heights, Illinois. This approval shall be in substantial compliance with the floor plan and parking plan, each consisting of one page, copies of which are on file with the Village Clerk and available for public inspection.

SECTION TWO: That the following variations from certain provisions of Chapter 28 of the Arlington Heights Municipal Code are hereby granted:

1. A variation from Section 6.12-1(3), Traffic Engineering Approval, waiving the requirement for a traffic study and parking analysis from a Certified Traffic Engineer.
2. A variation from Section 11.4, Schedule of Parking Requirements, to allow a reduction in the required number of parking spaces from 39 parking spaces to 37 parking spaces.

SECTION THREE: That the Land Use Variation and variations from Chapter 28 of the Arlington Heights Municipal Code granted by this Ordinance, are subject to the following conditions, to which the Petitioner has agreed:

1. The Land Use Variation approved by this Ordinance shall apply to Jöhler Demolition only.
2. The portion of the fence that does not meet Village Code requirements shall be brought into compliance.
3. Any material stored onsite shall generally be stored inside the building.
4. The Petitioner shall comply with all applicable Federal, State and Village codes, regulations and policies.

SECTION FOUR: That the Director of Building of the Village of Arlington Heights is hereby directed to issue permits for the facility herein approved, upon proper application and after compliance with all applicable ordinances of the Village of Arlington Heights.

SECTION FIVE: This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law and shall be recorded by the Village Clerk in the Office of the Recorder of Cook County.

AYES:

NAYS:

PASSED AND APPROVED this 16th day of March, 2015.

Village President

ATTEST:

Village Clerk

LAND USE/Johler Demolition