



**Board of Commissioners of Cook County  
Report of the Zoning and Building Committee**

**Wednesday, January 21, 2015**

**10:00 AM**

**Cook County Building, Board Room, Rm. 569  
118 North Clark Street, Chicago, Illinois**

**ATTENDANCE**

**Present:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

**Also Present:** Andrew Przybylo, Secretary, Zoning Board of Appeals; Donald J. Pechous, Assistant State's Attorneys

**PUBLIC TESTIMONY**

**Chairman Silvestri asked the Secretary to the Board to call upon the registered public speakers**

1. Peter Stair, President Mission Hills Townhome Association 3
2. George Blakemore, Concerned Citizen
3. James Ahtes, Treasurer, Mission Hills T4 Association
4. Michael Nees, Mission Hills T2 Condo Association
5. Michael Delmore, President Mission Hills T4 Association
6. Daniel Creaney, President Daniel Creaney company
7. Peter Amarantos, Highway Commissioner Northfield Township
8. Wallace Kehr, Foreman Northfield Township
9. Paul Kakuris, Mission Hills Openlands
10. Marsha Marco, Mission Hills M4 Association
11. Karen Jump, Mission Hills Openlands
12. Elena Goldin, Mission Hills Concerned Citizen
13. Steve Lenet, President LCT Design Group
14. Tom Boyle, Attorney-Burke, Warren, MacKay & Serritella P.C.
15. Bernie Citron, Attorney Thompson Coburn, LLP
16. James Banks, Red Seal Development
17. Sun Lee, Mission Hills Concerned Citizen
18. Kathylynn Brunner, Mission Hills Concerned Citizen

**COMMITTEE MINUTES**

Approval of the minutes from the meeting of 12/17/2014.

**A motion was made by Vice Chairman Murphy, seconded by Commissioner Boykin, that these committee minutes were approved. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

**MAP AMENDMENT/SPECIAL USE/VARIATION**

**Presented by:** ANDREW PRZYBYLO, Secretary, Zoning Board of Appeals

**RECOMMENDATION OF THE ZONING BOARD OF APPEALS**

**Request:**

Map Amendment MA-14-0002, Special Use for Planned Unit Development SU-14-0003 and Variance VA-14-0008

**Township:**

Northfield

**County District:**

14

**Property Address:**

1677 W. Mission Hills Road, Northbrook, Illinois 60062

**Property Description:**

Subject property is approximately 44 acres. It is located North of Techny Road and West of Western Ave. PIN#s 04-18-200-037-0000.

**Owner:**

Chicago Title Land Trust Co. Trust Agreement 5/9/2013 T#8002361908, 10. S. LaSalle Street. Suite 2750 Chicago, Illinois 60601

**Applicant:**

RSD Mission Hills LLC-Red Seal Development Corp. 425 Huel Road, Building 18, Northbrook, Illinois 60062

**Current Zoning:**

P-2 Open Land District

**Proposed Zoning:**

R-6 General Residence District

**Intended use:**

Planned Unit Development of 137 residential units

**Map Amendment MA-14-0002 Recommendation**

**Recommendation:** ZBA Recommendation that the application be granted.

**Conditions:** None

**Objectors:** The Zoning Board of Appeals did receive a petition objecting to the proposed development from Mission Hills M-4 at the 7/21/2014 hearing.

Ret. Judge Richard Curry; Ms. Eileen Gamberdino; Ms. Janet Zang; Ms. Sun Lee; Ms. Renee Dutchman; Ms. Sue Adams; Mr. Larry Reese; Ms. Cherie Natenberg; Mr. Al Lever; Mr. Barry Frydberg; Ms. Sally Suther; Ms. Elena Golden; Ms. Nora McAllister; Mr. Merle Lichtenstein; Ms. Marsha Marco; Mr. Wallace Sweet; Mr. Adam Levi; Ms. Sherry Fern; Ms. Kathleen Breener; Mr. Harvey Gordon; Mr. Arnie Hoffman; Mr. Ron Malvin; Mr. Mark Abernathy; Mr. Mark Staller; Ms. Gayle Martinelli; Mr. Mike Delmore; Mr. Mark Bazin; Ms. Karen Jump, Mission Hills Openlands; Mr. Gerry Numark, and Clara Boren.

Citation Lake Lake-Lot Owners Association a/k/a Citation Lake Conservation Fund, 3483 Whirlway Drive, Northbrook, Illinois sent a petition of 57 signatures in objection to the proposed applications to the Zoning Board of Appeals on 11/6/ 2014.

On 12/8/2014, ZBA received written protests by 7 condominium associations immediately adjoining the Subject Property.

On 12/10/2014 ZBA received written protests by 34 unit owners with Mission Hills and 13 homeowners in the surrounding area.

### **Special Use for Planned Unit Development SU-14-0003 Recommendation**

**Recommendation:** ZBA Recommendation that the application be granted.

**Conditions:** None

**Objectors:** The Zoning Board of Appeals did receive a petition objecting to the proposed development from Mission Hills M-4 at the 7/21/2014 hearing. Ret. Judge Richard Curry; Ms. Eileen Gamberdino; Ms. Janet Zang; Ms. Sun Lee; Ms. Renee Dutchman; Ms. Sue Adams; Mr. Larry Reese; Ms. Cherie Natenberg; Mr. Al Lever; Mr. Barry Frydberg; Ms. Sally Suther; Ms. Elena Golden; Ms. Nora McAllister; Mr. Merle Lichtenstein; Ms. Marsha Marco; Mr. Wallace Sweet; Mr. Adam Levi; Ms. Sherry Fern; Ms. Kathleen Breener; Mr. Harvey Gordon; Mr. Arnie Hoffman; Mr. Ron Malvin; Mr. Mark Abernathy; Mr. Mark Staller; Ms. Gayle Martinelli; Mr. Mike Delmore; Mr. Mark Bazin; Ms. Karen Jump, Mission Hills Openlands; Mr. Gerry Numark, and Clara Boren.

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On 12/8/2014, ZBA received written protests by 7 condominium associations immediately adjoining the Subject Property.

On 12/10/2014 ZBA received written protests by 34 unit owners with Mission Hills and 13 homeowners in the surrounding area.

### **Variance VA-14-0008 Recommendation**

**Recommendation:** ZBA Recommendation that the application be granted.

**Conditions:** None

**Objectors:** The Zoning Board of Appeals did receive a petition objecting to the proposed development from Mission Hills M-4 at the 7/21/2014 hearing.

Ret. Judge Richard Curry; Ms. Eileen Gamberdino; Ms. Janet Zang; Ms. Sun Lee; Ms. Renee Dutchman; Ms. Sue Adams; Mr. Larry Reese; Ms. Cherie Natenberg; Mr. Al Lever; Mr. Barry Frydberg; Ms. Sally Suther; Ms. Elena Golden; Ms. Nora McAllister; Mr. Merle Lichtenstein; Ms. Marsha Marco; Mr. Wallace Sweet; Mr. Adam Levi; Ms. Sherry Fern; Ms. Kathleen Breener; Mr. Harvey Gordon; Mr. Arnie Hoffman; Mr. Ron Malvin; Mr. Mark Abernathy; Mr. Mark Staller; Ms. Gayle Martinelli; Mr. Mike Delmore; Mr. Mark Bazin; Ms. Karen Jump, Mission Hills Openlands; Mr. Gerry Numark, and Clara Boren.

Citation Lake Lake-Lot Owners Association a/k/a Citation Lake Conservation Fund, 3483 Whirlway Drive, Northbrook, Illinois sent a petition of 57 signatures in objection to the proposed applications to the Zoning Board of Appeals on 11/6/2014.

On 12/8/2014, ZBA received written protests by 7 condominium associations immediately adjoining the Subject Property.

On 12/10/2014 ZBA received written protests by 34 unit owners with Mission Hills and 13 homeowners in the surrounding area.

**History:**

Zoning Board Hearing: 7/9/2014, 7/21/2014, 9/17/2014, 10/8/2014 and 11/10/2014

Zoning Board Recommendation date: 9/17/2014 and 12/15/2014

County Board extension granted: N/A

**Legislative History:** 5/21/2014 Zoning and Building Committee recommended referral to the Zoning Board of Appeals

**Legislative History:** 10/8/2014 Zoning and Building Committee recommended return to the Zoning Board of Appeals with no recommendation

**A motion was made by Commissioner Suffredin, seconded by Vice Chairman Murphy, that this Zoning Board of Appeals Recommendation be recommended for deferral pending certification of petitions. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

**SPECIAL USE**

**15-0823**

**Presented by:** ANDREW PRZYBYLO, Secretary, Zoning Board of Appeals

**RECOMMENDATION OF THE ZONING BOARD OF APPEALS**

**Request:** SU 13-05

**Township:** Lyons

**County District:** 17

**Property Address:** 5900 South Willow Springs Road, LaGrange, Illinois

**Property Description:** The Subject Property consists of an approximately 1.75-acre located on the West side of Willow Springs Road, approximately 96.45' North of 59th Place.

**Owner:** LaGrange Highlands Sanitary District, 5900 South Willow Springs Road, LaGrange, Illinois  
Owner name and address

**Agent/Attorney:** Thomas J. Cisar, Esq. Cisar and Mrofka, Ltd., One Mid America Plaza, Ste 125 Oak Brook Terrace, Illinois

**Current Zoning:** R-4 Single Family Residence District

**Intended use:** Applicant, a Sanitary District organized under Illinois law, seeks a permitted Special Use in the to have its property declared a Special Use (PINs 18-17-301-019-0000, 18-17-301-020-000 and 18-17-301-021-000). This will permit the construction of a new water storage tank to replace the current obsolete elevated storage tank and for other improvements to its waterworks facility which has existed on the site for over forty years.

**Recommendation:** ZBA Recommendation that the application be granted a one year extension of time.

**Conditions:** None

**Objectors:** None

**History:**

Zoning Board Hearing: 12/3/2014

Zoning Board Recommendation date: 12/3/2014

County Board extension granted: N/A

**A motion was made by Vice Chairman Murphy, seconded by Commissioner Tobolski, that this Zoning Board of Appeals Recommendation be recommended for approval. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

**SPECIAL USE & VARIATIONS**

**15-0862**

**Presented by:** ANDREW PRZYBYLO, Secretary, Zoning Board of Appeals

**RECOMMENDATION OF THE ZONING BOARD OF APPEALS**

**Request:** Special Use 14-04 and Variation-14-37

**Township:** Worth

**County District:** 5

**Property Address:** 3003 West 131st Street (also known as Vermont Street), Blue Island, Illinois

**Property Description:** The 0.132 acres is located along 50 feet of frontage on 131st Street, approximately 100 feet east of Sheridan Avenue.

**Owner:** Richard Carrarini 10927 Third Street, Mokena, Illinois

**Agent/Attorney:** Kevin W. Baldwin, Daley, Mohan Groble PC, 55 W. Monroe Street, Suite 1600 Chicago, Illinois

**Current Zoning:** C-4 General Commercial District

**Intended use:** Applicant seeks a Special and Unique Use in a C-4 General Commercial District for an existing three unit building to be used as a multi family residence, in order to bring the property into conformance (comp V 14-37).

**Recommendation:** ZBA Recommendation that the application be granted.

**Conditions:** None

**Objectors:** None

**History:**

Zoning Board Hearing: 11/5/2014

Zoning Board Recommendation date: 12/15/2014

County Board extension granted: N/A

**A motion was made by Vice Chairman Murphy, seconded by Commissioner Tobolski, that this Zoning Board of Appeals Recommendation be recommended for approval. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

**15-0863**

**Presented by:** ANDREW PRZYBYLO, Secretary, Zoning Board of Appeals

**RECOMMENDATION OF THE ZONING BOARD OF APPEALS**

**Request:** Special Use-14-05 and Variation 14-38

**Township:** Worth

**County District:** 5

**Property Address:** 3005 West 131st Street (also known as Vermont Street), Blue Island, Illinois.

**Property Description:** The 0.143 acres is located along 50 feet of frontage on 131st Street, approximately 50 feet east of Sheridan Avenue.

**Owner:** Richard Carrarini, 10927 Third Street, Mokena, Illinois

**Agent/Attorney:** Kevin W. Baldwin, Daley Mohan Groble P.C. 55 W. Monroe Street, Suite 1600, Chicago, Illinois

**Current Zoning:** C-4 General Commercial District

**Intended use:** Applicant seeks a Special Use for Unique Use on a C-4 General Commercial District for an existing two story building to be used as a multi-family residence and a companion Variation which seeks to

reduce the rear yard setback from 30' to 9.32' if granted under SU 14-05, in order to bring the property into conformance.

**Recommendation:** ZBA Recommendation that the application be granted.

**Conditions:** None

**Objectors:** None

**History:**

Zoning Board Hearing: 11/5/2014

Zoning Board Recommendation date: 12/15/2014

County Board extension granted: N/A

**A motion was made by Vice Chairman Murphy, seconded by Commissioner Tobolski, that this Zoning Board of Appeals Recommendation be recommended for approval. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

**VARIATIONS**

**15-0817**

**Presented by:** ANDREW PRZYBYLO, Secretary, Zoning Board of Appeals

**RECOMMENDATION OF THE ZONING BOARD OF APPEALS**

**Request:** Variation 14-60

**Township:** Barrington

**County District:** 15

**Property Address:** 901 S. Summit Street, Barrington Illinois

**Property Description:** The Subject Property consists of approximately 0.31 acre located on the Southeast corner of Illinois Avenue and Summit Avenue.

**Owner:** Oleg Vrublevsky, 901 S. Summit Street, Barrington, Illinois

**Agent/Attorney:** None

**Current Zoning:** R-5 Single Family Residence District

**Intended use:** Applicant seeks a variance to the 2001 Cook County Zoning Ordinance in the R-5 Single Family Residence District to reduce the right interior side yard setback from the minimum required 10' to 5' for a proposed shed.

**Recommendation:** ZBA Recommendation that the application be granted.

**Conditions:** None

**Objectors:** None

**History:**

Zoning Board Hearing: 12/3/2014

Zoning Board Recommendation date: 12/3/2014

County Board extension granted: N/A

**A motion was made by Vice Chairman Murphy, seconded by Commissioner Tobolski, that this Zoning Board of Appeals Recommendation be recommended for approval. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

**15-0818**

**Presented by:** ANDREW PRZYBYLO, Secretary, Zoning Board of Appeals

**RECOMMENDATION OF THE ZONING BOARD OF APPEALS**

**Request:** Variation V 14-61

**Township:** Palos

**County District:** 17

**Property Address:** 8306 W 132nd Street, Orland Park, Illinois

**Property Description:** The Subject Property consists of approximately 0.46 acre located on the East side corner of 132nd Street approximately 281.93 feet East of Windward Trail.

**Owner:** John D. Calacci, 8306 W 132nd Street, Orland Park, Illinois

**Agent/Attorney:** None

**Current Zoning:** R-4 Single Family Residence District

**Intended use:** Applicant seeks a variance to the 2001 Cook County Zoning Ordinance to: (1) reduce the lot area from the minimum required 20,000 square feet to an existing 19,950 square feet (2) reduce the left interior side yard setback from the minimum required 15 feet to 5 feet and (3) reduce the rear yard setback from the minimum required 50 feet to 45.20 feet for a proposed addition to a single family residence.

**Recommendation:** ZBA Recommendation that the application be granted.

**Conditions:** None

**Objectors:** None

**History:**

Zoning Board Hearing: 12/3/2014

Zoning Board Recommendation date: 12/3/2014

County Board extension granted: N/A



**A motion was made by Vice Chairman Murphy, seconded by Commissioner Tobolski, that this Zoning Board of Appeals Recommendation be recommended for approval. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

**15-0819**

**Presented by:** ANDREW PRZYBYLO, Secretary, Zoning Board of Appeals

**RECOMMENDATION OF THE ZONING BOARD OF APPEALS**

**Request:** Variation V 14-63

**Township:** Bremen

**County District:** 6

**Property Address:** 5710 W. 171st Place, Tinley Park, Illinois

**Property Description:** The Subject Property consists of approximately ½ acre located on the North side of 171st Place approximately 200' West of the intersection of Parkside Avenue.

**Owner:** Anthony Spiotto, 5710 W. 171st Place, Tinley Park, Illinois

**Agent/Attorney:** None

**Current Zoning:** R-4 Single Family Residence District

**Intended use:** Applicant seeks a variance to the 2001 Cook County Zoning Ordinance to: (1) reduce the lot area from the minimum required 40,000 square feet to an existing 20,000 square feet (2) reduce the lot width from the minimum required 150' to an existing 100' and (3) reduce the left interior side yard setback from the minimum required 15' to 9'-11" for an addition to a single family home on well and septic.

**Recommendation:** ZBA Recommendation that the application be granted.

**Conditions:** None

**Objectors:** None

**History:**

Zoning Board Hearing: 12/03/14

Zoning Board Recommendation date: 12/03/14

County Board extension granted: N/A

**A motion was made by Vice Chairman Murphy, seconded by Commissioner Tobolski, that this Zoning Board of Appeals Recommendation be recommended for approval. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

**15-0821**

**Presented by:** ANDREW PRZYBYLO, Secretary, Zoning Board of Appeals

**RECOMMENDATION OF THE ZONING BOARD OF APPEALS**

**Request:** Variation V 14-64

**Township:** Worth

**County District:** 6

**Property Address:** 3701 W. 115 Street, Garden Homes, Illinois

**Property Description:** The Subject Property consists of approximately 0.22 acre located on the Southwest corner of Lawndale Avenue and 115th Street.

**Owner:** Stanley & Elizabeth Wilczynski, 3701 W. 115 Street, Garden Homes, Illinois

**Agent/Attorney:** None

**Current Zoning:** R-5 Single Family Residence District

**Intended use:** Applicant seeks a variance to the 2001 Cook County Zoning Ordinance to increase the height of the fence in the corner side yard from the maximum allowed 3 feet to 6 feet in order to replace an existing fence.

**Recommendation:** ZBA Recommendation that the application be granted.

**Conditions:** None

**Objectors:** None

**History:**

Zoning Board Hearing: 12/15/2014

Zoning Board Recommendation date: 12/15/2014

County Board extension granted: N/A

**A motion was made by Vice Chairman Murphy, seconded by Commissioner Tobolski, that this Zoning Board of Appeals Recommendation be recommended for approval. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

**15-0822**

**Presented by:** ANDREW PRZYBYLO, Secretary, Zoning Board of Appeals

**RECOMMENDATION OF THE ZONING BOARD OF APPEALS**

**Request:** Variation V 14-66

**Township:** Stickney

**County District:** 11

**Property Address:** 7126 W. 73rd Street, Stickney Illinois

**Property Description:** The Subject Property consists of approximately 0.14 acre located on the North side of 73rd Street approximately 329.43 feet west of Nottingham Avenue.

**Owner:** Piotr Plewa, 8711 S. 78th, Apt 3, Bridgeview, Illinois

**Agent/Attorney:** Anna Lukaszczyk, 8642 S. Menard, Burbank, Illinois

**Current Zoning:** R-5 Single Family Residence District

**Intended use:** Applicant seeks a variance to the 2001 Cook County Zoning Ordinance to: (1) reduce the right interior side yard from the minimum required 10'-0" to an existing 8'10"; (2) to reduce the left interior side yard setback from the minimum required 10'-0" to an existing 2'-9"; (3) to reduce the front yard setback from the minimum required 26.8' @ 20% of lot depth to an existing 18' for a proposed addition and (4) to increase the height of fence in the front yard from the maximum allowed 3'-0" to an existing 6'-0".

**Recommendation:** ZBA Recommendation that the application be granted.

**Conditions:** None

**Objectors:** None

**History:**

Zoning Board Hearing: 12/15/2014

Zoning Board Recommendation date: 12/15/2014

County Board extension granted: N/A

**A motion was made by Vice Chairman Murphy, seconded by Commissioner Tobolski, that this Zoning Board of Appeals Recommendation be recommended for approval. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

## **PROPOSED ORDINANCE**

**15-0600**

**Sponsored by:** PETER N. SILVESTRI, JOAN PATRICIA MURPHY, ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN, LARRY SUFFREDIN, JOHN A. FRITCHEY, JESÚS G. GARCÍA, JOHN P. DALEY, RICHARD R. BOYKIN, JERRY BUTLER, LUIS ARROYO JR, ROBERT STEELE, DEBORAH SIMS, JEFFREY R. TOBOLSKI and STANLEY MOORE, County Commissioners

### **PROPOSED ORDINANCE**

#### **COOK COUNTY ZONING USE CERTIFICATE ADOPTING ORDINANCE**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 54 LICENSES, PERMITS, AND MISCELLANEOUS BUSINESS REGULATIONS, ARTICLE XI - ZONING USE CERTIFICATE, is hereby adopted as follows:

#### **ARTICLE XI - ZONING USE CERTIFICATE**

##### **Sec. 54-400. SHORT TITLE**

This Article shall be known and may be cited as the "Cook County Zoning Use Certificate Ordinance," and is adopted pursuant to Cook County's Home Rule powers.

##### **Sec. 54-401. PURPOSE**

To promote and safeguard the public health, safety, comfort, convenience, and the general welfare of the people of unincorporated Cook County, Illinois, and to establish fees and penalties for the enforcement of this Article.

##### **Sec. 54-402. RULES AND DEFINITIONS**

The rules applicable to and definitions of terms used in this Article XI-Zoning Use Certificate shall be the same as those terms are set forth and defined in Chapter 102, Section 102-103 and Appendix A-ZONING, Article 14, as applicable.

##### **Sec. 54-403. ZONING USE CERTIFICATE REQUIRED**

A Certificate of Zoning Use Compliance shall be required prior to the sale of any property in unincorporated Cook County, Illinois.

##### **Sec. 54-404. APPLICATION FOR ZONING USE CERTIFICATE**

- A. Applications shall be made by the owner, the owner's agent, the owner's attorney, or such other person authorized by the owner and allowed by the Building Commissioner to make application.
- B. An application for a Zoning Use Certificate shall be submitted in such form as the Building Commissioner may prescribe and shall be accompanied by the applicable fee as prescribed by Section 54-405. Such application shall contain, among other information, the full names and addresses of the owner(s), and, if the owner is a corporate body, of its responsible officer, the full names and addresses of the buyer(s), the complete legal description of the property to which the Zoning Use Certificate application pertains, the real estate index number of the legally described property, a current plat of survey of the property drawn to a scale showing the actual dimensions and certified by a Registered Land Surveyor licensed by the State of Illinois as a true copy of the property, a description of the present use(s) of the property, a certification that no construction has occurred for which a permit is required without the issuance of such permit, and proof of compliance with applicable Cook County ordinances pertaining to alimony, child support, and County

taxes and fees, as well as such additional information as the Building Commissioner shall require from time to time.

#### **Sec. 54-405. APPLICATION AND USE CERTIFICATE FEE**

The fee for such application for a Zoning Use Certificate shall be as established by resolution of the County Board of Commissioners, and as set forth in Chapter 32, consistent with the fees for periodic inspections, but in no event less than \$100.00.

#### **Sec. 54-406. ACTION BY ZONING ADMINISTRATOR**

- A. An application for Zoning Use Certificate shall be reviewed by the Zoning Administrator, who shall exercise his or her authority pursuant to Appendix A-ZONING, Section 13.2.2 and Section 13.2.3 and shall also conduct a use analysis of the property to determine whether or not the property is being used consistent with the applicable Zoning Ordinance of Cook County (Appendix A-ZONING). The authority granted by this Section 54-406 shall be interpreted as broadly as provided by law, and shall not be a limitation of the Zoning Administrator's authority. The Zoning Administrator shall be authorized to use the assistance of inspectors employed by the Department of Building and Zoning in performing the review of the application for Zoning Use Certificate.
- B. Within ten business days after receipt of an application for Zoning Use Certificate, the Zoning Administrator shall either issue the Zoning Use Certificate that the property is being used consistent with the applicable Zoning Ordinance of Cook County (Appendix A-ZONING), or deny the application for Zoning Use Certificate in writing, stating the reasons for such denial. The decision of the Zoning Administrator shall become a final decision within ten business days of its issuance, and shall be reviewable as provided in Appendix A-ZONING, Section 13.3.5.

#### **Sec. 54-407. ENFORCEMENT**

Any violation of, resistance to, non-compliance with, or interference with the enforcement of any of the provisions of this Article XI may be enforced in the Department of Administrative Hearings as provided in Chapter 2, Article IX-Administrative Hearings, by any County Department or Agency affected by the violation or non-compliance with the provisions, and as otherwise provided by law.

#### **Sec. 54-408. PENALTY FOR VIOLATION**

Any violation of, resistance to, non-compliance with, or interference with the enforcement of any of the provisions of this Article XI shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) for each offense; and each day a violation continues to exist shall constitute a separate offense.

**Effective date:** This ordinance shall be in effect upon adoption .

**Legislative History:** 12/17/14 Board of Commissioners referred to the Zoning and Building Committee.

**A motion was made by Commissioner Daley, seconded by Commissioner Steele, that this Ordinance be accepted as substituted. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

**PROPOSED SUBSTITUTE FOR 15-0600**

**Sponsored by:** PETER N. SILVESTRI, JOAN PATRICIA MURPHY, ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN, LARRY SUFFREDIN, JOHN A. FRITCHEY, JESÚS G. GARCÍA, JOHN P. DALEY, RICHARD R. BOYKIN, JERRY BUTLER, LUIS ARROYO JR, ROBERT STEELE, DEBORAH SIMS, JEFFREY R. TOBOLSKI and STANLEY MOORE, County Commissioners

**PROPOSED ORDINANCE**

**COOK COUNTY ZONING USE CERTIFICATE ADOPTING ORDINANCE**

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 54 LICENSES, PERMITS, AND MISCELLANEOUS BUSINESS REGULATIONS, ARTICLE XI – ZONING USE CERTIFICATE, is hereby adopted as follows:

**ARTICLE XI – ZONING USE CERTIFICATE.**

**Section 54-400. SHORT TITLE.**

This Article shall be known and may be cited as the “Cook County Zoning Use Certificate Ordinance,” and is adopted pursuant to Cook County’s Home Rule powers.

**Section 54-401. PURPOSE.**

To promote and safeguard the public health, safety, comfort, convenience, and the general welfare of the people of unincorporated Cook County, Illinois, and to establish fees and penalties for the enforcement of this Article.

**Section 54-402. RULES AND DEFINITIONS.**

The rules applicable to and definitions of terms used in this Article XI-Zoning Use Certificate shall be the same as those terms are set forth and defined in Chapter 102, Section 102-103 and Appendix A-ZONING, Article 14, as applicable.

**Section 54-403. ZONING USE CERTIFICATE REQUIRED.**

A Certificate of Zoning Use Compliance shall be required prior to the sale of any property in unincorporated Cook County, Illinois. The requirement does not apply to the transfer or sale of individual units within condominiums or cooperative buildings. A Certificate of Zoning Use Compliance is valid for a period not to exceed 180 days from approval.

**Section 54-404. APPLICATION FOR ZONING USE CERTIFICATE.**

- A. Applications shall be made by the owner, the owner’s agent, the owner’s attorney, or such other person authorized by the owner and allowed by the Building Commissioner to make application.
- B. An application for a Zoning Use Certificate shall be submitted in such form as the Building Commissioner may prescribe and shall be accompanied by the applicable fee as prescribed by Section 54-405. Such application shall contain, among other information, the full names and addresses of the owner(s), and, if the owner is a corporate body, of its responsible officer, , the complete legal description of the property to which the Zoning Use Certificate application pertains, the real estate index number of the legally described property, if available a current plat of survey of the property drawn to a scale showing the actual dimensions and certified by a Registered Land Surveyor licensed by the State of Illinois as a true copy of the property, a description of the present use(s) of the property, a certification that no construction has occurred for which

a permit is required without the issuance of such permit, and proof of compliance with applicable Cook County ordinances pertaining to alimony, child support, and County taxes and fees, as well as such additional information as the Building Commissioner shall require from time to time.

#### **Section 54-405. APPLICATION AND USE CERTIFICATE FEE.**

The fee for such application for a Zoning Use Certificate shall be as established by resolution of the County Board of Commissioners, and as set forth in Chapter 32, consistent with the fees for periodic inspections, but in no event less than \$100.00.

#### **Section 54-406. ACTION BY ZONING ADMINISTRATOR.**

- A. An application for Zoning Use Certificate shall be reviewed by the Zoning Administrator, who shall exercise his or her authority pursuant to Appendix A-ZONING, Section 13.2.2 and Section 13.2.3 and shall also conduct a use analysis of the property to determine whether or not the property is being used consistent with the applicable Zoning Ordinance of Cook County (Appendix A-ZONING). The authority granted by this Section 54-406 shall be interpreted as broadly as provided by law, and shall not be a limitation of the Zoning Administrator's authority. The Zoning Administrator shall be authorized to use the assistance of inspectors employed by the Department of Building and Zoning in performing the review of the application for Zoning Use Certificate.
- B. Within ten business days after receipt of an application for Zoning Use Certificate, the Zoning Administrator shall either issue the Zoning Use Certificate that the property is being used consistent with the applicable Zoning Ordinance of Cook County (Appendix A-ZONING), or deny the application for Zoning Use Certificate in writing, stating the reasons for such denial. The decision of the Zoning Administrator shall become a final decision within ten business days of its issuance, and shall be reviewable as provided in Appendix A-ZONING, Section 13.3.5.

#### **Section 54-407. ENFORCEMENT.**

Any violation of, non-compliance with, or interference with the enforcement of any of the provisions of this Article XI may be enforced in the Department of Administrative Hearings as provided in Chapter 2, Article IX-Administrative Hearings, by any County Department or Agency affected by the violation or non-compliance with the provisions, and as otherwise provided by law.

#### **Section 54-408. PENALTY FOR VIOLATION.**

Any violation of, resistance to, non-compliance with, or interference with the enforcement of any of the provisions of this Article XI shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) for each offense; and each day a violation continues to exist shall constitute a separate offense.

EFFECTIVE DATE: This Ordinance shall be effective 60 days after adoption.

**Legislative History:** 12/17/14 Board of Commissioners referred to the Zoning and Building Committee.

**A motion was made by Vice Chairman Murphy, seconded by Commissioner Daley, that this Ordinance be recommended for approval as substituted. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

**AMENDMENT OF SUBSTITUTE FOR 15-0600**

**Sponsored by:** PETER N. SILVESTRI, JOAN PATRICIA MURPHY, ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN, LARRY SUFFREDIN, JOHN A. FRITCHEY, JESÚS G. GARCÍA, JOHN P. DALEY, RICHARD R. BOYKIN, JERRY BUTLER, LUIS ARROYO JR, ROBERT STEELE, DEBORAH SIMS, JEFFREY R. TOBOLSKI and STANLEY MOORE, County Commissioners

**PROPOSED ORDINANCE**

**COOK COUNTY ZONING USE CERTIFICATE ADOPTING ORDINANCE**

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 54 LICENSES, PERMITS, AND MISCELLANEOUS BUSINESS REGULATIONS, ARTICLE XI – ZONING USE CERTIFICATE, is hereby adopted as follows:

**ARTICLE XI – ZONING USE CERTIFICATE.**

**Section 54-400. SHORT TITLE.**

This Article shall be known and may be cited as the “Cook County Zoning Use Certificate Ordinance,” and is adopted pursuant to Cook County’s Home Rule powers.

**Section 54-401. PURPOSE.**

To promote and safeguard the public health, safety, comfort, convenience, and the general welfare of the people of unincorporated Cook County, Illinois, and to establish fees and penalties for the enforcement of this Article.

**Section 54-402. RULES AND DEFINITIONS.**

The rules applicable to and definitions of terms used in this Article XI-Zoning Use Certificate shall be the same as those terms are set forth and defined in Chapter 102, Section 102-103 and Appendix A-ZONING, Article 14, as applicable.

**Section 54-403. ZONING USE CERTIFICATE REQUIRED.**

A Certificate of Zoning Use Compliance shall be required prior to the sale of any property in unincorporated Cook County, Illinois. The requirement does not apply to the transfer or sale of individual units within condominiums or cooperative buildings. A Certificate of Zoning Use Compliance is valid for a period not to exceed 180 days from approval.

**Section 54-404. APPLICATION FOR ZONING USE CERTIFICATE.**

- C. Applications shall be made by the owner, the owner’s agent, the owner’s attorney, or such other person authorized by the owner and allowed by the Building Commissioner to make application.
- D. An application for a Zoning Use Certificate shall be submitted in such form as the Building Commissioner may prescribe and shall be accompanied by the applicable fee as prescribed by Section 54-405. Such application shall contain, among other information, the full names and addresses of the owner(s), and, if the owner is a corporate body, of its responsible officer, , the complete legal description of the property to which the Zoning Use Certificate application pertains, the real estate index number of the legally described property, if available a current plat of survey of the property drawn to a scale showing the actual dimensions and certified by a Registered Land Surveyor licensed by the State of Illinois as a true copy of the property, a description of the present use(s) of the property, a certification that no construction has occurred for which



a permit is required without the issuance of such permit, and proof of compliance with applicable Cook County ordinances pertaining to alimony, child support, and County taxes and fees, as well as such additional information as the Building Commissioner shall require from time to time.

#### **Section 54-405. APPLICATION AND USE CERTIFICATE FEE.**

The fee for such application for a Zoning Use Certificate shall be as established by resolution of the County Board of Commissioners, and as set forth in Chapter 32, consistent with the fees for periodic inspections, but in no event less than \$100.00.

#### **Section 54-406. ACTION BY ZONING ADMINISTRATOR.**

- C. An application for Zoning Use Certificate shall be reviewed by the Zoning Administrator, who shall exercise his or her authority pursuant to Appendix A-ZONING, Section 13.2.2 and Section 13.2.3 and shall also conduct a use analysis of the property to determine whether or not the property is being used consistent with the applicable Zoning Ordinance of Cook County (Appendix A-ZONING). The authority granted by this Section 54-406 shall be interpreted as broadly as provided by law, and shall not be a limitation of the Zoning Administrator's authority. The Zoning Administrator shall be authorized to use the assistance of inspectors employed by the Department of Building and Zoning in performing the review of the application for Zoning Use Certificate.
- D. Within ten business days after receipt of an application for Zoning Use Certificate, the Zoning Administrator shall either issue the Zoning Use Certificate that the property is being used consistent with the applicable Zoning Ordinance of Cook County (Appendix A-ZONING), or deny the application for Zoning Use Certificate in writing, stating the reasons for such denial. The decision of the Zoning Administrator shall become a final decision within ten business days of its issuance, and shall be reviewable as provided in Appendix A-ZONING, Section 13.3.5.

#### **Section 54-407. ENFORCEMENT.**

Any violation of, non-compliance with, or interference with the enforcement of any of the provisions of this Article XI may be enforced in the Department of Administrative Hearings as provided in Chapter 2, Article IX-Administrative Hearings, by any County Department or Agency affected by the violation or non-compliance with the provisions, and as otherwise provided by law.

#### **Section 54-408. PENALTY FOR VIOLATION.**

Any violation of, resistance to, non-compliance with, or interference with the enforcement of any of the provisions of this Article XI shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) for each offense; and each day a violation continues to exist shall constitute a separate offense.

EFFECTIVE DATE: This Ordinance shall be effective 60 days after adoption..

**Legislative History:** 12/17/14 Board of Commissioners referred to the Zoning and Building Committee.

**A motion was made by Vice Chairman Murphy, seconded by Commissioner Steele, that this Ordinance be recommended to accept the technical amendment. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

**A motion was made by Vice Chairman Murphy, seconded by Commissioner Butler, that this Ordinance be recommended for approval of substitute as amended. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

#### **ADJOURNMENT**

**A motion was made by Commissioner Sims, seconded by Commissioner Arroyo, that this committee was adjourned. The motion carried by the following vote:**

**Ayes:** Chairman Silvestri, Vice Chairman Murphy, Arroyo, Boykin, Butler, Daley, Fritchey, Gainer, García, Gorman, Goslin, Moore, Schneider, Sims, Steele, Suffredin and Tobolski (17)

**Absent:** None (0)

Respectfully submitted,



Chairman



Secretary

\*A video recording of this meeting is available at <https://cook-county.legistar.com/Calendar.aspx>