

ORDINANCE NO. _____

AN ORDINANCE OF THE VILLAGE OF BROADVIEW, COOK COUNTY, ILLINOIS, GRANTING A SPECIAL USE TO ALLOW A SENIOR CITIZEN HOUSING USE IN THE VILLAGE'S C-1 ROOSEVELT ROAD COMMERCIAL DISTRICT (2111 S. 17TH AVENUE)

* * * * *

WHEREAS, the Village of Broadview, County of Cook, State of Illinois (the “*Village*”) is a duly organized and existing village created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefits of the residents of the Village; and

WHEREAS, the Village President (the “*President*”) and the Village Board (the “*Village Board*”) and with the President, the “*Corporate Authorities*”) have heretofore exercised the power conferred on them pursuant to Chapter 11-13-1, *et seq.*, of the Illinois Municipal Code by adopting the Broadview Zoning Ordinance in 2001 (Ord. 2001-08A), as amended from time to time; and

WHEREAS, Ross Financial Services, Inc. (the “*Applicant*”), submitted an application seeking a special use to allow a senior citizen housing use in the Village’s C-1 Roosevelt Road Commercial District (the “*Proposed Special Use*”) for the property commonly known as 2111 S. 17th Avenue, Broadview, Illinois 60155 (the “*Property*”); and

WHEREAS, the Zoning Board of Appeals held a public hearing on December 11, 2018 on whether the Proposed Special Use should be approved, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, a public notice in the form required by law was given of said public hearing dates; and

WHEREAS, the Zoning Board of Appeals has filed its findings of fact and recommendations that the Proposed Special Use be granted, and the Corporate Authorities have duly considered said findings of fact and recommendations; and

WHEREAS, the Corporate Authorities have determined, in the best interest of the health, safety and welfare of the residents of the Village, to grant the Proposed Special Use subject to the conditions identified herein.

NOW, THEREFORE, BE IT ORDAINED by the President and the Village Board of the Village of Broadview, County of Cook, State of Illinois, as follows:

**ARTICLE I.
IN GENERAL**

Section 01. Incorporation Clause.

All of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct, and the Corporate Authorities do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section 02. Purpose.

The Corporate Authorities adopt by reference the Report on Findings of Fact of the Zoning Board of Appeals as findings of the Corporate Authorities as if completely set forth herein. All exhibits and documents submitted at the aforesaid public hearing are also incorporated by reference as fully as if attached hereto. In addition to the findings set forth in this Section, the President and the Board of Trustees further find that the Proposed Special Use:

- a. is deemed necessary for the public convenience at that location; and
- b. is so designed, located and proposed to be operated that the public health, safety and welfare will be protected; and
- c. would not cause substantial injury to the value of other property in the neighborhood in which it is located.

Section 03. Special Use Granted.

That the Proposed Special Use, set forth herein, is granted for the Property, which is commonly known as 2111 S. 17th Avenue, Broadview, Illinois 60155 and as legally described on Exhibit A. The Property is currently zoned C-1 (Roosevelt Road Commercial District).

Section 04. Conditions Imposed.

The Special Use contemplated herein is granted subject to the following conditions:

1. The Applicant shall obtain a building permit through the Building Department, which shall be subject to review and approval of the Village Building Commissioner;
2. If the special use is not operated in accordance with the Official Village Code of Broadview it shall be subject to revocation;
3. The special use granted herein shall be null and void and of no force and effect whatsoever unless an application for a building permit pursuant to such special use is issued and construction commenced within eighteen (18) months of the effective date of this Ordinance;
4. The special use shall be substantially constructed in accordance with the site plan presented to the Zoning Board of Appeals and as approved by the Village; and
5. This Ordinance shall be signed by the Applicant to signify acknowledgement of the terms hereof.
6. The Applicant hereunder shall at all times comply with the terms and conditions of this Ordinance.

Section. 05. Invocation of Authority.

This Ordinance is enacted pursuant to the authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes, including without limitation 65 ILCS 5/11-13-1, *et seq.*

Section 06. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, and specifically 65 ILCS 5/11-13-1 *et seq.*, as may be amended, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

Sections 07-10. Reserved.

**ARTICLE II.
AUTHORIZATION, HEADINGS, SAVINGS CLAUSES, EFFECTIVE DATE**

Section 11. Authorization.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms to be utilized in connection with this Ordinance. All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 12. Headings.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

Section 13. Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

Section 14. Effective Date.

This Ordinance shall be effective and in full force immediately upon passage and approval.

(Intentionally Left Blank)

ADOPTED by the Village Board of the Village of Broadview, Cook County, Illinois on this 30th day of January 2019, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Brown-Marino				
Ealey				
Tierney				
Horne				
Abraham				
Jones				
(Mayor Thompson)				
TOTAL				

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF BROADVIEW, COUNTY OF COOK, STATE OF ILLINOIS, THIS 30th DAY OF JANUARY 2019.

APPROVED,

VILLAGE PRESIDENT

ATTEST: _____
Village Clerk

**Recorded in the Municipal Records:
Published in Pamphlet Form:**

Exhibit A

Legal Description of Property

Permanent Real Estate Index Numbers: 15-15-424-003-0000; 15-15-424-004-0000; 15-15-424-005-0000; 15-15-424-006-0000; 15-15-424-007-0000; 15-15-424-008-0000; 15-15-424-009-0000; 15-15-424-010-0000; 15-15-424-047-0000; 15-15-424-048-0000:

- LOTS 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 AND 44 IN BLOCK 13 IN WESTERN ADDITION, BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Real Estate Index Numbers: 15-15-424-001-0000 and 15-15-424-002-0000:

- LOTS 45 AND 46 IN BLOCK 13 IN WESTERN ADDITION, BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Real Estate Index Numbers: 15-15-416-022-0000 and 15-15-416-023-0000:

- LOTS 24 AND 25 IN BLOCK 12 IN WESTERN ADDITION, BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.