

ORDINANCE NO. 2276-23

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A HOME OCCUPATION BUSINESS IN WHICH CLIENTS WILL BE SEEN IN THE HOME LOCATED AT 90 MARK DRIVE, HAWTHORN WOODS, IL – CATHERINE AND DONOVAN PHILLIPS

WHEREAS, on or about June 13, 2023, Catherine and Donovan Phillips, as applicant (“Applicant”), filed an application for a special use permit for a home occupation business that will allow for clients or customer visits or meetings to the home on the property legally described on Exhibit "A" attached hereto and incorporated herein (the "SUBJECT REALTY"); and,

WHEREAS, Notice of Public Hearing with respect to the special use permit was published on or about August 18, 2023, in the Daily Herald, being a newspaper having general circulation within the Village of Hawthorn Woods, all as required by the statutes of the State of Illinois and the ordinances of the Village, and,

WHEREAS, all other notices required by the statutes of the State of Illinois and the ordinances of the Village have been given; and,

WHEREAS, pursuant to said Notice, the Planning, Building, and Zoning Commission of the Village of Hawthorn Woods conducted a Public Hearing regarding the special use permit on or about September 12, 2023, all as required by the statutes of the State of Illinois and the ordinances of the Village; and,

WHEREAS, the Planning, Building, and Zoning Commission forwarded its recommendations to the Mayor and Board of Trustees on or about September 12, 2023; and,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Hawthorn Woods, Lake County, Illinois, as follows:

SECTION ONE: That there is hereby granted a special use permit for a home occupation business that will allow for clients or customer visits or meetings to the home on the SUBJECT REALTY as set forth on Exhibit “B”.

SECTION TWO: That the SUBJECT REALTY is zoned R-1 and is the subject of an application for a special use for a home occupation business that will allow for clients or customer visits or meetings to the home.

SECTION THREE: That there is hereby granted a special use permit issued to Catherine and Donovan Phillips for the SUBJECT REALTY subject to the following conditions:

1. The Applicant will maintain all necessary permits and licenses needed to operate a bakery from the Village of Hawthorn Woods and outside agencies.
2. The days and hours of operation are limited to 8AM to 6PM, 7 days per week.
3. The Village will consult with the Countryside Fire District to determine the number of customers that shall be allowed on the property at one time during the listed hours of operation. Said numbers shall be subject to the Village’s final approval.
4. Clients or customers will only be allowed to park on the property in accordance with the approved site plan. No parking will be allowed on Village or County right of way, including Mark Drive.
5. Any proposed signage shall receive final approval by the Village Board.
6. Any outdoor seating shall be identified on the site plan. The overall maximum number of customers allowed in Condition 3 will be included as part of the outdoor seating.
7. All other regulations set forth in Section 9-3-4 of the Zoning Ordinance shall remain.

8. Applicant shall provide a site plan showing the proposed location for: parking; a bike rack; the retail space and entrance thereto; and outdoor patio. The applicant shall also provide a floor plan showing the retail space and entrance to the retail space.
9. Applicant shall provide for a bike rack on site.
10. Applicant shall contact the post office to change the address of the bakery, if permitted.

SECTION FOUR: That the recommendations of the Planning, Building, and Zoning Commission heretofore attached hereto as Exhibit "B", are hereby adopted by the Mayor and Board of Trustees of the Village of Hawthorn Woods.

SECTION FIVE: That the Village Board approves the conditions in Section Three hereof as the Findings of Fact.

SECTION SIX: That all ordinances and resolutions, or parts thereof, in conflict with the provisions of the Ordinance are, to the extent of such conflict, superseded by this Ordinance.

SECTION SEVEN: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

The foregoing Ordinance was passed by a roll call vote as follows:

AYES: Kaiser, McCarthy, Pychler, Boyer, Hurst

NAYS: 0

ABSENT AND NOT VOTING: Baman

APPROVED: [Signature]

 Dominick DiMaggio, Mayor

ATTEST: [Signature]

 Donna Lobaito, Village Clerk

PASSED: September 18, 2023

APPROVED: September 18, 2023

EXHIBIT "A"

LEGAL DESCRIPTION

LOT 39 IN RAMBLING HILLS, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 23, 1975 AS DOCUMENT NO. 1744559, IN LAKE COUNTY.

EXHIBIT "B"

PLANNING, BUILDING, AND ZONING COMMISSION RECOMMENDATIONS FOR THE SPECIAL USE PERMIT REQUEST OF CATHERINE AND DONOVAN PHILLIPS, 90 MARK DRIVE

The Applicant has agreed to the following conditions to the special use permit:

1. The Applicant will maintain all necessary permits and licenses needed to operate a bakery from the Village of Hawthorn Woods and outside agencies.
2. The days and hours of operation are limited to 8AM to 6PM, 7 days per week.
3. The Village will consult with the Countryside Fire District to determine the number of customers that shall be allowed on the property at one time during the listed hours of operation. Said numbers shall be subject to the Village's final approval.
4. Clients or customers will only be allowed to park on the property in accordance with the approved site plan. No parking will be allowed on Village or County right of way, including Mark Drive.
5. Any proposed signage shall receive final approval by the Village Board.
6. Any outdoor seating shall be identified on the site plan. The overall maximum number of customers allowed in Condition 3 will be included as part of the outdoor seating.
7. All other regulations set forth in Section 9-3-4 of the Zoning Ordinance shall remain.
8. Applicant shall provide a site plan showing the proposed location for: parking; a bike rack; the retail space and entrance thereto; and outdoor patio. The applicant shall also provide a floor plan showing the retail space and entrance to the retail space.
9. Applicant shall provide for a bike rack on site.
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