

**VILLAGE OF DEERFIELD
LAKE AND COOK COUNTIES, ILLINOIS**

ORDINANCE NO. 0-05-37

**AN ORDINANCE REZONING CERTAIN PROPERTY
COMMONLY KNOWN AS 710 ORCHARD AS R-4
SINGLE-FAMILY AND TWO-FAMILY RESIDENCE DISTRICT
AND AUTHORIZING AN AMENDMENT TO THE
COMPREHENSIVE PLAN**

**PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF DEERFIELD, LAKE
AND COOK COUNTIES, ILLINOIS, this**

19th day of September, 2005.

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Deerfield, Lake and
Cook Counties, Illinois, this
19th day of September, 2005.**

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WHEREAS, the property legally described on Exhibit A attached hereto, commonly known as 710 Orchard Street (the "Subject Property"), is currently zoned in the R-3 Single-Family Residence District, and is designated for single family residential use in the Comprehensive Plan of the Village of Deerfield; and,

WHEREAS, the owners of the Subject Project ("Petitioner") have petitioned the Village pursuant to Article 13.10-D of the Zoning Ordinance of the Village of Deerfield for an amendment to the zoning map of the Village of Deerfield to change the zoning classification of the Subject Property from the R-3 Single-Family Residence District to the R-4 Single-Family and Two-Family Residence District and for an amendment to the Comprehensive Plan of the Village of Deerfield to designate the Subject Property for two-family residential use; and,

WHEREAS, the Plan Commission of the Village of Deerfield held a public hearing on July 14, 2005 to consider said request to rezone the Subject Property to the R-4 Single-Family and Two-Family Residence District, and for approval of an amendment to the Comprehensive Plan of the Village of Deerfield to designate the Subject Property for two-family residential use, said hearing being held pursuant to public notice and conforming in all respects, in both manner

and form, with the requirements of the statutes of the State of Illinois and the Zoning Ordinance of the Village of Deerfield; and,

WHEREAS, the Plan Commission of the Village of Deerfield, after considering the testimony, documentary evidence and supporting materials offered at said public hearing, filed its report with the President and Board of Trustees containing its written findings of fact and recommendation to amend the Zoning Map of the Village of Deerfield to change the zoning classification of the Subject Property from the R-3 Single-Family Residence District to the R-4 Single-Family and Two-Family Residence District and to authorize an amendment to the Comprehensive Plan of the Village of Deerfield to designate the Subject Property for two-family residential use; and,

WHEREAS, President and Board of Trustees of the Village of Deerfield have determined that the public interests of the Village of Deerfield will be served by amending the zoning map of the Village of Deerfield to change the zoning classification of the property legally described on Exhibit A attached hereto from the R-3 Single-Family Residence to the R-4 Single-Family and Two-Family Residence District, and amending the Comprehensive Plan of the Village of Deerfield to designate the Subject Property for two-family residential use;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF DEERFIELD, LAKE AND COOK COUNTIES, ILLINOIS, in the exercise of its home rule powers, as follows:

SECTION 1: That the Zoning Map of the Village of Deerfield be in the same as hereby amended to change the zoning classification of the property legally described on Exhibit A attached hereto from the R-3 Single-Family Residence District to the R-4 Single-Family and Two-Family Residence District.

SECTION 2: That the President and Board of Trustees of the Village of Deerfield do hereby authorize and approve an amendment to the Comprehensive Plan of the Village of Deerfield to designate the property on Exhibit A, attached hereto, for two-family residential use.

SECTION 3: That this Ordinance, and each of its terms, shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should: (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law; or, (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the Village of Deerfield that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 19th day of September, 2005.

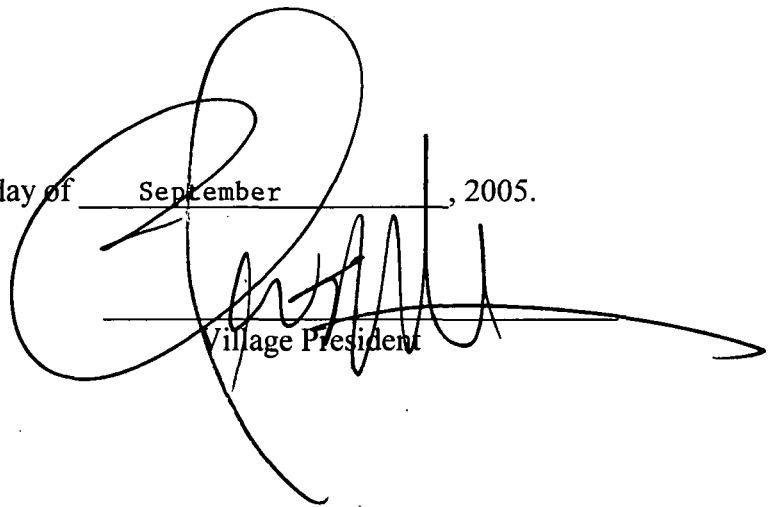
AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)

NAYS: None (0)

ABSENT: None (0)

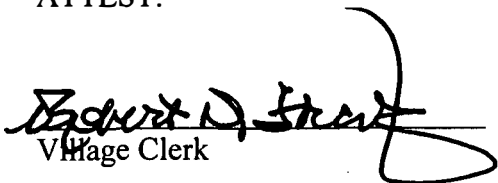
ABSTAIN: None (0)

APPROVED this 19th day of September, 2005.



Village President

ATTEST:



Village Clerk