

## ORDINANCE

### **AN ORDINANCE AMENDING CHAPTER 7 ("BUILDING REGULATIONS"), ARTICLE 9 ("HISTORIC PRESERVATION"), SECTION 7-9-8 ("DESIGNATION OF HISTORIC LANDMARKS AND INTERIOR HISTORIC LANDMARKS") OF THE OAK PARK VILLAGE CODE TO DESIGNATE THE EXTERIOR OF THE HOUSE LOCATED AT 400 NORTH KENILWORTH AVENUE AS AN HISTORIC LANDMARK**

**WHEREAS**, the Village of Oak Park ("Village") is a home rule unit of government pursuant to Article VII, Section 6(a) of the Illinois Constitution; and

**WHEREAS**, pursuant to its home rule authority, the Village of Oak Park may exercise any power and perform any function pertaining to its government and affairs, including the designation of historic landmark properties pursuant to Chapter 7 ("Building Regulations"), Article 9 ("Historic Preservation") of the Oak Park Village Code and Division 48.2 ("Preservation of Historical and Other Special Areas") of the Illinois Municipal Code, 65 ILCS 5/11-48.2-1 *et seq.*; and

**WHEREAS**, Kevin and Dianne Risch ("Petitioners"), as property owners of the property located at 400 North Kenilworth Avenue, Oak Park, Illinois ("Property"), filed a Nomination for Landmark Status application for the Property; and

**WHEREAS**, at a meeting held on April 12, 2018, the Historic Preservation Commission held a public hearing on the Petitioners' application; and

**WHEREAS**, notice of the public hearing was duly published in the *Wednesday Journal* on March 28, 2018; and

**WHEREAS**, the Historic Preservation Commission recommended that historic landmark status be granted for the Property by a majority vote of its members then in attendance, as reflected in the minutes of the public hearing of April 12, 2018, incorporated herein by reference as though fully set forth; and

**WHEREAS**, the Historic Preservation Commission adopted a Resolution/Findings of Fact on the application at its meeting of April 12, 2018, which is incorporated herein as though fully set forth; and

**WHEREAS**, the President and Board of Trustees have received the Resolution/Findings of Fact of the Historic Preservation Commission with respect to the application for historic landmark status for the Property and hereby adopt and approve said Resolution/Findings of Fact; and

**WHEREAS**, the President and Board of Trustees has determined to designate the exterior of the house located at 400 North Kenilworth Avenue, Oak Park, Illinois, known as the John J. Schmidt House, as an historic landmark pursuant to its authority as set forth above.

**NOW THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

**Section 1. Recitals Incorporated.** The above recitals are incorporated herein as though fully set forth.

**Section 2. Village Code Amended.** Chapter 7 (“Building Regulations”), Article 9 (“Historic Preservation”), Section 7-9-8 (“Designation of Historic Landmarks and Interior Historic Landmarks”) of the Oak Park Village Code is hereby amended by adding the underlined to read as follows:

**7-9-8: DESIGNATION OF HISTORIC LANDMARKS AND INTERIOR HISTORIC LANDMARKS:**

\* \* \* \*

F. The following properties and/or improvements have been designated as Oak Park historic landmarks (including interior landmarks) pursuant to this article:

\* \* \* \*

69. John J. Schmidt House  
400 North Kenilworth Avenue  
Exterior

**Section 3. Severability and Repeal of Inconsistent Ordinances.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)**

**Section 4. Effective Date.** This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

**ADOPTED** this 7<sup>th</sup> day of May, 2018, pursuant to a roll call vote as follows:

| Voting              | Aye | Nay | Abstain | Absent |
|---------------------|-----|-----|---------|--------|
| President Abu-Taleb |     |     |         |        |
| Trustee Andrews     |     |     |         |        |
| Trustee Boutet      |     |     |         |        |
| Trustee Button      |     |     |         |        |
| Trustee Moroney     |     |     |         |        |
| Trustee Taglia      |     |     |         |        |
| Trustee Tucker      |     |     |         |        |

**APPROVED** this 7<sup>th</sup> day of May, 2018.

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Anan Abu-Taleb, President

**ATTEST**

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Vicki Scaman, Village Clerk

Published in pamphlet form this 7<sup>th</sup> day of May, 2018.

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Vicki Scaman, Village Clerk