

ORDINANCE

AN ORDINANCE DENYING A CERTIFICATE OF APPROPRIATENESS FOR THE PROPERTY LOCATED AT 224 SOUTH MARION STREET

WHEREAS, on July 27, 2018, the Applicant, David Lehman ("Applicant") submitted an application with the Village of Oak Park ("Village") for a certificate of appropriateness seeking approval to demolish a commercially used residential structure and detached garage within the Ridgeland/Oak Park Historic District located at 224 South Marion Street ("Property") as more fully set forth in the application; and

WHEREAS, on August 9, 2018, the Historic Preservation Commission ("Commission") reviewed the Certificate of Appropriateness application and determined that the proposal did not meet the Commission's Architectural Review Guidelines and took no action on the application pursuant to Section 7-9-13(F) of the Oak Park Village Code ("Village Code"); and

WHEREAS, on August 10, 2018 the Applicant requested a public hearing before the Commission; and

WHEREAS, the Commission held a public hearing on the application at a meeting held on August 30, 2018; and

WHEREAS, notice of the public hearing was duly published in the *Wednesday Journal* on August 15, 2018; and

WHEREAS, at the conclusion of the public hearing, the Commission denied the certificate of appropriateness for the Property by a vote of eight (8) in favor and none (0) against; and

WHEREAS, the Commission adopted a Resolution and Findings of Fact on the application at its meeting of August 30, 2018 meeting, which is incorporated herein as though fully set forth; and

WHEREAS, a certificate of appropriateness is defined in Section 7-9-2 of the Village Code as, "A certificate issued by the Commission indicating its approval of plans for the alteration, or construction, or relocation of an historic landmark, or the removal or demolition of an historic landmark or a building, structure or improvement within an historic district;" and

WHEREAS, the denial of a certificate of appropriateness by the Commission may be appealed to the Village Board pursuant to Section 7-9-13(H) of the Village Code; and

WHEREAS, the Applicant filed such an appeal on September 3, 2018; and

WHEREAS, the President and Board of Trustees have received the Resolution and Findings of Fact of the Commission with respect to the application and approve said Resolution and Findings of Fact; and

WHEREAS, pursuant to the Resolution and Findings of Fact of the Commission, the President and Board of Trustees have determined to deny the Applicant's appeal for a certificate of appropriateness as set forth herein.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, County of Cook, 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. Adoption of Resolution and Findings of Fact. The Resolution and Findings of Fact of the Historic Preservation Commission, together with all reports and exhibits submitted at the public hearing, are hereby incorporated by reference herein and are approved.

Section 3. Denial of a Certificate of Appropriateness. The Applicant's appeal for the issuance of a certificate of appropriateness is denied and a certificate of appropriateness shall not issue on the application.

Section 4. 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.

Section 5. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

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ADOPTED this 15th day of October, 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 15th day of October, 2018.

Anan Abu-Taleb, Village President

ATTEST

Vicki Scaman, Village Clerk

Published in pamphlet form this 15th day of October, 2018.

Vicki Scaman, Village Clerk