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**VILLAGE OF MELROSE PARK  
COOK COUNTY, ILLINOIS**

**ORDINANCE NO. 1033**

**AN ORDINANCE RECLASSIFYING THE ZONING DESIGNATION  
OF CERTAIN REAL PROPERTY IN THE VILLAGE OF MELROSE  
PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

**ADOPTED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE  
VILLAGE OF MELROSE PARK**

**THIS 12<sup>TH</sup> DAY OF MARCH 2007**

**RONALD M. SERPICO, Village President  
MARY ANN PAOLANTONIO SALEMI, Village Clerk**

**Board Of Trustees**

**JOHN S. CONTEDEUCA  
CATHLEEN COSSIDENT ITALIA  
THOMAS KLEIN  
RUBEN LOMELI  
ARTURO J. MOTA  
ANTHONY J. PRIGNANO**

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**Published by authority of the  
President and Board of Trustees  
Of the Village of Melrose Park,  
Cook County, Illinois on  
This 13<sup>TH</sup> day of MARCH 2007**

**ORDINANCE NO. 1033**

**AN ORDINANCE RECLASSIFYING THE ZONING DESIGNATION OF CERTAIN REAL PROPERTY IN THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

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WHEREAS, the Village of Melrose Park, Cook County, 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 for the benefit of the residents of the Village; and

WHEREAS, the Village President, the Honorable Ronald M. Serpico (the “President”), the Village Clerk, the Honorable Mary Ann Paolantonio Salemi (the “Clerk”), and the Board of Trustees of the Village, namely, the Honorable John S. Conteduca, Cathleen Cossident Italia, Thomas “TK” Klein, Ruben Lomeli, Arturo J. Mota and Anthony J. Prignano (the “Village Board”), all having taken office on May 2, 2005, constitute the duly elected, qualified and acting officials of the Village (collectively, the President and Village Board constitute the “Corporate Authorities”); and

WHEREAS, pursuant to Title 17 of the Municipal Code of Melrose Park of 2004, as amended, the Zoning Board of Appeals is vested with the authority to, among other things, recommend to the President and Board of Trustees of the Village changes in the district boundaries or to recommend any variation or modification in the Zoning Ordinance of the Village; and

WHEREAS, pursuant to the Application and Petition of the Luigi Ranieri, the Zoning Board of Appeals of the Village of Melrose Park held a public hearing regarding reclassifying the zoning designation of certain real property with the common street address of 1302 North 15<sup>th</sup> Avenue, Melrose Park, Illinois (the "Subject Property"); and

WHEREAS, said Hearing was held pursuant to duly published notice thereof and was in all respects in accordance with applicable law; and

WHEREAS, after thoughtful discussion and due deliberation, the Zoning Board of Appeals of the Village of Melrose Park recommend to the President and Board of Trustees of the Village that the zoning designation of the Subject Property be reclassified from a "B" Residence District to a "C" Residence District; and

WHEREAS, the Zoning Board of Appeals, after considering the evidence adduced, made written findings of fact recommending the zoning reclassification of the Subject Property, as set-forth herein; and

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Zoning Board of Appeals and incorporate such findings and recommendations herein by this reference, as if they were fully set forth herein; and

WHEREAS, the President and the Board of Trustees of the Village have determined that it is both advisable and in the best interest of the Village and its residents to reclassify the zoning designation of the Subject Property; and

NOW THEREFORE, BE IT ORDAINED by the Village President and the Board of Trustees of the Village of Melrose Park, Cook County Illinois, as follows:

**ARTICLE I.  
IN GENERAL**

**Section 01. Incorporation Clause.**

The President and Board of Trustees of the Village (the "Village Board") hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and does hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**Section 02. Purpose.**

The purpose of this Ordinance is to reclassify the zoning designation of the Subject Property to a "C" Residence District.

**Section 03. Invocation of Authority.**

This Ordinance is enacted pursuant to the authority granted to this Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

**Section 04. State Law Adopted.**

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

**Sections 05-09. Reserved.**

**ARTICLE II.  
ZONING CLASSIFICATION**

**Section 10.00 Reclassification of Zoning.**

That the President and Board of Trustees of the Village of Melrose Park do hereby authorize and approve the rezoning and reclassification of the Subject Property,

which is the real property commonly referred to as 1302 North 15<sup>th</sup> Avenue, Melrose Park, Illinois, to a “C” Residence District.

**Section 11.00 Other Actions Authorized.**

The officers, employees and agents of the Village are hereby authorized and directed to take any and all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated by this Ordinance and to take all action necessary in conformity therewith, including, without limitation, conducting any hearings and/or adopting additional legislation as may be necessary to amend the Zoning Map of the Village and Zoning Ordinance of the Village to reflect the transaction contemplated by this Ordinance.

**ARTICLE III.  
SAVINGS CLAUSES,  
PUBLICATION, EFFECTIVE DATE**

**Section 12.00 Headings.**

The headings for the articles, sections, paragraphs, and sub-paragraphs 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 provisions of this Ordinance.

**Section 13.00 Severability.**

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part 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. It is hereby declared to be the legislative intent of the Board of Trustees of the Village that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof had not been included.

**Section 14.00 Superseder.**

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded.

**Section 15.00 Publication.**

A full, true and complete copy of this ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

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**Section 16.00 Effective Date**

This Ordinance shall be in full force and effect upon passage, approval and publication, as provided by law.

On The Individual Poll And Voice Vote Of The Board Of Trustees:

AYE VOTES: Trustee Conteduca, Trustee Italia, Trustee Klein,  
Trustee Lomeli, Trustee Mota, Trustee Prignano

NAY VOTES:

ABSTAIN:

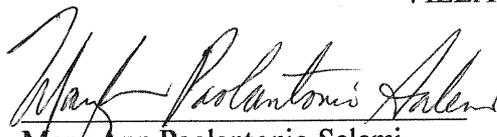
ABSENT:

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE  
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS  
TWELFTH DAY OF MARCH, 2007, A.D.

APPROVED:

  
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RONALD M. SERPICO  
VILLAGE PRESIDENT

ATTEST:

  
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Mary Ann Paolantonio Salemi  
Village Clerk

(SEAL)

Recorded in the Municipal Records: March 12, 2007  
Published in pamphlet form: March 13, 2007