

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2009-057

AN ORDINANCE GRANTING A VARIATION FROM THE SIGN CODE FOR WAL-
MART LOCATED AT 555 E. TOWNLINE ROAD, IN THE VILLAGE OF VERNON
HILLS, LAKE COUNTY.

THE 18TH DAY OF NOVEMBER 2009

Published in pamphlet form by the
Authority of the President and Board
Of Trustees of the Village of Vernon
Hills, Lake County, Illinois, this 19th
Day of November 2009

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**AN ORDINANCE GRANTING A VARIATION
FROM THE SIGN CODE FOR WAL-MART
LOCATED AT 555 E. TOWNLINE ROAD, IN
THE VILLAGE OF VERNON HILLS, LAKE
COUNTY.**

WHEREAS, Wal-Mart located at 555 E, Townline Road Vernon Hills, IL, filed an application on October 5, 2009 requesting a variation from the Sign Code, Section 19-3(c)(4) to allow a logo to exceed the height of the lettering; 6'-6 9/16" in height rather than the maximum permitted height of 4'-6".

WHEREAS, A public hearing was conducted on this application by the Zoning Board of Appeals at its meeting of October 29, 2009, after due notice thereof by publication, mailing and posting of the property; and

WHEREAS, The Zoning Board of Appeals having fully heard the testimony, found that sufficient facts were presented which, in its judgment, would justify recommending approval of a variation from Section 19-3(c)(4) to allow a logo to exceed the height of the lettering; 6'-6 9/16" in height rather than the maximum permitted height of 4'-6; and

WHEREAS, The Village Board of Trustees have, with the findings of the Zoning Board of Appeals, found: 1) that the property in question cannot yield a reasonable return if required to be used only under the conditions allowed by the regulations of the code; 2) that the plight of the owner is due to unique circumstances; and 3) that variation if granted would not alter the essential character of the neighborhood.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE AND STATE OF ILLINOIS:

SECTION I. Pursuant to the Vernon Hills Sign Code, as amended, a Variation to allow a logo to exceed the height of the lettering, 6'-6 9/16" in height rather than the maximum permitted height of 4'-6 is hereby approved subject to the following conditions:

1. The signs shall be located as shown on the site plan prepared by HFA Architects, dated December 17, 2008; and
2. The signs shall be designed in accordance with the elevation drawings prepared by HFA Architects, dated December 17, 2008.

SECTION II. SEVERABILITY. In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

SECTION III. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this ordinance.

SECTION IV. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

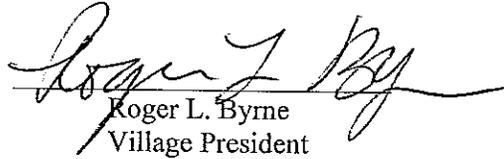
SECTION V. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2009-057.

Adopted by roll call vote as follows:

AYES: 6-Schultz, Schwartz, Williams, Hebda, Koch, Marquardt

NAYS: 0-None

ABSENT AND NOT VOTING: 0-None


Roger L. Byrne
Village President

PASSED: 11/18/2009

APPROVED: 11/18/2009

PUBLISHED IN PAMPHLET FORM: 11/19/2009

ATTEST:


Linda Pelletier
Village Clerk



AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, LINDA PELLETIER, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, SHE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE 2009-057, AN ORDINANCE GRANTING A VARIATION FROM THE SIGN CODE FOR WAL-MART LOCATED AT 555 E. TOWNLINE ROAD, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.



LINDA PELLETIER, VILLAGE CLERK

SUBSCRIBED AND SWORN to Before
Me this 2 day of December, 2009



Notary Public

