

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2010-001

AN ORDINANCE GRANTING A VARIATION FROM THE ZONING ORDINANCE
AND SIGN CODE FOR HAWTHORN HILLS FASHION SQUARE, 700 N.
MILWAUKEE AVENUE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.

THE 12TH DAY OF JANUARY 2010

Published in pamphlet form by the
Authority of the President and Board
Of Trustees of the Village of Vernon
Hills, Lake County, Illinois, this 12th
Day of January 2010

ORDINANCE NO. 2010-001

**AN ORDINANCE GRANTING A VARIATION
FROM THE ZONING ORDINANCE AND
SIGN CODE FOR HAWTHORN HILLS FASHION
SQUARE, 700 N. MILWAUKEE AVENUE, IN
THE VILLAGE OF VERNON HILLS, LAKE
COUNTY.**

WHEREAS, Hawthorn -Vernon Hills LLC d.b.a. Chase Properties (Hawthorn Hills Fashion Square), located at 700 North Milwaukee Avenue Vernon Hills, IL, filed an application on November 16, 2009 requesting a variation from the Village Code of Ordinances, Appendix C, Zoning Ordinance, Article 13, section 13.5.1 to allow a building height of 43'- 4" in lieu of the maximum permitted height of 35'-0"; and Chapter 19, Signs, Section 19-3(c)(6a) to allow a building mounted sign to be 363.13 square feet in lieu of the maximum permitted size of 150 square feet, section 19-3(c)(6b) to allow a business with more than one frontage to have a second building mounted sign to be 363.13 square feet in lieu of the maximum permitted size of 75 square feet, section 19-3(c)(6c) to allow two ground mounted signs to be 319.92 square feet in lieu of the maximum permitted size of 50 square feet, section 19-3(c)(9b) to allow two ground mounted signs to be 24 feet in height in lieu of the maximum permitted height of 8 feet, and section 19-3(c)(7b)1 to allow two ground mounted signs to display 5 tenants and the name of the shopping center rather than one tenant as required by the sign code; and

WHEREAS, A public hearing was conducted on this application by the Zoning Board of Appeals at its meeting of December 10, 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 the variations referenced herein; 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, the following variations are hereby granted:

1. Appendix C, Zoning Ordinance, Article 13, section 13.5.1: to allow a building height of 43'- 4" in lieu of the maximum permitted height of 35'-0".
2. Chapter 19, Signs, Section 19-3(c)(6a): to allow a building mounted sign to be 363.13 square feet in lieu of the maximum permitted size of 150 square feet.

3. Chapter 19, Signs, Section 19-3(c)(6b): to allow a business with more than one frontage to have a second building mounted sign to be 363.13 square feet in lieu of the maximum permitted size of 75 square feet.
4. Chapter 19, Signs, Section 19-3(c)(6c) to allow two ground mounted signs to be 319.92 square feet in lieu of the maximum permitted size of 50 square feet.
5. Chapter 19, Signs, Section 19-3(c)(9b) to allow two ground mounted signs to be 24 feet in height in lieu of the maximum permitted height of 8 feet.
6. Chapter 19, Signs, Section 19-3(c)(7b)1 to allow two ground mounted signs to display 5 tenants and the name of the shopping center rather than one tenant as required by the sign code.

SECTION II. Approvals of the variations are subject to the following conditions:

1. The façade renovation, wall signs and ground mounted signs shall be substantially in accordance with the elevation drawings and site plan prepared by Reighard Design, dated November 16, 2009.
2. A building permit shall be required for individual tenant panels on the ground signs.
3. Logos shall not be permitted on the ground signs.
4. The font shall be the same for all tenant panels on the ground sign.
5. The lettering and background color shall be consistent for all tenant panels on the ground sign.

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.

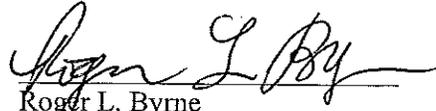
SECTION V. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2010-001.

Adopted by roll call vote as follows:

AYES: 4-Schultz, Schwartz, Hebda, Koch

NAYS: 0-None

ABSENT AND NOT VOTING: 2-Marquardt, Williams

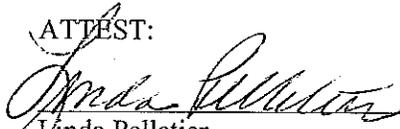

Roger L. Byrne
Village President

PASSED: 1/05/2010

APPROVED: 1/05/2010

PUBLISHED IN PAMPHLET FORM: 1/12/2010

ATTEST:


Linda Pelletier
Village Clerk



AFFIDAVIT OF SERVICE

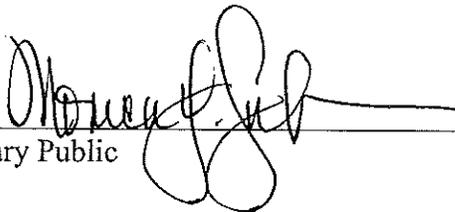
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

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 2010-001, AN ORDINANCE GRANTING A VARIATION FROM THE ZONING ORDINANCE AND SIGN CODE FOR HAWTHORN HILLS FASHION SQUARE, 700 N. MILWAUKEE AVENUE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.



LINDA PELLETIER, VILLAGE CLERK

SUBSCRIBED AND SWORN to Before
Me this 4 day of February, 2010



Notary Public

