

ORDINANCE NO. 2007-77

AN ORDINANCE GRANTING A VARIATION FROM THE SIGN CODE TO ALLOW THREE GROUND MOUNTED SIGNS IN LIEU OF THE MAXIMUM PERMITTED NUMBER OF ONE AT 860 MILWAUKEE AVE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.

WHEREAS, Aarons Enterprises-Mobil Station, owner of the property at 860 S. Milwaukee Avenue, Vernon Hills, IL, filed an application on September 17, 2007 requesting a variation from Section 19-3(c)(7)b to allow three (3) ground mounted signs in lieu of the maximum permitted number of one (1); and

WHEREAS, A public hearing was conducted on this application by the Zoning Board of Appeals at its meeting of October 27, 2007, 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)(7)b to allow three (3) ground mounted signs in lieu of the maximum permitted number of one (1); 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 Variation to allow three (3) ground mounted signs in lieu of the maximum permitted number of one (1) is hereby granted, subject to the following conditions:

1. The signs shall be located as shown on the site plan presented to the Board of Trustees dated September 17, 2007.
2. The Jiffy Lube and vacant tenant signs shall be installed in accordance with the drawings presented to the Board of Trustees dated September 17, 2007.
3. The Marketplace/Mobil sign shall be installed in accordance with the drawings presented to the Board of Trustees dated December 11, 2007.

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 2007- 77.

Adopted by roll call vote as follows:

AYES: 5-Koch, Marquardt, Schultz, Schwartz, Williams, Hebda

NAYS: 0-None

ABSENT AND NOT VOTING: 1-Hebda

Roger L. Byrne, Village President

PASSED: 12/17/2007

APPROVED: 12/17/2007

PUBLISHED IN PAMPHLET FORM: 1/09/2008

ATTEST:

Linda Pelletier, Village Clerk