

**VILLAGE OF VERNON HILLS
ORDINANCE 2021-097**

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT AND CERTAIN OTHER
APPROVALS FOR A WATER RESERVOIR ON PROPERTY LOCATED AT 240 WEST
GREGGS PARKWAY IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY**

WHEREAS, representatives of Lake County Public Works, pertaining to property located at 240 West Gregg's Parkway and legally described in Exhibit A, has petitioned the Village of Vernon Hills for approval of the following:

1. Approval of a Special Use Permit to allow public utility structures to be known as White Deer Run Water Reservoir; and
2. Approval of certain variations related to the Zoning Ordinance; and
3. Preliminary and final site plan approvals; and
4. Preliminary and final structure and building elevation approvals.

WHEREAS, upon due notice and after a public hearing held on June 9, 2021 by the Planning and Zoning Commission of the Village of Vernon Hills, and pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, said Planning and Zoning Commission has filed its report and recommendation concerning said petition referenced herein; and

WHEREAS, based upon the evidence adduced at said hearing and in their application, the petitioner has entered into the record evidence and findings of fact that address the standards in Section 18.3 of the Zoning Ordinance; and

WHEREAS, the Village Board, having considered the Planning and Zoning Commissions report and recommendation at its Committee of the Whole meeting on June 15, 2021, found that sufficient facts were presented which, in its judgment, would justify approving a Special Use Permit allowing public utility structures; approval of certain variations related to the Zoning Code; preliminary and final site plan approval; and granting preliminary and final approval of structure and building elevations.

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 Zoning Ordinance of 1982, as amended, approval of a Special use Permit allowing public utility structures is hereby granted, subject to the Terms and Conditions of Approval, as set forth in Exhibit B.

SECTION II. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, approval of certain variations related to the Zoning Ordinance listed in Exhibit C is hereby granted, subject to the Terms and Conditions of Approval, as set forth in Exhibit B.

SECTION III. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, preliminary and final site plan approvals is hereby granted, subject to the Terms and Conditions of Approval, as set forth in Exhibit B.

SECTION IV. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, preliminary and final structure and building elevation approval is hereby granted, subject to the Terms and Conditions of Approval, as set forth in Exhibit B

SECTION V. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, and the recommendations of the Planning and Zoning Commission, the Terms and Conditions of Approval as set forth in Exhibit B are hereby approved and are made a part of the approvals as listed in the Sections above.

SECTION VI. 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 VII. 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 VIII. SUCCESSORS AND ASSIGNS. All of the provisions of this Ordinance and the attachments hereto are binding on all successors and assigns of the petitioner and property owner.

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

SECTION X. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2021-097.

Adopted by roll call vote as follows:

AYES: 6 – Marquardt, Koch, Forster, Oppenheim, Takaoka, Schenk

NAYS: 0 - None

ABSENT AND NOT VOTING: 1 - Byrne

[Signature page follows]


Thom Koch Jr., Village President Pro Tem

PASSED: 07/06/2021
APPROVED: 07/06/2021
PUBLISHED IN PAMPHLET FORM: 07/06/2021
ATTEST: 07/06/2021


Mark Fleischhauer, Village Clerk



Exhibit A

**Legal Description
(PIN 11-32-200-002)**

(PIN 11-32-200-002)

Property Description

Part of the Northeast Quarter of Section 32, Township 44 North, Range 11 East of the Third Principal Meridian, Lake County, Illinois, further described as follows:

Beginning at a point on the East line of the Northeast Quarter of said Section 32, lying 660.00 feet South of the Northeast corner of said Section 32, being a corner of Lot 29 of Gregg's Landing North Subdivision, as recorded in Document Number 3950268 of the Lake County, Illinois Recorder's Office; thence South 00 degrees 51 minutes 39 seconds West on said East line of the Northeast Quarter, 140.56 feet to the North Right-of-Way line of the Elgin, Joliet and Eastern Railroad; thence Southwesterly on said North Right-of-Way line, 317.61 feet on a curve to the left, having a radius of 2921.93 feet and a chord of South 63 degrees 08 minutes 46 seconds West, 317.46 feet; thence continuing on said North Right-of-Way line, South 60 degrees 01 minute 55 seconds West, 511.14 feet to said Lot 29 of Gregg's Landing North Subdivision; thence North 00 degrees 51 minutes 39 seconds East, 541.71 feet to a southerly corner of said Lot 29; thence South 89 degrees 48 minutes 36 seconds East, 720.00 feet to the Point of Beginning, containing 5.52 acres, more or less.

Exhibit B

**DEVELOPMENT PERMIT
For Lake County Water Reservoir
240 West Gregg's Parkway**

General Compliance with the following plans:

1. Civil engineering plans, consisting of six (6) pages, prepared by RHMG Engineers, Inc dated April 1, 2021; and
2. Architectural site plan consisting of one (1) page, prepared by The Hezner Corporation , dated April 23, 2021; and
3. Lighting and photometric plan consisting of one (1) page, prepared by The Hezner Corporation , dated April 23, 2021; and
4. Color renderings, consisting of one (1) page, prepared by The Hezner Corporation , dated April 23, 2021; and

Conditions of Approval for the entire Site:

1. Final engineering is subject to review and approval by the Village Engineer prior to issuance of building permit; and
2. The amended access agreement/easement is subject to final review and approval by the Village Attorney; and
3. Compliance with all ordinances and standards of the Village.

Exhibit C

**Approved Variations
For the Lake County Reservoir
240 West Gregg's Parkway**

Approval of the following variations from the Zoning Ordinance are hereby granted:

1. *Section 16A.6.2.1*: Allowing a front yard setback of 25 feet in lieu of the minimum required setback of 60 feet; and
2. *Section 16A.6.5.1 & 16A.6.5.2*: waiving the requirement for a 25-foot landscaped buffer strip having a 4-foot berm where a side yard abuts a residential zoning district.