

**VILLAGE OF VERNON HILLS
ORDINANCE 2023-025**

**AN ORDINANCE AMENDING ORD. 2003-22, WHICH APPROVED THE
DEVELOPMENT PERMIT FOR POD 10 OF GREGG'S LANDING (ROYAL BIRKDALE)**

WHEREAS, the Village of Vernon Hills approved Ordinance No. 2003-22 on April 15, 2003, granting approval of the development permit for Pod 10 of Gregg's Landing (Royal Birkdale); and

WHEREAS, residents of Royal Birkdale have submitted a request to amend the development permit specifically to allow solar roof tiles with a slate tile appearance; and

WHEREAS, the pod does not have a Homeowner's Association and the Gregg's Landing North master association has indicated that it has no objection to the request; and

WHEREAS, a petition of support with signatures from the owners of 21 of the 31 occupied homes (68%) has been submitted; and

WHEREAS, the Village Board considered the request at its Committee of the Whole meeting on December 13, 2022, and agreed that the amendment to Ordinance No. 2003-22 as requested would be appropriate.

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 1. The above listed recitals are incorporated into and made part of this Ordinance.

SECTION 2. The development permit for Pod 10 (Royal Birkdale), as documented in Ordinance No. 2003-22, is hereby amended as shown in **Exhibit A**, to incorporate the following modifications:

4. Conditions of approval:

- f) ~~Architectural Review of the homes shall be approved by an Architectural Review Committee formed by G.A.Z., as called out for in Resolution 96-06. Evidence of approval by the Architectural Review Committee shall be furnished to the Village at the time a Building Permit is applied for.~~ **Architectural review of the homes shall be completed by the Village of Vernon Hills Community Development Director.**

- h) ~~All dwellings shall have cedar shake roofs, slate, or tile.~~ **Roof material shall be limited to cedar shakes, slate, or tile. Solar roof systems with a slate/tile appearance are permitted. Panel style solar roof systems that do not maintain a slate/tile appearance are not permitted.**

SECTION 3. 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 4. 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 5. 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 6. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION 7. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2023-025.

Adopted by roll call vote as follows:

AYES: 7 – Schenk, Marquardt, Oppenheim, Forster, Takaoka, Koch, Byrne

NAYS: 0 - None

ABSENT AND NOT VOTING: 0 - None

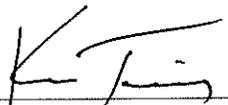


Roger L. Byrne, Village President

PASSED: 03/07/2023

APPROVED: 03/07/2023

ATTEST: 03/07/2023



Kevin Timony, Village Clerk



**FIRST AMENDED DEVELOPMENT PERMIT
POD 10 - Royal Birkdale (Gregg's Landing RPUD)**

WHEREAS, on April 9, 1996, the Village of Vernon Hills ("the Village") enacted Resolution No. 96-06 granting final R.P.U.D. Development Plan Approval, Final Site and Landscape Approval, Final Subdivision Plat Approval, and Final Resubdivision Plat Approval (the "Resolution") for the Gregg's Landing Development of the Cuneo Property ("Gregg's Landing"); and

WHEREAS, the Resolution, in Section 2, paragraph 5, sets forth the requirements for the issuance of a Development Permit ("Development Standards") for the development of individual pods within Gregg's Landing; and

WHEREAS, the Village Board approved the Development Permit for Pod 10, Royal Birkdale, through Ordinance 2003-22; and

WHEREAS, residents of Royal Birkdale have submitted a request to amend the development permit specifically to allow solar roof tiles with a slate tile appearance; and

WHEREAS, the pod does not have a Homeowner's Association and the Gregg's Landing North master association has indicated that it has no objection to the request; and

WHEREAS, a petition of support with signatures from the owners of 21 of the 31 occupied homes (68%) has been submitted; and

WHEREAS, the responsibilities of the Architectural Review Committee (ARC) referenced in Ordinance 2003-22 have been assigned to the Community Development Director as documented in Ordinance No. 2022-015.

In consideration of the foregoing as set forth herein, the Village hereby grants the First Amended Final Development Permit for Pod 10, subject to the following:

1. The "whereas" clauses set forth above are hereby incorporated as part of the terms and conditions of this agreement.
2. [No longer applicable. Construction of the infrastructure for Pod 10 has been completed.]
3. Compliance with all ordinances and standards if the Village except as otherwise noted.
4. Conditions of approval:
 - a) Individual mailboxes shall be of similar design, installed in accordance to Department of Public Works specifications.
 - b) Residential Chimney and Vent Enclosure, Flashing, & Spark Arrestor/Rain Cap Specifications for Gregg's Landing shall be provided as follows:

- 1) All chimneys and vents used for venting wood burning appliances or gasfueled fireplaces shall be enclosed in a chimney chase. Exterior finish materials shall match or compliment the predominant exterior finish material of the dwelling except as other provided for within this Agreement. All portions of the venting system including termination spark arrestors and rain caps that penetrate through the chimney chase shall be black in color.
 - 2) All intake and exhaust vents used for venting water heaters, furnaces and similar appliances that penetrate through the roof shall be installed at the minimum height allowed by the manufacturer specifications. Ideally, vents shall be installed below the ridge of the roof so the vent is not visible when viewed from the front property line. All portions of the venting system, including termination rain caps, may remain their natural color when installed through the roof.
 - 3) If manufacturer specifications require an intake or exhaust vent to terminate more than three feet above the roof, said vent shall be enclosed in a chimney chase. All portions of the vents, including termination rain and spark arrestor caps that penetrate a chimney chase shall be black in color. It is preferred that all intake or exhaust vents are grouped within the same enclosure when more than one is present.
 - 4) For framed chimney chases, the metal flashing that is placed on the top of the chase and that extends two (2) to three (3) inches around all sides, shall be copper-colored.
- c) Parkway trees, trees required in rear yards of golf course lots, and lots adjacent to common open space areas shall be three (3) inch caliper.
 - d) Use of wolmanized lumber on decks and appurtenances in the rear yards of golf course lots and lots adjacent to common open space areas shall be limited to components not visible from the golf course and common open space areas.
 - e) Use of "synthetic stucco", and two (2) inch cultured stone (typical) is permitted.
 - f) Architectural review of the homes shall be completed by the Village of Vernon Hills Community Development Director.
 - g) Per Resolution 96-06, a variance is hereby granted as to Lot 16 and Lot 34, which shall be allowed to be built on, though smaller than the 15,000 sq. ft. minimum size.
 - h) Roof material shall be limited to cedar shakes, slate, or tile. Solar roof systems with a slate/tile appearance are permitted. Panel style solar roof systems that do not maintain a slate/tile appearance are not permitted.

- i) The front, sides, and rear elevations of all dwellings shall incorporate a minimum of fifty percent (50%) masonry or "synthetic stucco". Gable-ends and surfaces above the second floor ceiling line will not be included in determining surface area covered with masonry.
- j) No home model currently being constructed in any production home pod shall be permitted to be constructed in Pod 10.
- k) Monotony: The front elevation on any model shall not be duplicated anywhere within the Pod as determined by the Building Commissioner.
- l) All dwellings built adjacent to the golf course, Gregg's Parkway, or dedicated open space shall have at least one of the following dimensional features incorporated into the rear elevation:

- | | |
|------------------------------------|-------------------------|
| Custom windows (bays, bows, boxes) | Three-season rooms |
| Balconies | Octagon extensions |
| Double bays at a corner | Two-story double bays |
| Room extensions | Full masonry fireplaces |
| Floor extensions/overhangs | |

Other architectural off-sets & features as determined by the Building Commissioner

- 5. This First Amended Development Permit ("Permit") is granted on March 7, 2023, subject to the terms and conditions contained herein. This Permit is transferable to any entity or lot owner within the development.

The Board of Trustees of the Village of Vernon Hills on March 7, 2023, has authorized the Village President to execute this Agreement.

VILLAGE OF VERNON HILLS

By: _____
 Roger L. Byrne, Village President

ATTEST:

By: _____
 Kevin Timony, Village Clerk

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2023-025

AN ORDINANCE AMENDING ORD. 2003-22, WHICH APPROVED THE DEVELOPMENT
PERMIT FOR POD 10 OF GREGG'S LANDING (ROYAL BIRKDALE)

THE 7th DAY OF MARCH 2023

Published in pamphlet form by the Authority of the
President and Board of Trustees of the Village of
Vernon Hills, Lake County, Illinois, this
7th day of March, 2023

AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, KEVIN TIMONY, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, HE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE NO. 2023-025 AN ORDINANCE AMENDING ORD. 2003-22, WHICH APPROVED THE DEVELOPMENT PERMIT FOR POD 10 OF GREGG'S LANDING (ROYAL BIRKDALE) TO BE POSTED IN THE VILLAGE HALL AS REQUIRED BY LAW FROM MARCH 7, 2023 TO MARCH 17, 2023.



Kevin Timony, Village Clerk

SUBSCRIBED AND SWORN TO BEFORE
THIS 7TH DAY OF MARCH 2023



Notary Public

