

VILLAGE OF VERNON HILLS

ORDINANCE 2016-033

AN ORDINANCE GRANTING A VARIATION FROM THE SIGN CODE FOR DXL-MENS
APPAREL AND MOD PIZZA LOCATED AT 701 N. MILWAUKEE AVENUE, IN THE VILLAGE
OF VERNON HILLS, LAKE COUNTY

THE 19th DAY OF SEPTEMBER 2016

Published in pamphlet form by the Authority of the
President and Board of Trustees of the Village of
Vernon Hills, Lake County, Illinois, this 4th Day of
October 2016

ORDINANCE NO. 2016-033

AN ORDINANCE GRANTING A VARIATION FROM THE SIGN CODE FOR DXL-MENS APPAREL AND MOD PIZZA LOCATED AT 701 N. MILWAUKEE AVENUE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY

WHEREAS, DXL-Men's Apparel and MOD Pizza located at 701 North Milwaukee Avenue, units 362 and 364, Vernon Hills, IL, filed an application on May 19, 2016 requesting a variation from the Sign Code, Section 19-3(c)(7b)1 to allow a ground mounted sign to display 2 tenant panels rather than one tenant as permitted; and

WHEREAS, A public hearing was conducted on this application by the Zoning Board of Appeals at its meeting of August 4, 2016, 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)(7b)1 to allow a ground mounted sign to display 2 tenant panels rather than one tenant as permitted; and

WHEREAS, The Committee of the Whole at its meeting on September 6, 2016, having fully heard the testimony, found that sufficient facts were presented which, in its judgment, would justify recommending approval of a sign displaying two tenant panels; 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 from Section 19-3(c)(7b)1 to allow a ground mounted sign to display 2 tenant panels rather than one tenant as permitted is hereby approved subject to the following conditions:

1. The sign shall be in accordance with the application submitted by Joel Rosenstein on behalf of DXL-Men's Apparel and MOD Pizza, dated May 19, 2016; and
2. The sign shall be designed in accordance with the elevation drawings, prepared by North Shore Signs, dated July 17, 2016.

3. The sign shall be designed in accordance with the site plan, prepared by North Shore Signs, dated July 17, 2016.

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.

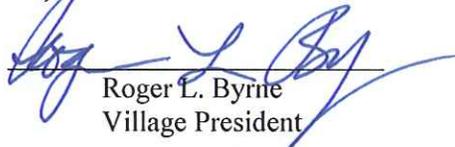
SECTION V. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2016-033.

Adopted by roll call vote as follows:

AYES: 4 – Grieb, Koch, Marquardt, Schultz

NAYS: 0 - None

ABSENT AND NOT VOTING: 2 – Hebda, Williams

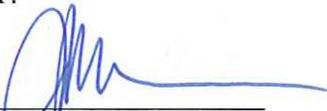

Roger L. Byrne
Village President

PASSED: 9/19/2016

APPROVED: 9/19/2016 10/4/2016

PUBLISHED IN PAMPHLET FORM:

ATTEST:



John Kalmar
Village Clerk

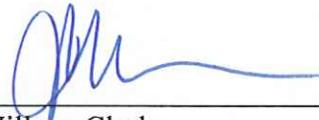
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

I, JOHN M. KALMAR, CERTIFY THAT I AM THE DULY APPOINTED AND ACTING VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS. I FURTHER CERTIFY THAT ON SEPTEMBER 19, 2016, THE CORPORATE AUTHORITIES OF SUCH MUNICIPALITY PASSED AND APPROVED ORDINANCE 2016-033, AN ORDINANCE GRANTING A VARIATION FROM THE SIGN CODE FOR DXL-MENS APPAREL AND MOD PIZZA LOCATED AT 701 N. MILWAUKEE AVENUE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY

THE PAMPHLET FOR ORDINANCE NO. 2016-033, INCLUDING THE ORDINANCE AND A COVER SHEET THEREOF, WAS PREPARED, AND A COPY OF SUCH ORDINANCE WAS POSTED IN THE VILLAGE HALL, COMMENCING OCTOBER 4, 2016 AND CONTINUING FOR AT LEAST TEN DAYS THEREAFTER. COPIES OF SUCH ORDINANCE WERE ALSO AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST IN THE OFFICE OF THE VILLAGE CLERK.

DATED IN VERNON HILLS, ILLINOIS, THIS 4th DAY OF OCTOBER 2016



John M. Kalmar, Village Clerk

SEAL



AFFIDAVIT OF SERVICE

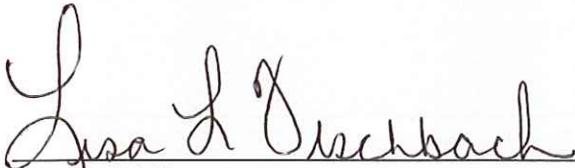
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, JOHN M. KALMAR, 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 2016-033, AN ORDINANCE GRANTING A VARIATION FROM THE SIGN CODE FOR DXL-MENS APPAREL AND MOD PIZZA LOCATED AT 701 N. MILWAUKEE AVENUE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY TO BE POSTED IN THE VILLAGE HALL AS REQUIRED BY LAW FROM OCTOBER 4, 2016 TO OCTOBER 14, 2016.



John M. Kalmar, Village Clerk

SUBSCRIBED AND SWORN TO BEFORE
THIS 4th DAY OF OCTOBER 2016



Notary Public

