

ORDINANCE NO. 2019-027

**AN ORDINANCE GRANTING VARIATIONS FROM THE SIGN CODE FOR
WALMART LOCATED AT 555 EAST TOWNLIN ROAD, IN THE VILLAGE OF
VERNON HILLS, LAKE COUNTY**

WHEREAS, Walmart located at 555 East Townline Road, Vernon Hills, IL, filed an application requesting a variation from the Sign Code, Section 19-3(c)(6) to allow three (3) wall signs in lieu of the maximum permitted number of one (1); and Section 19-3(c)(4) to allow a logo to exceed the height of the lettering and to allow a logo to exceed the width of any two letters; and

WHEREAS, A public hearing was conducted on this application by the Zoning Board of Appeals at its meeting of January 31, 2019, 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)(6) to allow three (3) wall signs in lieu of the maximum permitted number of one (1); and Section 19-3(c)(4) to allow a logo to exceed the height of the lettering and to allow a logo to exceed the width of any two letters; and

WHEREAS, The Committee of the Whole at its meeting on February 19, 2019, having fully heard the testimony, found that sufficient facts were presented which, in its judgment, would justify recommending approval of the variation; 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 19-3(c)(6) to allow three (3) wall signs in lieu of the maximum permitted number of one (1); and section 19-3(c)(4) to allow a logo to exceed the height of the lettering and to allow a logo to exceed the width of any two letters is hereby approved subject to the following conditions:

1. The sign shall be in accordance with the application submitted by Dan Backstrom on behalf of Walmart, dated December 12, 2018; and
2. The sign shall be designed in accordance with the elevation drawings, consisting of three (3) pages, prepared by SGA Design Group, dated December 12, 2018.

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 2019-027.

Dated the 5th day of March, 2019

Adopted by roll call vote as follows:

AYES: 6 – Koch, Marquardt, Oppenheim, Schultz, Brown, Byrne

NAYS: 0 - None

ABSENT AND NOT VOTING: 1 – Takaoka

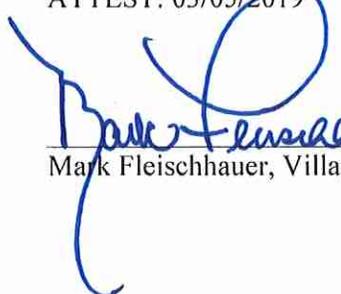

Roger L. Byrne, Village President

PASSED: 03/05/2019

APPROVED: 03/05/2019

PUBLISHED IN PAMPHLET FORM: 03/05/2019

ATTEST: 03/05/2019


Mark Fleischhauer, Village Clerk

