

VILLAGE OF LIBERTYVILLE

ORDINANCE NO. 19-O-62

AN ORDINANCE AMENDING SECTION 16-8
OF THE LIBERTYVILLE ZONING CODE
RELATING TO VILLAGE BOARD AUTHORIZED VARIATIONS

Adopted by the
President and Board of Trustees
of
the Village of Libertyville
Lake County, Illinois
This 13th day of August, 2019.

Published in pamphlet form by direction
and authority of the Village of Libertyville
Lake County, Illinois
This 14th day of August, 2019.

VILLAGE OF LIBERTYVILLE

ORDINANCE NO. 19-O-62

AN ORDINANCE AMENDING SECTION 16-8
OF THE LIBERTYVILLE ZONING CODE
RELATING TO VILLAGE BOARD AUTHORIZED VARIATIONS

WHEREAS, the President and Board of Trustees of the Village of Libertyville have considered amending the Libertyville Zoning Code relating to Village Board Authorized Variations regarding the maximum allowed lot coverage located between the front building line of a zoning lot and the front property line of such zoning lot; and

WHEREAS, on June 17, 2019, the Development Review Committee reviewed and recommended approval of the requested zoning relief; and

WHEREAS, the Plan Commission of the Village of Libertyville, pursuant to notice duly published on June 22, 2019, in the *Daily Herald*, held a public hearing on July 8, 2019, at 7:05 p.m., at the Village Hall, 118 West Cook Avenue, Libertyville, Illinois for the purpose of hearing and considering testimony regarding the requested zoning relief; and

WHEREAS, on July 8, 2019, the Plan Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the President and Board of Trustees of the Village of Libertyville that the proposed text amendment be approved, all as is more specifically set forth in that certain Report of the Plan Commission on Case No. PC 19-12, dated as of July 16, 2019; and

WHEREAS, the President and Board of Trustees of the Village of Libertyville have considered the findings and recommendations of the Plan Commission and are fully advised in the premises.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LIBERTYVILLE, COUNTY OF LAKE, STATE OF ILLINOIS, AS FOLLOWS:

SECTION ONE: Recitals. The foregoing recitals are hereby incorporated herein as if fully set forth.

SECTION TWO: Determination as to Findings. The Village Board finds the following:

- a. *The consistency of the proposed amendment with the purposes of this Code.* The proposed change to the Zoning Code is consistent with the overall plan to control storm water in the Village by restricting lot coverage.
- b. *The existing uses and zoning classifications of properties in the vicinity of the subject property.* The amendment is not site specific.
- c. *The trend of development in the vicinity of the subject property, including changes, if any, in such trend since the subject property was placed in its present zoning classification.* The amendment is not site specific.
- d. *The extent to which the value of the subject property is diminished by its present zoning classification.* The amendment is not site specific.
- e. *The extent to which such diminution in value is offset by an increase in the public health, safety and welfare.* The amendment is not site specific.
- f. *The extent, if any, to which the use and enjoyment of adjacent properties would be adversely affected by the proposed amendment.* The amendment is not site specific.
- g. *The extent, if any, to which the value of adjacent properties would be adversely affected by the proposed amendment.* The amendment is not site specific.
- h. *The extent, if any, to which the future orderly development of adjacent properties would be adversely affected by the proposed amendment.* The amendment is not site specific.
- i. *The suitability of the subject property for uses permitted or specially permitted under its zoning classification.* The amendment is not site specific.
- j. *The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment.* The amendment is not site specific.

- k. *The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or specially permitted under its present and proposed zoning classification.* The amendment is not site specific.
- l. *The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.* The amendment is not site specific.
- m. *The community need for the proposed amendment and for the uses and development it would allow.* The amendment allowing additional variances related to the front property lot coverage will increase the flexibility for property owners with small/unique front property areas to seek variances.

SECTION THREE: Amendment to Section 16-8. Section 16-8.5 entitled “Authorized Variations – Board of Trustees” of Article 16 of the Libertyville Zoning Code shall be, and it hereby is, amended pursuant to Section 16-14 of the Libertyville Zoning Code to add Section 16-8.5(a)(29), as follows:

- 29) To increase, without limitation, the maximum allowable lot coverage with respect to the area located between the front building line of a zoning lot and the front property line of such zoning lot, provided that the total lot coverage for such zoning lot, inclusive of the lot coverage which is part of the variation request, does not exceed the overall maximum lot coverage for the entire zoning lot by more than fifteen percent (15%).

SECTION FOUR: Effective Date. This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

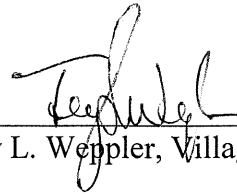
PASSED this 13th day of August, 2019.

AYES: Johnson, Moras, Justice, Adams, Garrity, Carey

NAYS: None

ABSENT: None

APPROVED this 14th day of August, 2019.



Terry L. Wepler, Village President

ATTEST:

by: Kelly Amick, Deputy Clerk

Sally Kowal, Village Clerk