

Item #1:
Report Of The October 18, 2011 PCZBA Meeting
A. Signage Code Amendments



**AGENDA OF THE
PLAN COMMISSION & ZONING BOARD OF APPEALS
SPECIAL MEETING**

Tuesday, October 18, 2011 at 7:00 P.M.

Village Hall, 3110 OLD MCHENRY ROAD LONG GROVE, ILLINOIS

1. Call to Order.

2. PUBLIC HEARING; CONTINUATION; Consideration of a request for amendment(s) to the Village Code for the Village of Long Grove, and specifically Title 5, Chapter 9, Section 5-9-5 "Signs" of the Zoning Regulations, including without limitation modifications to the regulations regarding signage in the Village of Long Grove, Illinois.

3. PUBLIC HEARING; Consideration of a request for 1). text amendments to the Village Code regarding the use of accessory structures, uses and available opportunities for zoning relief regarding the relative size and use of certain accessory structures; and 2). Requests for variation and/or any other zoning relief necessary relating to relative size and use of certain accessory structures at property commonly known as 4255 Highway 83 and within the Village of Long Grove, Illinois.

4. Approval of Minutes; September 20, 2011 Special Meeting; October 4th Regular Meeting

5. Other Business; 2012 Calendar & VB Meeting Attendance dates.

6. Adjournment:

Next Regular Meeting – November 1, 2011 - Village Board Representative; (10/25) Commissioner Phillips

The Village of Long Grove is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to phone David Lothspeich, Long Grove Village Manager at 847-634-9440 or TDD 847-634-9650 promptly to allow the Village of Long Grove to make reasonable accommodations for those persons.

**MEETING
PROCEDURES**

Plan Commission meeting follow the procedures outlined below. In the spirit of fairness to all parties, any of these procedures may be modified for a particular item at the discretion of the Chair.

1. Introduction of item by the Chair.
2. Village Staff's summary of Petition.
3. Presentation by the Petitioner.
4. Public Testimony and Comment.
5. Cross-Examination.
6. Response by the Petitioner.
7. Questions by the Commission.
8. Commission Discussion and Deliberation.
9. Commission Action.



MEMORANDUM

TO: Village of Long Grove Planning Commission & Zoning Board of Appeals
FROM: JAMES M. HOGUE, Village Planner
DATE: October 14, 2011
RE: Public Hearing – Modification to Title 5, Chapter 5, Section 5-9-5 “Signs”

PUBLIC HEARING – CONTINUATION; Consideration of a request for amendment (s) to the Village Code for the Village of Long Grove, and specifically Title 5, Chapter 9, Section 5-9-5 “Signs” of the zoning regulations, including without modification to the regulations regarding signage in the Village of Long Grove, Illinois.

UPDATE

The materials as submitted at the October 4th meeting have been re-included in this packet for the convenience of the PCZBA.

Per the request of the PCZBA at the meeting of the 4th, a marked-up copy of the Village Sign code has been submitted with the modifications as requested by the LGBCP inserted in red.

A brief review of these proposed changes raises numerous policy issues which need be discussed, some of which have impacts village wide and not just the downtown. Staff has concerns with some of the proposed changes. These can be discussed as part of the hearing process.

Staff would like the PCZBA to consider two other areas of modification to the Village Sign Code.

1). Signage in PUD’s – Presently minor modifications to signage in PUD’s (such as change of copy) are considered as “minor PUD amendments”. This has been conducted more or less as a matter of policy. Staff would like to see language codifying this in the sign regulations or at least cross referencing minor modifications to PUD signage with 5-11-18 (I) (2) of the present zoning code.

2). Churches, Public Buildings & Country Clubs – The pre-2007 sign regulations contained language regulating this type of signage which is attached for the review of the PCZBA. This language was dropped however in the comprehensive amendment as these uses were made special uses under that amendment. The rationale being that signage would be considered under the umbrella of a special use permit. This works well for new facilities of this nature but has been problematic for modification to existing signage associated with these types of uses currently existing within the community. Staff suggests signage regulations for these uses be incorporated back into the sign regulations possibly subject to a maximum square footage, limits on illumination and AC review.

PCZBA ACTION

Once again, it is anticipated that the continued public hearing on the 18th of October will be an information gathering session. Input from the meeting will be used to put together a draft ordinance for consideration by the PCZBA. The public hearing on the 18th should be continued to a specific date, time and place if additional public comment is desired and/or necessary.

Should you have any questions or concerns feel free to contact me at (847) 634-9440.

)))
)))

5-9-5: SIGNS:

(A) Scope Of Regulations: The regulations of this section shall govern and control the location, erection, relocation, reconstruction, extension, enlargement, conversion, replacement, alteration, operation, maintenance, and removal of all signs within the village visible from any street, sidewalk, or public or private common open space, excluding only signs owned or maintained by the village. Any sign not expressly permitted by these regulations shall be prohibited. The regulations of this section relate to the location of signs within zoning districts and shall be in addition to the provisions of the building code applicable to the construction and maintenance of signs.

(B) Statement Of Purpose: ~~The regulation of signs by this section is intended to promote and protect the public health, safety, and welfare.~~
The purposes of the sign regulations in this section are to establish and carry into effect regulatory procedures governing signs in both the Village at large and within the Historic Business District of the Village of Long Grove. These regulations pertain to permits, colors, texture and finish, materials and design, location and size. They are set forth to preserve the special qualities inherent in the Village that attract tourists and residents alike and that are the basis of the Village's economic stability and growth. Signs excessive in size, illumination and of commonplace design will defeat the purpose of the preservation of characteristic areas within the Village of Long Grove

The purpose of this section is to:

1. Regulate signs in such a manner that supports and complements land use objectives that are set forth in the zoning code, village code, and comprehensive plan.
2. Ensure that all signs are compatible with regards to size, location, color, construction, materials, and the manner of display.
3. Ensure that signs do not confuse, obstruct traffic vision, nor endanger public health, safety, morals, or general welfare.

(C) Applicability: No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, replaced, or altered except in conformance with the provisions of this section and after issuance of a sign permit by the village, if required, or compliance with subsection (E) of this section permitting signs without the issuance of a permit.

(D) General Standards: The following general standards apply to all signs. Any sign not in compliance with these standards shall be immediately corrected or shall be deemed to be in violation of this chapter.

1. Illumination: Signs shall only be permitted to be illuminated in accordance with the following regulations:

(a) ~~No sign can be self-illuminated or internally illuminated; provided, however, that a business shall be permitted one internally illuminated "open" window sign not to exceed one square foot in area, which sign shall be subject to the review and approval by the architectural board.~~ All self-illuminated signage is prohibited within the village unless authorized by specific action of the LGBCP Design Committee, the Architectural Commission and the Board of Trustees. Prohibited signs and displays include those which are visible from exterior areas, accessible to pedestrians and which are flashing, self-illuminated, phosphorescent, glossy, incorporate internal lights or movement.

(b) ~~Neon illumination of signs is not permitted.~~ Notable exceptions to this ordinance are allowances by a special use permit for the use of certain styles of neon and/or "open" signs illuminated from or through an interior window in an appropriate environment and in an appropriate manner that will be assessed on a case by case basis by the Design Committee and the Architectural Commission. Each special use permit is good until the last day of the calendar year at which time the business or service must reapply for continued usage through the business license application form.

(c) Any illumination of signs shall be constant in intensity ~~and color and there shall be no flashing lights, rotating lights, running lights, or lights that create an illusion of movement.~~

(d) No sign shall be illuminated in such a manner so as to cause confusion with traffic signals or lights or which might constitute a traffic hazard.

(e) Any light source that is used to illuminate a sign must be located, shielded, and directed as to not be visible from any point on any surrounding streets, public property, adjacent private property or adjacent structures. All artificial illumination shall be so designed, located, shielded, and directed so that it illuminates the sign face area only and prevents the casting of glare.

2. Sign Measurement: The term "sign area" shall include the gross surface area of each sign with a single continuous perimeter enclosing the extreme limits of the sign and in no case passing through or between any adjacent elements of the sign. Such a perimeter shall not include any structural or

framing elements lying outside the limits of such sign and not forming an integral part of the display.

3. **Traffic Safety:** No sign or sign structure shall be permitted or maintained at any location where by reason of its position, size, shape, design, or color it may obstruct, impair, obscure, or interfere with the views of the vehicular driver, pedestrian, or cyclist. No sign will be permitted that could be confused with any traffic control signal or device. No sign will be permitted where it may interfere, confuse, or mislead traffic movement.
4. **Maintenance:** The owner of a sign and the owner of the premises on which the sign is located shall be jointly and severally liable to maintain the sign or signs in a clean, and sanitary condition, free from rubbish and weeds, and in overall good working order, including illumination sources, at all times. **Within the Historic Business District, when a sign has deteriorated either from lack of maintenance or from damage caused by collision impact or weather to a point where it is clearly evident that the sign is in need repair as deemed by the LGBCP Design Committee, the owner of that sign must make the required repairs within 60 days of notification. If repairs have not been completed to the satisfaction of the LGBCP Design Committee, the Village Planner will be notified and the process of fines and potential legal procedures will be initiated by the Village.**

A well-maintained sign will be considered so if the sign in question is complete and in good condition. Signage that is visibly cracked or missing sections, where the crack or missing section may be noticed from the vantage point of a pedestrian or passing vehicle, shall be deemed in poor condition. In such cases, the owner of the sign may be requested to perform maintenance to bring the sign to an acceptable level.

The LGBCP Design Committee and the Village of Long Grove understand that any wooden sign that is subjected to the elements of nature and general wear and tear will exhibit aspects of age. The criteria used to formulate any request for maintenance on signage will be based solely on the level of deterioration. The LGBCP and the Village understand the subjective nature of assessing deterioration.

5. **Setbacks:** All signs must maintain a minimum five foot (5') setback from the street and cannot be located in the vision triangle. Signage setbacks within the B1 district shall be subject to the review and approval of the architectural board.
6. **Compliance With All Village Codes:** In addition to the requirements

contained within this section, all signs shall fully comply with all the other applicable village code provisions, including, without limitation, the village's building and electrical codes. All existing permanent signs not in compliance as of January 1, 2012 will have one year to meet the standards as set forth in these regulations.

Any sign now or hereafter existing which no longer advertises a bona fide business conducted or a product sold shall be taken down and removed by the owner, agent or person having the beneficial use of the building, lot or structure upon which sign may be found. Any such person or business notified of such violation will have thirty days from notification to comply with the Village code.

7. Materials: All permanent signage must be constructed either from wood, stone or from a wood-like or stone-like material which gives the appearance of being crafted from a natural material. Signage that consists of a wooden interior, such as plywood or Masonite but has a plastic or manufactured look and feel does not qualify as wooden or as being constructed from a wood-like material.

Any temporary signage may be constructed or manufactured from wood or a wood-like material or from vinyl, paper or plastic. The aesthetic criteria must comply with the standards as set forth in this section with regard to design. For temporary signage uses and restrictions see Section 5-9-3 subsection 6.

8. Enforcement and Fines

Initial notification of violation will be by the LGBCP Design Committee with a copy of the noted violation sent to the Village Planner's office. If the LGBCP Design committee is not satisfied with the results of that initial contact with 30 days of the notification, the issue will be remanded to the Village for further action. The following are mandatory fines for violation upon issuance of a citation by the Board of Trustees.

First violation issuances \$100 (1st week)

Second violation issuance \$300 (2nd week)

Third violation issuance \$500
(3rd week and assessed once a week until compliant)

Fourth violation issuance Mandatory municipal court appearance
(after 4th week)

(E) Signs That Do Not Require A Permit: The following permanent and temporary signs may be erected and maintained in any district, unless otherwise provided, without obtaining a sign permit, subject to the following limitations:

1. Small Real Estate Signs: Two (2) temporary real estate signs, which shall include "open house" signs, shall be permitted per lot or per principal structure. The maximum size for each real estate sign shall not exceed six (6) square feet, and no such sign shall be illuminated. No real estate sign shall project beyond the lot line into the public right of way or onto private property that is not owned by the party installing or owning the sign. All such signs shall be removed within forty eight (48) hours of the closing or lease or sale of the lot.
2. Residential Nameplates: Two (2) nameplate signs shall be permitted for each dwelling unit in a residential district only. The maximum size for each nameplate sign shall not exceed one hundred forty four (144) square inches in area, and no such sign shall be illuminated.
3. Window Signs: Window signs shall be permitted when located on the interior side of a window. The aggregate area of all such window signs shall not exceed more than ten percent (10%) of the total area of the window. Illuminated window signs shall be permitted, subject to the provisions of this section.
4. Directional And Warning Signs: Directional and warning signs that direct people to restrooms and to parking facilities and signs required by law (entrance, exits, and handicapped accessibility) shall be permitted. No such sign shall exceed two (2) square feet in area. Directional and warning signs shall not be used for any commercial purposes and must be approved by the building superintendent prior to installation.
5. Seasonal Or Noncommercial Decorations/Signs: Seasonal or noncommercial decoration/signs shall be permitted for a period not to exceed sixty (60) days. The maximum size for such decorations/signs shall not exceed ten (10) square feet in area.
6. Campaign Signs: Two (2) temporary campaign signs per candidate shall be permitted for each lot or per principal structure. The maximum size for each campaign sign shall not exceed six (6) square feet, and no such sign shall be illuminated. No such campaign sign shall project beyond the lot line into the public right of way or onto private property that is not owned by

the party installing or owning the sign. All such signs shall be removed within forty eight (48) hours after the applicable election. **Failure to remove signs within the allotted timeframe will result in a fine directed to the candidate's campaign fund of no less than \$100 per sign.**

7. Political Message Signs: Political message signs shall be permitted. The maximum size for each political message sign shall not exceed six (6) square feet, and no such sign shall be illuminated. No such political message sign shall project beyond the lot line into the public right of way or onto private property that is not owned by the party installing or owning the sign.
8. Street Signs: Signs giving names of streets shall be erected at all street intersections. Such signs shall meet the minimum requirements as set forth in the "Manual Of Uniform Traffic Control Devices For Streets And Highways", as prepared and published by the department of public works and buildings, state of Illinois, and the Long Grove street sign design standards. The developer shall also promptly install any and all regulatory traffic signs deemed necessary by the village. The developer shall install temporary street signs during the period of construction as soon as the lot is accessible by vehicles and maintain such signs until permanent signs are installed.
9. Conservancy/Scenic Corridor Signs: Signs identifying conservancy and/or scenic corridor easements shall be posted on all lots that have been designated a lowland conservancy district, a woodland conservancy easement, or a scenic corridor easement. Such signs shall be installed prior to the issuance of a building permit and commencement of any construction on the lot. The signs shall be provided by the village and installed in an area designated by the building superintendent or his or her designee. The signs shall be located on four inch by four inch (4" x 4") treated posts three feet (3') in the ground and shall extend three feet (3') above the ground. These signs shall indicate the conservancy/scenic corridor districts and establish that these areas are not to be disturbed.
10. Public/Legal Notices: Temporary signs that indicate either a public hearing or are a required legal notice may be installed on the lot; provided, however, that such signs shall not be located within the vision triangle nor constitute a public safety hazard.
11. **Flags and Awnings: Awnings shall be of cloth or of other material acceptable to the Village Planer and the Architectural Review Board. There shall be no advertising on awnings. Flags, banners, awnings, and such trappings shall not be permitted as advertising within**

the LGBCP. However, the name of a business may appear along the lower edge or fringe of the awning. In such cases, the awning shall count as one sign as allowed. The color of the awning shall be compatible with the Long Grove LGBCP architectural style and shall not be obtrusive.

A flag containing the word “Open” may be used during business hours, but must be removed at business closing. Any such flag must adhere to the guidelines for color and design as set forth herein and cannot exceed the dimension of one foot across by two feet in length. Other than the word open or the name of the establishment, no other wording will be allowed.

Flags of a standard bearing nature such as the American flag, the flag of Illinois or military flags are acceptable. Also decorative flags such as garden flags and nonpolitical environmental flags are also acceptable.

The number of flags per business is limited to two without a special permit issued by the Village Planner.

12. Temporary Signs: Temporary signs shall be permitted in accordance with section [5-9-3](#) of this chapter.

(F) Signs That Require A Permit: **Historic Business District Signage:** The cumulative size of all signs permitted by this title shall be governed by the square footage of the associated business as follows:

(1) The limit of signs per business establishment is one ground sign, one nameplate sign, and one wall sign or one canopy sign, **unless otherwise approved by the LGBCP Design Committee and the Architectural Board.**

(2) Except as otherwise authorized by variation pursuant to subsection [5-11-15\(E\)1\(c\)](#) of this title, the cumulative total square footage for all signs shall not exceed the following: **MAXIMUM SIGN AREA PERMITTED IN BUSINESS** **ZONING DISTRICTS IN SQUARE FEET**

Total Area Of Business In Square Feet	B1	B1 – Setback (at least 50 from main roadway)	
1 - 1,000	12	16	
1,001 - 3,000	20	26	
3,001 - 5,000	30	38	
5,001 or greater	30	38	

(3) The cumulative square footage of a sign will be assessed based on one side of a sign. In this regard, a double-sided sign's square footage will only be assessed on one side of that double-sided sign.

Total Area Of Business In Square Feet	B	B2-	
	1	No Arterial Access-	Arterial Access-
1-1,000-	1 2 -	12-	20-
1,001-3,000-	2 0 -	20-	30-
3,001-5,000-	3 0 -	30-	40-
5,001 or greater-	3 0 -	30 ⁺ -	50 ² -

Notes:

1. For each additional 2,000 square feet, an additional 10 square feet of signage is permitted. The maximum total signage area shall not exceed 50 square feet.

2. For each additional 2,000 square feet, an additional 10 square feet of signage is permitted. The maximum total signage area shall not exceed 70 square feet.

(e) Nameplate Signs: These signs are only permitted in the business districts. Nameplates shall not exceed one hundred forty four (144) square inches per sign area and shall be limited to one for each business establishment.

(f) Development Identification Signs: These signs are permitted for developments within the B2 district provided that the development has two (2) or more businesses and uses and is located on a lot of a minimum of five (5) acres in size. The sign shall be located at the entrance of a street, can only be a ground sign, and shall be no greater than fifteen feet (15') in height. The maximum overall square footage of such a sign is fifty (50) square feet in size. Only one such sign is permitted per roadway easement or street/right of way frontage. A maximum of six (6) tenant signs can be included on the development identification sign.

(g) Gas Station Signage: One wall sign is permitted in association with a gas

station use, which shall not exceed eighteen (18) square feet in size. One ground sign is permitted in association with a gas station use that shall not exceed forty (40) square feet in size. Customary identification signs that are integral to the gas station use shall be permitted not to exceed six (6) square feet and can be approved by the building superintendent, or his/her designee.

(h) Office Signage: One ground sign is permitted for developments within the office zoning districts. The maximum overall square footage of such a sign is fifty (50) square feet in size. The maximum height of such a sign is fifteen feet (15').

(i) Temporary Banner Signage:

(1) Within the Historic Business District permits for temporary signs shall authorize the erection of such signs and their maintenance for a period not exceeding 60 days, at the discretion of the LGBCP Design Committee with review by the Village Planner.

(2) The advertising contained on any temporary sign shall pertain only to the business, service, or pursuit conducted on or within the premises on which such sign is erected or maintained. This provision shall not apply to signs of a civic, political, or religious nature.

(3) No sign located inside or outside a structure within the Historic Business District which is intended to be read by the general public from the public sidewalk or street, shall list an express price reduction stated in terms of either a percentage reduction or a dollar amount reduction

(4) For noncomplying temporary signage on private property, written notification of the owner shall be given requesting compliance or removal within 48 hours. If after this time the sign is not removed, then the Village shall have the right to request and enforce removal of the sign at the owner's expense.

(5) For noncomplying temporary signage creating a threat to health, safety, and welfare, on a sidewalk or for other reasons, the Village shall have the right to request and enforce immediate removal of the sign at the owner's expense.

(6) For noncomplying temporary signage for which no permit has been approved, the Village shall have the right to request and enforce removal of the sign at the owner's expense.

(7) All temporary "For Lease" signage pertaining to all vacant retail, office

or service space must follow the guidelines as set forth herein with regard to size, color, style and illumination as per [5-9-5] and any variance from this standard will be viewed as non-compliant and be subject to all fines and legal procedures as noted.

(8) Temporary “ground” signage – Small wooden frames along roadside: As of January 1, 2012, all approved temporary ground signage promoting any specific event must be contained within designated wooden frames situated in strategic locations around the LGBCP with locations to be chosen and approved by the LGBCP Design Committee in conjunction with the Architectural Commission and the Village Planner.

In the event that two or more activities occur simultaneously, usage of the designated frames will be divided equally between the parties involved. Signs may not be installed more than 48 hours prior to the beginning of any such event and must be removed within 12 hours after the end of said event. All ground signage must fit within the design and style designations as discussed in the village code relating to the Historic Business District and be approved by the LGBCP Design Committee and the Village Planner.

(j) Sandwich or portable two-sided signs: Sandwich or two-sided portable signs are allowed only by special use permit authorized and approved by the LGBCP Design Committee and Village Planner. The special use permit is good until the last day of the calendar year at which time the business or service must reapply for a use permit through the business license application form.

To be considered for a special use permit, any sandwich or two-sided temporary sign must have the look and feel of either a wooden sign as described in the section on materials or be of a chalkboard material displaying hand-drawn or hand-lettered information pertaining specifically to the business or service directly adjacent to the sign. In no case will plastic, or vinyl looking portable signs be allowed within the Historic Business District.

The content of portable signs must meet the criteria for signage as set forth in the Village of Long Grove signage ordinance.

In no case may the display of a portable sign obstruct pedestrian or vehicular ingress and egress. If there is a question in this regard, determination will be made by the Village Planner or a designated representative of the Village Planer’s office as to whether a sign in violation of this section of the code.

All portable signs must be taken inside at the close of each business day by the merchant or property owner where the sign is displayed. Signs violating this ordinance may be removed by the Village at the owner's expense.

(k) B&B Signage: Only the following signs shall be permitted:

- (1) One identification sign not exceeding six (6) square feet, which shall be located at the entrance to the lot or such other location as approved by the architectural board.
- (2) One sign not exceeding one square foot to mark each designated parking space.
3. Review **Requirements**: Except for signs that do not require a permit or signs that can be approved by the ~~building superintendent~~ **Village Planner**, all signs **outside of the Historic Business District** shall be subject to the review and approval of the architectural board prior to the issuance of a sign permit in accordance with section 5-11-20 of this title. **All signs inside of the Historic Business District shall be subject to the review and approval of both the LGBCP Design Committee and the architectural board prior to the issuance of a sign permit in accordance with section 5-11-20 of this title.**

(G) Prohibited Signs: The following signs and types of signs shall be prohibited:

1. Flashing Or Moving Signs: Any sign that is wholly or partially illuminated by flashing lights or intermittent lights, any raceway sign, or any sign that moves or creates the illusion of moving shall be prohibited.
2. Portable Signs: Any portable sign shall be prohibited. Examples of such signs are signs that have trailer hitches, signs on wheels, signs that can be transported to and from various locations and portable signs with internally illuminated boards.
3. Off Site Advertising Signs: Any sign that directs attention to a business, service or commodity that is offered, conducted or sold at another location than the location of the sign shall be prohibited.
4. Painted Wall Signs: Any wall sign that is applied with paint or a similar substance on the face of a wall, building or structure shall be prohibited.

5. Signs On Trees Or Utility Poles: Any sign that is attached to a tree or utility pole whether on public or private property shall be prohibited.
6. Bench Or Seating Signage: Any bench or seating used for any form of advertising shall be prohibited.
7. Vehicle Signs: Any commercial vehicle used for the sole purpose of advertising a business by parking the vehicle anywhere in the village shall be prohibited.
8. Roof Signs: Any roof sign shall be prohibited.
9. Signage On Village Property Or Right Of Way: Any sign on village property or public right of way without the village's or respective public body's consent shall be prohibited. (Ord. 2007-O-04, 4-24-2007)

5-11-20: SIGN PERMITS:

- (A) Authority: All sign permits outside of the Historic Business District will be processed through the architectural board as per subsection "D" herein, and may in accordance with the procedures and standards set out in this section, may grant sign permits authorizing the construction and maintenance of signs subject to the regulations of section [5-9-5](#) of this title and the standards stated in this section. Within the Historic Business District approval of the display of signage shall be granted by the LGBCP Design Committee, the Long Grove Architectural Commission and the Village of Long Grove Board of Trustees and only when the signs and the plans conform to the unique and distinctive character of the Village, and do not injuriously affect the same and do not impair the value to the community's architectural worth.
- (B) Purpose: The sign regulations and standards set forth in this title are intended to protect the health, safety, and welfare of village residents by establishing specific conditions and limitations on development of all signs in the village. The sign permit process is designed to ensure that all such regulations and standards have been satisfied.
- (C) Parties Entitled To Seek Sign Permits: An application for a sign permit may be filed by the owner of, or any person having a contractual

interest in, the lot on which the sign is proposed to be located.

(D) Procedure:

1. Application: Applications for sign permits shall be filed in accordance with the requirements of section [5-11-8](#) of this chapter.
2. Review; Hearing Request: The building superintendent shall refer the application for an architectural review permit to the architectural board for a public hearing, which hearing shall be noticed and conducted by the architectural board in accordance with section [5-11-10](#) of this chapter.
3. Action By Architectural Board: At the conclusion of the public hearing, the architectural board shall vote in public whether to approve, disapprove, or conditionally approve the application in the manner and form specified by section [5-11-4](#) of this chapter. The architectural board shall notify the owner in writing, by certified mail, return receipt requested, of the board's decision. Such notice shall state that the owner has the right to appeal the decision to the board of trustees.

(E) Standards For Sign Permits: No sign permit shall be granted pursuant to this section unless the owner shall establish that:

1. Visual Compatibility: The proposed sign will be visually compatible with the building on which the sign is proposed to be located and surrounding buildings and structures in terms of height, size, proportion, scale, materials, texture, colors, and shapes.
2. Quality Of Design And Construction: The proposed sign will be constructed and maintained with a design and materials of high quality and good relationship with the design and character of the neighborhood.
3. Appropriateness To Activity: The proposed sign is appropriate to and necessary for the activity to which it pertains.
4. Appropriateness To Site: The proposed sign will be appropriate to its location in terms of design, landscaping, and orientation on the site, and will not create a hazard to pedestrian or vehicular traffic, detract from the value or enjoyment of neighboring properties, or unduly increase the number of signs in the area.

(F) Signage Bonus: Permanent signs that are incorporated into a

comprehensive architectural design have the ability to obtain a maximum ten percent (10%) increased signage area bonus. The signage bonus, shall not exceed ten percent (10%) of the maximum allowed signage area and shall be determined by the architectural board. The comprehensive architectural design must include all building elevations and all proposed sign sizes, shapes, colors and verbiage. Any signage bonus request must be submitted for and include the entire lot. No signs will be permitted that do not conform to the comprehensive architectural design. The architectural board shall use the following criteria to approve any comprehensive architectural design:

1. The proposed comprehensive sign/architectural package results in a facade and sign standard superior in appearance to the design permitted without approval of the package.
2. The proposed comprehensive sign/architectural package results in signs that are more readable and produce less visual conflict.
3. The signs and facade create a unified design in which signs are an integral part of the overall facade design.
4. Franchise signs are made to conform to the comprehensive sign/architectural package in terms of size, shape and color. No signage bonus is permitted with any franchise signage exceptions from the above listed criteria.

(G) Conditions On Sign Permits: The architectural board may impose such conditions and limitations concerning the construction and maintenance upon the grant of a sign permit as may be necessary or appropriate to ensure satisfaction of the standards set forth in this section and the purposes and objectives of this title and to minimize any adverse effects upon other lots in the vicinity. Such conditions shall be expressly set forth in the sign permit. Violation of any such condition or limitation shall be a violation of this title and shall constitute grounds for revocation of the sign permit.

(H) Effect Of Issuance Of A Sign Permit: The grant of a sign permit shall not authorize construction or maintenance of any sign, but shall merely authorize the preparation, filing, and processing of applications for any other permits or approvals that may be required by the codes and ordinances of the village, including, but not limited to, a building permit and architectural review permit.

(I) Permit Revocation: If the work authorized under the sign permit is not completed within three (3) months after the issuance of said permit, the permit shall become null and void.

(J) Assignability: No permit issued hereunder may be assigned or transferred.
(Ord. 2007-O-04, 4-24-2007)

Item #1:
Report Of The October 18, 2011 PCZBA Meeting:
B. Nevel – Text Amendment & Variations

RECEIVED

SEP 3 0 2011

VILLAGE OF LONG GROVE

September 26, 2011

175 N. FRANKLIN STREET
SUITE 201
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 357-1125
FAX (312) 357-1140
iranevel@nevellaw.com

Village of Long Grove
Zoning Board of Appeals
3110 Old McHenry Rd.
Long Grove, IL 60047

Re: 4255 Rt 83, Long Grove, IL 60049

Dear Sirs,

I am the owner of the property commonly known as 4255 Route 53, Long Grove, Illinois 60047. On June 23, 2009, I purchased the subject property consisting of approximately 1.25 acres upon which a house of approximately 1,800 square feet is situated. Prior to the purchase of the subject property, on or about March 9, 2009, I contacted Robert Block, Village Superintendent and Building Department Director of the Village of Long Grove to discuss my intent to purchase the subject property and construct a 5,000 square foot Accessory Building. I advised Mr. Block that I would not purchase the subject property unless I would be allowed to construct an Accessory Building larger than the Principal Structure on the property. After researching the issue, Mr. Block advised me that the Village Building Code permitted an Accessory Building to be larger than the Principal Structure. In reliance thereupon, I purchased the subject property on June 23, 2009.

After purchasing the subject property, I commenced preparation for the construction of the proposed Accessory Building upon the site. Such preparations included the hiring of a surveyor to prepare a general and topographical survey; an architect to prepare plans for the building; a general contractor to oversee construction and erect the building; an engineering firm to prepare an engineering study for the subject property to include a flood plain and conservancy study; an arborist to report on the removal of trees; a fire sprinkler company for the fire control system; a septic company regarding drainage and a holding tank; an electrician; and a plumber. In addition, I paid the Real Estate Taxes and insurance premiums.

After an approximate year long review process, the Village determined that the proposed construction met the Village Building Code and a Permit was issued on June 15, 2010.

Shortly thereafter, construction began. To date, approximately 50% of the construction has been completed. Further, the Village inspected and approved 4 phases of construction: the footings, foundation, rough plumbing work and back filling. In addition, the insulated steel building

has been fabricated, paid for in full, delivered and currently on site at the subject property. This includes the mechanical systems comprising the garage door and opener, the ventilation system, doors, etc. In addition, the 13,000 gallon fire sprinkler system reservoir required by the Village has been constructed.

On August 6, 2010 I received a letter from the Village issuing a Stop Work Order stating that the Permit was issued in error by the Village. It stated that the Accessory Building could not be larger than the home, and all work was to be stopped immediately (a copy of that letter is attached). Shortly thereafter a lawsuit was filed by myself seeking reinstatement of the building permit.

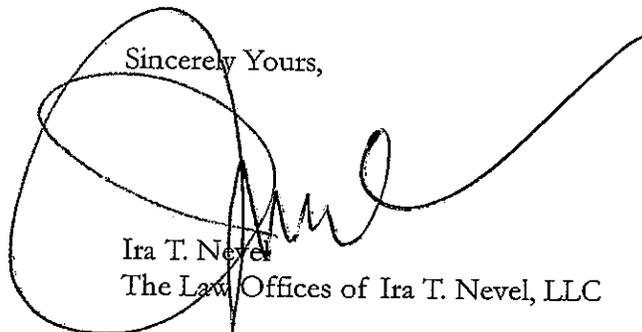
On September 6, 2011, Trial was set to be heard before the Circuit Court of Lake County, Illinois. It was agreed that the lawsuit could be resolved by an application for a zoning variance with the Village to make the garage "attached" to the house and thus bringing it into compliance with the Code, rather than going to Trial and enduring the expense and delay concerned therewith, including the possibility of an Appeal. It is my understanding that there would only be two variances required. First, the setback for the Accessory Building is 30', but it is my understanding that the setback requirement for the house (with attached garage) itself is 40'. The second variance required will be for an attachment of the house to the garage by a walkway. The problem is that the yard between the house and the garage is completely unsuitable for a walk way, either covered or uncovered, because it consists of the septic field and the root system for several large oak trees located there. The foundation or piers for any kind of support would interfere with both, and therefore cannot be used. Further, there is a 10' set back from the oak trees from a walkway. As such, the only place in the yard that can be utilized is the driveway.

I would request that a variance be granted for the attachment of an uncovered walkway from the house south to the drive way, and the driveway will then be considered the walkway (see attached). There will be a physical attachment between the house, walkway, driveway and the garage, thereby substantially complying with the Ordinance. It was unforeseen by both the Village and myself that the walkway could not be constructed between the house and the garage directly through the yard. It would be impractical to cover the driveway, and a needless expense as well.

Please understand that this debacle is in no way my fault. I have expended tens of thousands of dollars and endured huge delays as a result of the Village's mistake. I ask for your consideration in approving this variance and resolve the lawsuit.

Thank you for your consideration of my request for these two variances in order to resolve this litigation.

Sincerely Yours,



Ira T. Nevel
The Law Offices of Ira T. Nevel, LLC

Cc: Victor Fillipini

))
))



Village President

Maria Rodriguez, Chair
Administration / Transportation

Trustees

Eduardo Acuna, Chair
Finance

Joseph Barry, Chair
Police & Fire

John Marshall, Chair
Planning & Zoning

Karen Schmitt, Chair
Environment

Charles Wachs, Chair
Public Works

Joanne Weber, Chair
Communication

Karen Schultheis
Village Clerk

Village Administration

David Lothspeich
Village Manager
dlothspeich@longgrove.net

Robert G. Block
Village Superintendent
blockrg@longgrove.net

James M. Hogue
Village Planner
jhogue@longgrove.net

Margerita Romanello
Building Assistant
mromanello@longgrove.net

Sherry Shlagman
Administrative Assistant
sshlagman@longgrove.net

Julie Bauer
Receptionist
jbauer@longgrove.net

6 August 2010

Mr. Ira Nevel
5227 Briarcrest Lane
Long Grove, IL 60047

Re: 4255 Illinois Route 83 Garage

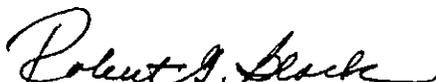
Dear Mr. Nevel:

The issuance of a building permit to construct the new private garage at 4255 Illinois Route 83 in the Village of Long Grove has been issued in error. The Village hereby issues a Stop Work Order effective today August 6, 2010 to not allow the continuation of the garage construction.

Attached is the letter from the Village of Long Grove Attorney Victor P. Filippini Jr. addressed to Mr. Robert G. Block, Village Superintendent dated August 6, 2010. The construction of the garage is not in compliance with Village Zoning Code, Subsection 5-9-1.B and does not meet the definition of an "accessory structure or use" as outlined in subparagraph 1.

If you have any questions, related to this Stop Work Order please contact Village Attorney Victor P. Filippini, Jr. at Holland & Knight.

Sincerely,


Robert G. Block
Village Superintendent

Cc: The President and Board of Trustees
Village Manager David Lothspeich
Village Planner James Hogue
Marlo Del Percio, Esquire

Holland & Knight

131 South Dearborn Street | Chicago, IL 60603 | T 312.263.3600 | F 312.578.6666
Holland & Knight LLP | www.hklaw.com

Victor P. Filippini, Jr.
312.578.6660
victor.filippini@hklaw.com

6 August 2010

Via E-Mail (blockrg@longgrove.net)

Mr. Robert G. Block
Village Superintendent
Village of Long Grove
3110 RFD
Long Grove IL 60047

Re: 4255 Illinois Route 83 Garage

Dear Bob:

I am writing to follow up our conversation regarding the detached garage structure (the "**Garage**") that is currently under construction at 4255 Illinois Route 83 in the Village of Long Grove (the "**Property**").

As you have explained to me, the Property is zoned in the Village's R-2 District and is currently improved with a detached single family residence of approximately 1,796 square feet in gross floor area (the "**Residence**"). The owner of the Property, Ira Nevel (the "**Owner**"), has applied for and been issued a building permit to construct the Garage on the Property. As you have explained to me, the Garage meets all the regulations in the Village's Zoning Code, except that the Garage is proposed to be approximately 5,000 square feet in gross floor area. Because the Garage would only be authorized as an accessory structure on the Property, the proposed floor area of the Garage is noncompliant with the Zoning Code requirements for an accessory structure. Accordingly, the Garage is not entitled to a building permit, and a "stop work order" should be issued to cause the work on the Property to terminate immediately, pending such changes in the Garage plans or the securing of other relief to allow the Garage construction to proceed. Allow me to elaborate.

Accessory Structure Regulations

When the Village amended its Zoning Code in 2007, one of the material changes made to the zoning regulations affected "accessory structures." Under the prior zoning regulations, there was no clear definition of "accessory buildings" or "accessory structures," although there were regulations setting forth certain characteristics and development restrictions on accessory structures.

Under the current Zoning Code, Subsection 5-9-1.B sets forth a specific definition of "accessory structure" that reads as follows:

An "accessory structure or use" is a structure or use that:

1. Is subordinate in purpose, use, and floor area to, and serves, a principal structure or use; and
2. Is customarily incident to such principal structure or use; and
3. Contributes to the comfort, convenience, or necessity of those occupying, working at, or being served by such principal structure or use; and
4. Except as otherwise expressly authorized by the provisions of this title, is located on the same zoning lot as such principal structure or use; and
5. Is under the same ownership and control as such principal structure or use.

(Emphasis added.) Based on the definition of "subordinate" in the *Webster's New International Dictionary*, see Zoning Code Subsec. 5-12-12.J, an accessory building is "subordinate ... in floor area to" a principal building if such floor area is of "less value." When comparing the proposed Garage's floor area of approximately 5,000 square feet to the Residence's floor area of under 1,800 square feet, the Garage does not meet the requirements for an accessory structure in the R-2 District. Furthermore, other than as an accessory structure, the Garage would not be a permitted use in the R-2 District. See *id.* Secs. 5-3-2, 5-3-3.

Because the Garage neither complies with the requirements for an accessory structure on the Property nor is otherwise permitted in the R-2 District, the Owner was not entitled to a permit under the Zoning Code, and any permit issued for the Garage was issued in error. Thus, the stop work order should be issued.

Erroneous Permits in Illinois and Owner's Option

Although in a perfect world permits would never be issued when not authorized under the applicable regulations, the world is not perfect. When errors occur in the issuance of permits, Illinois courts have repeatedly and consistently held that, "where a permit was illegally or erroneously issued as a result of the misconduct or mistake of a ministerial employee -- as opposed to an affirmative act, such as the passage of legislation, of the governmental body itself -- the courts hav[e] repeatedly held that an unauthorized permit is a nullity and confers no rights upon the permittee." *Metromedia, Inc. v. Kramer*, 152 Ill. App. 3d 459, 467 (1st Dist. 1987), citing *O'Laughlin v. City of Chicago*, 65 Ill. 2d 183, 190-91 (1976). Consistent with Illinois law, the permit issued for the Garage is a nullity and does not confer any rights upon the Owner.¹

¹ Additionally, the Owner has no right of action for the wrongful issuance of or revocation of the permit under 745 ILCS 10/2-104.

For the Owner to pursue construction of a Garage on the Property, he may either: (a) modify the plans for the Garage so that its gross floor area will be less than the gross floor area of the Residence; or (b) enlarge the Residence so that it will have a greater floor area than the Garage. The Owner's architect may have other thoughts for bringing the Garage into compliance. In any case, the Owner will need to present modified plans for the Garage or the Property, and those plans will be reviewed for code compliance.

Alternatively, the Owner can seek relief under the Zoning Code. Possible avenues for pursuing such relief include without limitation:

- a. An appeal to the Zoning Board of Appeals pursuant to Section 5-11-14. Such appeal would essentially challenge the interpretation of the "accessory structure" definition as applied to the Garage.
- b. A request for a modification of the floor area restriction on accessory structures. As the floor area restrictions are not an authorized variation under Paragraph 5-11-15.E.1 of the Zoning Code, the Owner would need to request a text amendment to the Zoning Code pursuant to Section 5-11-16 in order to pursue any form of relief.

Please let me know if you have any questions. I suggest that you share this letter with the Owner so that he is aware of the basis for the stop work order. I also would invite the Owner to contact me if he has any questions about this matter.

Sincerely,



Victor P. Filippini, Jr.

VPF/tf

Cc: The President and Board of Trustees
Village Manager David Lothspeich
Village Planner James Hogue
Mario Del Percio, Esquire



3110 Old McHenry Road
Phone: 847-634-9440
Fax: 847-634-9408
longgrove.net

**Zoning Board of Appeals
Zoning Application**

1.0 General Information

1.1 Applicant Name: IRA T. NEVELL
Address: 5227 Bruncrest Ln Long Grove
Telephone Number: 312-357-1125 E-mail Address: IRAT@Nevellaw.com
Applicant's Interest in Subject Property: Owner

1.2 **Owner (if different from Applicant).**

Name: _____
Address: _____
Telephone Number: _____ E-mail Address: _____

1.3 **Subject Property.**

Address of Property: 4255 RA 83
Lot # 14 Subdivision: Skycrest Estates
Legal Description: Please attach Parcel Index Number(s): 15-19-401-015
Has any zoning variation or special use permit been granted for this property? Yes: _____ No:
If yes, please identify the ordinance or other document granting such zoning relief _____
Describe: _____

1.4 **Trustees Disclosure.**
Is title to the property in a land trust? Yes _____ No

If yes, full disclosure of all trustees and beneficiaries is required. Attach a copy of all documents showing ownership of the Subject Property and the Applicant's ownership, control of or interest in the Subject Property.

1.5 **Requested Action** (Check as many as are applicable)

Variation
 Zoning Appeal

1.6 **Consultants.**

Please provide the name, address, and telephone number of each professional or consultant advising Applicant with respect to this application, including architects, contractors, engineers or attorneys:

Name: <u>Sherwood Const.</u>	Name: _____
Professional: <u>gen Contractor</u>	Professional: _____
Address: _____	Address: _____

Telephone: <u>915-560-2051</u>	Telephone: _____
E-mail: <u>hate@KIpropertyimprovements.com</u>	E-mail: _____

Name: _____	Name: _____
Professional: _____	Professional: _____
Address: _____	Address: _____
Telephone: _____	Telephone: _____
E-mail: _____	E-mail: _____

1.7 **Village Officials or Employees.**

Does any official or employee of the Village have an interest, either directly or indirectly, in the subject property? Yes: ___ No:

If yes, please identify the name of such official or employee and the nature and extent of that interest. (Use a separate sheet of paper if necessary.)

1.8 **Repeat Application.**

Has any other application for the Subject Property been submitted to the Village and denied within the last two years? Yes ___ No

If yes attach a statement of the grounds justifying reconsideration.

2.0 **Required Submittals.**

Fully completed application with letter addressing the standards in Section 3.0.

Non-refundable Filing Fee (\$200).

Planning Filing Fees (\$150).

Minimum Professional Fee Escrow (\$500).

3.0 **Standards (5-12-1-2).**

3.1 The board of appeals shall not vary the provisions of this title, as authorized in this section, unless it shall have made findings based upon the evidence presented to it in each specific case:

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;
2. That the plight of the owner is due to unique circumstances; or
3. That the variation, if granted, will not alter the essential character of the locality.

- 3.2 For the purpose of supplementing the above standards, the board of appeals shall also, in making this determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts favorable to the applicant have been established by the evidence:
1. That the particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out;
 2. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification;
 3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;
 4. That the alleged difficulty or hardship has not been created by any person presently having an interest in the property;
 5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or
 6. That the proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

4.0 **Certifications.**

- 4.1 The Applicant and Owner certify that this pre-application is filed with the permission and consent of the owner of the Subject Property and that the person signing this pre-application is fully authorized to do so.
- 4.2 The Applicant certifies that all information contained herein is true and correct to the best of Applicant's knowledge.
- 4.3 The Applicant acknowledges that the Village may seek additional information relating to this pre-application and agrees to provide the Village with such information in a timely manner. Failure to provide such information may be grounds for denying pre-application.
- 4.4 The Applicant and Owner agree to reimburse the Village for any and all costs relating to the processing of this pre-application, including any consultants' fees. By signing this pre-application, Applicant and Owner agree to be jointly and severally liable for such costs, and Owner further agrees to the filing and foreclosure of a lien against the Subject Property for all such costs plus all expenses relating to collection, if such costs are not paid within 30 days after mailing of a demand for payment.

))
))

- 4.5 The Applicant agrees that the Village and its representatives have the right, and are hereby granted permission and a license, to enter upon the property, and into any structures located there on, for purposes of conducting any inspections that may be necessary in connection with this application.
- 4.6 The Owner and/or designated representative is required to be present during the meeting.

IRA J. NEVE
Name of Owner

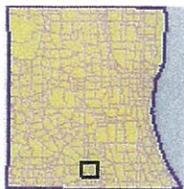
Name of Applicant

[Signature]
Signature of Owner

9/26/11
Date

Signature of Applicant

Date



LakeCounty
Geographic Information System

Lake County Department of
Information Technology
18 N County St
Waukegan IL 60085

Map Printed on 10/14/2011

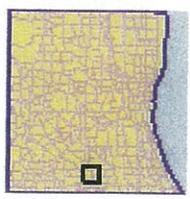
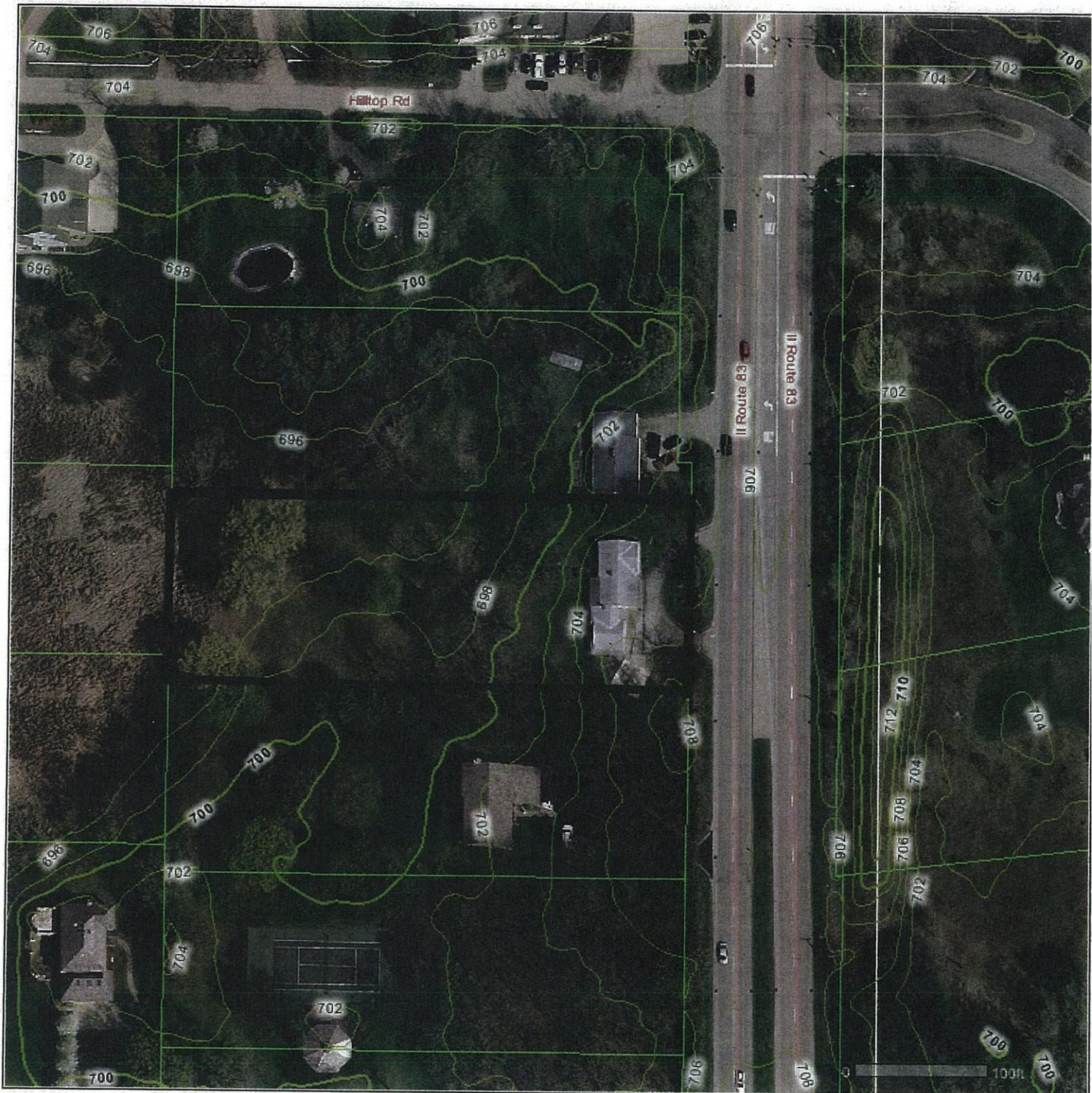


-  Major Roads
-  Railroads
-  Major Water
-  Parcels
-  2010 Aerial Photography

Disclaimer:

This map is for general information purposes only. A Registered Land Surveyor should be consulted to determine the precise location of property boundaries on the ground. This map does not constitute a regulatory determination and is not a base for engineering design. This map is intended to be viewed and printed in color.

Lake County, Illinois Topography



Lake County
 Geographic Information System

Lake County Department of
 Information Technology
 18 N County St
 Waukegan IL 60085

Map Printed on 10/14/2011



-  Topography
-  2010 Aerial Photography
-  Major Roads
-  Railroads
-  Major Water
-  Parcels

Disclaimer: This map is for general information purposes only. A Registered Land Surveyor should be consulted to determine the precise location of property boundaries on the ground. This map does not constitute a regulatory determination and is not a base for engineering design. This map is intended to be viewed and printed in color.

Locations of Mapped FEMA Floodplains in Lake County, Illinois





LakeCounty
Geographic Information System

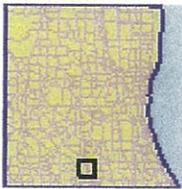
Lake County Department of
Information Technology
18 N County St
Waukegan IL 60085

Map Printed on 10/14/2011



 Parcels	 2010 Aerial Photography
 Zone X	 Major Roads
 Zone X - 500 Yr Flood	 Railroads
 SFHA - 100 Yr Flood	 Major Water
 Zones A, AE and AH	 Parcels
 Floodway	

Disclaimer: Property boundaries indicated are provided as a courtesy for general locational purposes. Floodplain limits shown are approximate and should not be used to determine setbacks for structures or as a basis for purchasing property. A topographic survey is required to determine existing floodplain boundaries. This map is intended to be viewed and printed in color.



LakeCounty
Geographic Information System

Lake County Department of
Information Technology
18 N County St
Waukegan IL 60085

Map Printed on 10/14/2011



-  Wetlands
-  2010 Aerial Photography
-  Major Roads
-  Railroads
-  Major Water
-  Parcels

Disclaimer:

This map is for general information purposes only. A Registered Land Surveyor should be consulted to determine the precise location of property boundaries on the ground. This map does not constitute a regulatory determination and is not a base for engineering design. This map is intended to be viewed and printed in color.

VILLAGE OF LONG GROVE

ORDINANCE NO. 2011-O-__

**AN ORDINANCE AMENDING THE LONG GROVE ZONING CODE REGARDING
ACCESSORY STRUCTURES AND USES AND RELATED RELIEF**

Adopted by the
President and Board of Trustees
of
the Village of Long Grove
this 25th day of October, 2011

Published in pamphlet form by direction
and authority of the Village of Long Grove,
Lake County, Illinois
this 26th day of October, 2011

VILLAGE OF LONG GROVE

ORDINANCE NO. 2011-O-__

**AN ORDINANCE AMENDING THE LONG GROVE ZONING CODE REGARDING
ACCESSORY STRUCTURES AND USES AND RELATED RELIEF**

WHEREAS, in April 2007 the Board of Trustees (the "***Village Board***") of Village of Long Grove (the "***Village***") approved a comprehensive amendment to its zoning regulations (the "***2007 Zoning Code***"); and

WHEREAS, the 2007 Zoning Code established a definition of, and modified the regulations for, accessory uses and structures in the Village; and

WHEREAS, under the 2007 Zoning Code, accessory structures must be subordinate in floor area to the principal structure and under the use and control of the same person that occupies and controls the principal structure; and

WHEREAS, due to confusion over the applicable of the accessory use and structure provisions in the 2007 Zoning Code, a building permit was erroneously issued for the construction of an accessory structure having a floor area that exceeds the floor area of the principal structure on the property in question; and

WHEREAS, the Village Board desires to clarify the applicability of the accessory use and structure regulations in the 2007 Zoning Code and make relief available for persons and structures affected by the aforementioned confusion; and

WHEREAS, following a public hearing held by the Long Grove Plan Commission pursuant to due notice, the Plan Commission has recommended, and the Long Grove Board of Trustees has determined, that it would be in the best interests of the Village and its residents to amend the 2007 Zoning Code to clarify the applicability of the accessory use and structure regulations and to authorize limited variations for certain accessory structures that have heretofore received permits in error;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Long Grove, County of Lake, State of Illinois, as follows:

SECTION ONE. Recitals. The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

SECTION TWO. Amendment of Section 5-9-1 of the Zoning Code. Subsection B, entitled, "Definition," of Section 5-9-1, entitled "Accessory Structures and Uses," of Chapter 9, entitled "District Regulations of General Applicability," of Title 5, entitled "Zoning Regulations," is hereby amended to hereafter be and read as follows:

(B) Definition: An "accessory structure or use" is a structure or use that:

1. Is subordinate in purpose, use, and floor area to, and serves, a principal structure or use; and
2. Is customarily incident to such principal structure or use; and
3. Contributes to the comfort, convenience, or necessity of those occupying, working at, or being served by such principal structure or use; and
4. Except as otherwise expressly authorized by the provisions of this title, is located on the same zoning lot as such principal structure or use; and
5. Is **used and controlled by the same person who, at the time of such use, is legally occupying and has legal** ~~under the same ownership and control as over~~ such principal structure or use.

SECTION THREE. Amendment of Section 5-11-15 of the Zoning Code. Subsection E, entitled, "Authorized Variations," of Section 5-11-15, entitled "Variations," of Chapter 11, entitled "Zoning Administration and Enforcement," of Title 5, entitled "Zoning Regulations," is hereby amended to hereafter be and read as follows:

(E) Authorized Variations:

1. Permitted Variations: The board of trustees may vary the provisions of this title only as provided in this subsection (E)1. The authority of the board of trustees to vary the provisions of this title is subject to the prohibitions set forth in subsection (E)2 of this

PASSED this 25th day of October, 2011.

AYES: ()

NAYS: ()

ABSENT: ()

APPROVED this 25th day of October, 2011.

Village President

ATTEST:

Village Clerk

)
)

)
)

)
)



2012
PLAN COMMISSION & ZONING BOARD of APPEALS (PCZBA)
REGULAR & SPECIAL MEETING DATES

REGULAR MEETING DATE
(1st Tuesday of the Month)

SPECIAL MEETING DATE
(3rd Tuesday of the Month)

January 3, 2012

January 17, 2012

February 7, 2012

February 21, 2012

March 6, 2012

March 20, 2012

April 3, 2012

April 17, 2012

May 1, 2012

May 15, 2012

June 5, 2012

June 19, 2012

July 3, 2012

July 17, 2012

August 7, 2012

August 21, 2012

September 4, 2012

September 18, 2012

October 2, 2012

October 16, 2012

November 6, 2012

November 20, 2012

December 4, 2012

December 18, 2012

- The Village of Long Grove PCZBA routinely meets at 7:00 p.m. every 1st Tuesday of each month in the Long Grove Village Hall unless otherwise noticed.
- Special meetings (@ 7:00 PM) are held as needed and typically scheduled for non-zoning related agenda items.
- Complete applications must be submitted at least 30 days prior to the scheduled meeting date.

)
)

)
)

)
)



2012
PLAN COMMISSION MEMBER
BOARD OF TRUSTEES MEETING ATTENDANCE DATES*

MEETING DATES:**

January 10, 2012 (F. Phillips)	January 24, 2012 (S. Rubin)
February 14, 2012 (J. Kazmer)	February 28, 2012 (C. Cohn)
March 13, 2012 (M. Dvorak)	March 27, 2012 (W. Parr)
April 10, 2012 (F. Phillips)	April 24, 2012 (S. Rubin)
May 8, 2012 (J. Kazmer)	May 22, 2012 (C. Cohn)
June 12, 2012 (M. Dvorak)	June 26, 2012 (W. Parr)
July 10, 2012 (F. Phillips)	July 24, 2012 (S. Rubin)
August 14, 2012 (J. Kazmer)	August 28, 2012 (C. Cohn)
September 11, 2012 (M. Dvorak)	September 25, 2012 (W. Parr)
October 9, 2012 (F. Phillips)	October 23, 2012 (S. Rubin)
November 13, 2012 (J. Kazmer)	November 27, 2012 (C. Cohn)
December 11, 2012 (M. Dvorak)	2 nd Dec. Mtg. Canceled

*** IF ANY COMMISSIONER CANNOT MAKE THEIR MEETING PLEASE CALL ANOTHER COMMISSIONER TO FILL IN. A PLAN COMMISSIONER MUST BE PRESENT AT EACH BOARD MEETING.**

** The Village of Long Grove Board of Trustees typically meets at 7:00 p.m. every 2nd and 4th Tuesday of each month.