

**Item #2:**  
**Ordinance Approving Amendments To Code & Map For CCE**

**VILLAGE OF LONG GROVE**

**ORDINANCE NO. 2012-\_\_**

**AN ORDINANCE AMENDING THE MINIMUM YARD AND  
SETBACK REQUIREMENTS FOR A PORTION OF THE  
R-2 DISTRICT UNDER THE LONG GROVE ZONING CODE**

Adopted by the  
President and Board of Trustees  
of  
the Village of Long Grove  
this 9<sup>th</sup> day of October, 2012

Published in pamphlet form by direction  
and authority of the Village of Long Grove,  
Lake County, Illinois  
this 9<sup>th</sup> day of October, 2012

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ORDINANCE NO. 2012-\_\_

**AN ORDINANCE AMENDING THE MINIMUM YARD AND  
SETBACK REQUIREMENTS FOR A PORTION OF THE  
R-2 DISTRICT UNDER THE LONG GROVE ZONING CODE**

**WHEREAS**, the Village of Long Grove has adopted comprehensive zoning regulations in Title 5 of the Long Grove Village Code (the "**Zoning Code**"); and

**WHEREAS**, the Village of Long Grove has established a variety of zoning districts as demonstrated on the Village's zoning map (the "**Zoning Map**"); and

**WHEREAS**, the Country Club Estates subdivision was established in 1963 (the "**Subdivision**"); by the Plat of Subdivision, and other documents, recorded as document numbers \_\_\_\_\_ (the "**Plat**"); and

**WHEREAS**, the Subdivision is currently included in the R-2 zoning district, which district generally requires each buildable lot to have a minimum lot area of 2 acres, a 75-foot front yard setback, and 40-foot rear and side yard setbacks; and

**WHEREAS**, as part of the approval of the Subdivision in 1963, the Village Board granted variations to permit lot sizes of 40,000 square feet and to reduce setbacks on front yards to 30 feet for properties that abut the golf course; and

**WHEREAS**, although the Zoning Code requires a 40-foot side yard setback in the R-2 zoning district, the Plat, and the Subdivision's declaration of covenants has identified building setback lines at 30 feet; and

**WHEREAS**, although under the Zoning Code platted setback lines do not supersede more restrictive zoning, there has been recurring confusion regarding the applicable side and rear yard requirements as development has occurred in the Subdivision over the decades; and

**WHEREAS**, numerous buildings have been permitted and built based on the platted setback lines rather than the applicable zoning requirements found in the Zoning Code; and

**WHEREAS**, in order to establish more certainty for the existing property owners within the Subdivision and create more predictability for future development in the Village, the President and Board of Trustees did direct the Long Grove Plan Commission / Zoning Board of Appeals (the "**PCZBA**") to consider and recommend any amendments that may be appropriate to alleviate ongoing confusion and establish predictable standards in the Subdivision; and

**WHEREAS**, pursuant to timely notice duly published, the PCZBA did commence a public hearing to consider amendments to the minimum lot dimension requirements in the R-2 Zoning District as applied to the Subdivision on August 7, 2012; and

**WHEREAS**, during the public hearing, it was brought to the Village's attention that there may also be inconsistencies among the front yard setbacks in the Subdivision;

**WHEREAS**, the Village Board sought additional information and directed the PCZBA to conduct further review after a comprehensive study of the front yard setbacks of the Subdivision was completed; and

**WHEREAS**, having considered the recommendation of the PCZBA, the President and Board of Trustees have determined that amending the Zoning Code and the Village Zoning Map to bring the zoning requirements that affect the Subdivision into conformance with the Plat and existing development patterns will help to create certainty, maintain the existing trend of development, clarify any confusion regarding the applicable setback, and enhance the implementation of the Zoning Code in the Subdivision; and

**WHEREAS**, the President and Board of Trustees have determined that it is in the best interests of the Village and its residents to amend the Zoning Code and the Zoning Map with respect to the Subdivision as hereinafter set forth;

**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 by this reference incorporated into and made a part of this Ordinance as if fully set forth.

**SECTION TWO: Amendments to Section 5-3-12 of the Zoning Code.** The table providing building height, lot, yard, floor area ratio, coverage, and spacing requirements applicable in the residential districts (the "**Table**") in Section 12, entitled "Bulk, Space, and Yard Requirements," of Chapter 3, entitled "Residential Districts," of Title 5, entitled "Zoning Regulations" is hereby amended, so that the Table and footnote 8 of the Table shall hereafter be and read as follows:

The building height, lot, yard, floor area ratio, coverage, and spacing requirements applicable in the residential districts are set forth in the following table. Footnote references appear at the end of the table.

	R1	R2	R3
Maximum building height (feet) <sup>1</sup>	35	35	35
Minimum lot area <sup>2</sup>	3 acres	2 acres	1 acre
Minimum yards and setbacks <sup>3,4,8</sup> :			
Front and corner side (feet)	100	75	50
Side (feet)	50	40	30
Rear (feet) <sup>5</sup>	50	40	30
Conservancy area/scenic corridor	See note 4		
Maximum gross floor area <sup>6</sup>	See note 6		
Maximum impervious surface coverage <sup>7</sup>	40%	40%	40%
Minimum spacing between principal and accessory buildings (feet)	20	20	20

Exceptions And Explanatory Notes:

\* \* \*

**8. The setbacks in the Country Club Estates Subdivision, as identified on the Zoning Map in the R-2 District shall be: for side yards, 30 feet; for rear yards, 30 feet; and for front yards, 75 feet, except that existing residences with a lesser front yard setback shall be considered lawful nonconformities and additions or modifications to, or replacement of, the existing residences are authorized without further variation, so long as such additions, modifications, or replacements do not further encroach beyond the existing front building line into the front yard setback (as determined by a then current survey) or any side yard setbacks.**

**SECTION THREE: Zoning Map.** In order to provide the public with greater notice of the exceptions adopted pursuant to this Ordinance, the Village Manager shall cause the Zoning Map to include a special notation or designation of the Subdivision referencing the applicability of Section 5-3-12, Exception 8, as identified on Exhibit A.

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

PASSED this 9<sup>th</sup> day of October, 2012.

AYES:        ( )  
NAYS:        ( )  
ABSENT:     ( )

APPROVED this 9<sup>th</sup> day of October, 2012.

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

**EXHIBIT A**

**Zoning Map Notation for Country Club Estates Subdivision**