

VILLAGE OF LIBERTYVILLE

ORDINANCE NO. 15-O- 14

AN ORDINANCE AMENDING SECTION 5-2
OF THE LIBERTYVILLE ZONING CODE
RELATING TO SPECIAL PERMIT USES AND USE LIMITATIONS

Adopted by the
President and Board of Trustees
of
the Village of Libertyville
Lake County, Illinois
this 10 day of Feb., 2015

Published in pamphlet form by direction
and authority of the Village of Libertyville
Lake County, Illinois
this 11 day of Feb., 2015

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AN ORDINANCE AMENDING SECTION 5-2
OF THE LIBERTYVILLE ZONING CODE
RELATING TO SPECIAL PERMIT USES AND USE LIMITATIONS

WHEREAS, the President and Board of Trustees of the Village of Libertyville have considered amending the Libertyville Zoning Code relating to Special Use Permits and Use Limitations in the C-1, Downtown Core Commercial District; and

WHEREAS, on December 15, 2014, 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 January 10, 2015, in the *Daily Herald*, held a public hearing on January 26, 2015, 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 January 26, 2015, 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 15-01, dated as of January 21, 2015; 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 amendment is consistent with the purposes of the Code since the purpose of the Code is orderly zoning. The proposed amendment would only allow the use when approved with a Special Use Permit.
- b. *The existing uses and zoning classifications of properties in the vicinity of the subject property.* The proposal does not include a proposal to rezone property.
- 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 proposal does not include a proposal to rezone property.
- d. *The extent to which the value of the subject property is diminished by its present zoning classification.* The proposal does not include a proposal to rezone property.
- e. *The extent to which such diminution in value is offset by an increase in the public health, safety and welfare.* The proposal does not include a proposal to rezone property.
- f. *The extent, if any, to which the use and enjoyment of adjacent properties would be adversely affected by the proposed amendment.* The proposal does not include a proposal to rezone property.
- g. *The extent, if any, to which the value of adjacent properties would be adversely affected by the proposed amendment.* The proposal does not include a proposal to rezone property.
- h. *The extent, if any, to which the future orderly development of adjacent properties would be adversely affected by the proposed amendment.* The proposal does not include a proposal to rezone property.
- i. *The suitability of the subject property for uses permitted or specially permitted under its zoning classification.* The proposal does not include a proposal to rezone property.
- 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 proposal does not include a proposal to rezone property.

- 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 proposal does not include a proposal to rezone property.*
- 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 proposal does not include a proposal to rezone property.*
- m. *The community need for the proposed amendment and for the uses and development it would allow. There are currently no motorcycle dealerships located in the Village. This use provides a service not otherwise available to residents without leaving the community.*

SECTION THREE: Amendment of Article 5. Article 5-2.3, entitled “Special Permit Uses”

of the Libertyville Zoning Code shall be, and it hereby is, amended pursuant to Section 16-14 of the Libertyville Zoning Code, as follows:

5-2.3 Special Permit Uses.

- k. Vehicles and Parts Dealers (441), but limited to Motorcycle Dealers (44121)

SECTION FOUR: Amendment of Article 5. Article 5-2.4, entitled “Use Limitations” of the

Libertyville Zoning Code shall be, and it hereby is, amended pursuant to Section 16-14 of the Libertyville Zoning Code, as follows:

5-2.4 Use Limitations.

- n. Motorcycle Dealers. All aspects of Motorcycle Dealers shall be conducted entirely within an enclosed building and no outdoor storage, outdoor display, or outdoor sales shall be allowed.

SECTION FIVE: 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 10 day of February, 2015.

AYES: Johnson, Cullum, Moras, Justice, Adams

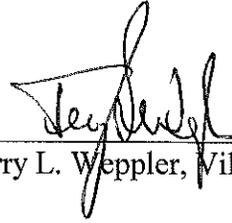
ABSTAIN: Gaines

NAYS:

None

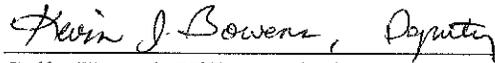
ABSENT: None

APPROVED this 11 day of February, 2015.



Terry L. Weppeler, Village President

ATTEST:



Sally Kowal, Village Clerk