

VILLAGE OF LIBERTYVILLE

ORDINANCE NO. 16-O-84

AN ORDINANCE AMENDING SECTION 6-2.3
OF THE LIBERTYVILLE ZONING CODE
RELATING TO SPECIAL USE PERMITS

Adopted by the
President and Board of Trustees
of
the Village of Libertyville
Lake County, Illinois
this 13 day of Sept., 2016

Published in pamphlet form by direction
and authority of the Village of Libertyville
Lake County, Illinois
this 14 day of Sept., 2016

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OF THE LIBERTYVILLE ZONING CODE
RELATING TO SPECIAL USE PERMITS

WHEREAS, the President and Board of Trustees of the Village of Libertyville have considered amending the Libertyville Zoning Code relating to Special Use Permits in the O-1, Professional Services Office District; and

WHEREAS, on July 18, 2016, the Development Review Committee reviewed and recommended to continue the requested zoning relief; and

WHEREAS, the Plan Commission of the Village of Libertyville, pursuant to notice duly published on June 25, 2016, in the *Daily Herald*, held a public hearing at 7:05 p.m., commencing on July 11, 2016, and concluding on August 8, 2016, 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 August 8, 2016, 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 16-18, dated as of August 17, 2016; 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 amendment is consistent with the Village's LZC O-1 District zoning regulations because an Animal Hospital/Veterinary Office is a Professional Service Office use by definition and that is responsive to the needs of the Village.
- b. *The existing uses and zoning classifications of properties in the vicinity of the subject property.* Zoning classification of the property is currently O-1 and will remain O-1 Professional Service Office District. Properties to the East and south are commonly also O-1 Zoning. The property immediately to the north is R-6, single family and the property across Harding to the west is R-6 single family. Land Uses to the south include Dairy Dream Drive-In, Park Shell Fueling Station, and Mobile fueling station. Across Butterfield to the East is Professional Office (Dentist). To the north and west is Single Family.
- 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 proposed site is being redeveloped from a Hair Salon and vacant lot to a "service business use" Animal Hospital/Veterinary Office which is consistent with the intent of the current zoning of the property as O-1 Professional Service Office District and the surrounding O-1 District.
- d. *The extent to which the value of the subject property is diminished by its present zoning classification.* The property will remain zoned O-1.
- e. *The extent to which such diminution in value is offset by an increase in the public health, safety and welfare.* The property will remain zoned O-1.
- f. *The extent, if any, to which the use and enjoyment of adjacent properties would be adversely affected by the proposed amendment.* The existing operation of Care Animal Hospital at 1101 W. Park Ave., in Libertyville, confirms that the proposed Animal Hospital will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood in which it is to be located.

- g. *The extent, if any, to which the value of adjacent properties would be adversely affected by the proposed amendment.* The proposed development offers the opportunity to greatly improve the aesthetic character and upkeep of the parcel. This include improved landscaping that will enhance the overall streetscape at the corner of Park and Butterfield. These improvements will not impair property values within the neighborhood in which it is to be located.
- h. *The extent, if any, to which the future orderly development of adjacent properties would be adversely affected by the proposed amendment.* The Animal Hospital development will not adversely affect orderly development of the adjacent properties.
- i. *The suitability of the subject property for uses permitted or specially permitted under its zoning classification.* The property will remain zoned O-1.
- 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 proposed site will have access off of 176 and Harding Avenue which will provide adequate ingress and egress from the subject property and will have minimal impact on the overall traffic of the area. Included traffic report indicates an increase of 1% is projected overall which is regulated by an appointment based business.
- 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.* Preliminary engineering has been provided to ensure the availability of adequate utilities and essential public services to the subject property for the proposed use and presented design and layout.
- 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 property is not currently vacant.
- m. *The community need for the proposed amendment and for the uses and development it would allow.* The community need for the proposed special use is evident by the success of Care Animal Hospital of Libertyville existing location. The proposed amendment would provide Care Animal Hospital the opportunity to expand on convenient and essential health services to residents' pets in the community.

SECTION THREE: Amendment of Article 6. Article 6-2.3, 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:

6-2.3 Special Permit Uses.

Veterinary Services (541940)

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.

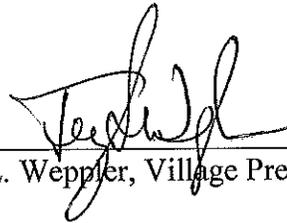
PASSED this 13 day of September, 2016.

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

NAYS: None

ABSENT: None

APPROVED this 14 day of September, 2016.



Terry L. Weppner, Village President

ATTEST:

Kevin J. Bowers, Deputy
Sally Kowal, Village Clerk