

VILLAGE OF ANTIOCH

ORDINANCE NO. 10-12-34

**AN ORDINANCE GRANTING A VARIANCE FROM
TITLE 10, CHAPTER 14, SECTION 6 OF THE
VILLAGE CODE RELATED TO WALL SIGNS
(Antioch Marketplace: PZB 10-05)**

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF ANTIOCH, ILLINOIS

ON

December 20, 2010

**Published in pamphlet form by authority of the Village Board
of the Village of Antioch, Lake County, Illinois,
this 21st day of December, 2010.**

LAWRENCE M. HANSON	President	DENNIS B. CROSBY	Trustee
		JAY JOZWIAK	Trustee
CANDI L. ROWE	Clerk	SCOTT A. PIERCE	Trustee
		TED P. POULOS	Trustee
ROBERT J. LONG	Attorney	GEORGE C. SAKAS	Trustee
		MICHAEL W. WOLCZYK	Trustee

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(Antioch Marketplace: PZB 10-05)**

WHEREAS, application has been made by and V-land II Antioch LLC (“Owner”) for a variation to permit a second wall sign for each tenant measuring thirty four (34) square feet rather than the permitted twenty (20) square feet (collectively, the “Variance”); and

WHEREAS, a public hearing was duly advertised on in the Waukegan News Sun and was held by the Combined Planning Commission and Zoning Board on August 12, 2010, on which date the Combined Planning Commission and Zoning Board voted in favor of recommending approval of the Applicant’s application for said Variance; and

WHEREAS, the Combined Planning Commission and Zoning Board has heretofore submitted to the Mayor and Board of Trustees of the Village of Antioch, Lake County, Illinois, its findings of fact and recommendations related thereto; and

WHEREAS, the Corporate Authorities of the Village of Antioch, Lake County, Illinois, have duly considered said finding and recommendations of said Combined Planning Commission and Zoning Board;

THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Antioch, Lake County, Illinois, as follows:

SECTION 1: The findings and recommendations of the Combined Planning Commission and Zoning Board of the Village of Antioch, Lake County, Illinois, are herein incorporated by reference as the findings of this Board to the same effect as if

fully recited herein at length. All references in the findings and recommendations are made the references of the Mayor and Board of Trustees of the Village of Antioch.

SECTION 2: That the property which is the subject of this Ordinance (the "Subject Property") is legally described as follows:

Outlot 2 of the Antioch Crossing I Subdivision, being a subdivision of part of the southwest quarter of the northeast quarter of section 16, Township 46 North, Range 10, East of the Principal Meridian, in Lake County, Illinois, PIN # 02-16-201-006, Commonly known as 483 Illinois Route 173

SECTION 3: A variance from Section 10-14-6 is hereby granted and issued to the property operated by Antioch Vland II, LLC, and commonly known as Antioch Marketplace, as herein more specifically described, for the purpose of a variation to permit a second wall sign for each tenant measuring thirty four (34) square feet rather than the permitted twenty (20) square feet.

SECTION 4: The specific terms and conditions of this Ordinance shall prevail against other existing ordinances of the Village to the extent that there might be any conflict. Except for the foregoing limitation, the development of the Subject Property is subject to all terms and conditions of applicable ordinances and regulations of the Village of Antioch.

SECTION 5: The following exhibits shall be attached to and made a part of this Variation Ordinance and, except as expressly modified by this Ordinance, all standards, requirements, designs or specifications in such exhibits shall be binding on the Applicant:

1. Elevations for Antioch Marketplace, Antioch Illinois, as depicted by North American Signs, revised 4.14.10 and dated September 22, 2009.

2. Letter of Recommendation from the Planning and Zoning Board, dated, August 26, 2010.

SECTION 6: Any person violating the terms and conditions of this Ordinance shall be subject to a penalty not exceeding Five Hundred Dollars (\$500.00) with each and every day that the violation of the Ordinance is allowed to remain in effect being deemed a complete and separate offense. In addition, the appropriate authorities of the Village may take such other action as they deem proper to enforce the terms and conditions of this Ordinance, including, without limitation, an action in equity to compel compliance with its terms. Any person violating the terms of this Ordinance be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorneys' fees. This section shall not apply to the Village of Antioch, its officials, agents or employees.

SECTION 7: The premises shall be made available for inspection by any department of the Village at all reasonable times for compliance with this Ordinance and any other laws or regulations.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law. Provided, however, that this Ordinance shall not take effect until a true and correct copy of this Ordinance is executed by the Applicants or such other parties in interest consenting to and agreeing to be bound by the terms and conditions contained within this Ordinance. Such execution shall take place within sixty (60) days after the passage and approval of this Ordinance or within such extension of time as may be granted by the Corporate Authorities by motion.

PASSED this 20th day of December, 2010, by the Corporate Authorities of the Village of Antioch on a roll call vote as follows:

AYES: 4: Pierce, Poulos, Sakas and Crosby.

NAYS: 0.

ABSTAIN: 1: Jozwiak.

ABSENT: 1: Wolczyk.

APPROVED this 20th day of December, 2010.



Lawrence M. Hanson, Mayor

ATTEST:



Candi Rowe, Village Clerk



Published by me in pamphlet form
this 21st day of December, 2010.

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

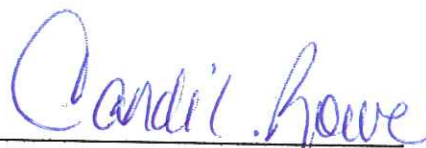
CERTIFICATE

I, Candi L. Rowe, certify that I am the duly appointed Municipal Clerk of the Village of Antioch, Lake County, Illinois.

I certify that on December 20, 2010, the Corporate Authorities of such municipality passed and approved **Ordinance No. 10-12-34**, entitled ***“AN ORDINANCE GRANTING A VARIANCE FROM TITLE 10, CHAPTER 14 SECTION 6 OF THE VILLAGE CODE RELATED TO WALL SIGNS (Antioch Marketplace: PZB 10-05)”*** which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 10-12-34**, including the Ordinance and cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on December 21, 2010, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

DATED at Antioch, Illinois, this 21st day of December, 2010.



Candi L. Rowe, Village Clerk





REAR OF BUILDING
NTS



north
american
signs

SALES: TOM RICE

DWG # 909040-01

REV # 1E

LOCATION

BY: SARAH BARKER

REVISION: RTW 04.14.10

ANTIOCH, IL

ART: RTW 09.22.09

MAYOR
Lawrence M. Hanson

CLERK
Candi L. Rowe



TRUSTEES
Dennis B. Crosby
Jay Jozwiak
Scott A. Pierce
Ted P. Poulos
George C. Sakas
Michael W. Wolczyk

August 26, 2010

To: The Honorable Larry Hanson, Mayor; and
Members of the Village Board of Trustees

From: Vern Burdick, Chairmen
Combined Planning and Zoning Commission

RE: PZB10-05 V-Land Sign Variance Finding of Fact: Outlot 2 Antioch Crossing I Subdivision, PIN 02-16-201-006 Commonly known as 483 Illinois Route 173.

The Combined Planning Commission and Zoning Board conducted a public hearing on August 12, 2010 following notification as required by State Law and Village Ordinances to consider a Sign Variance Request upon the Petition of V-land I Antioch pursuant to Title 10 of the Village Code.

The subject site is located directly on Illinois Route 173, south of the WalMart, and is comprised of a single four unit commercial building. Initially permitted under the previous sign code, each tenant was allotted 1 wall sign each. With the adoption of the new code, the each business is allowed an additional sign, with an area totaling 1 square foot per lineal foot of building frontage. This would equal approximately 20 feet per tenant. The applicant is requesting 34 square feet per tenant for the second sign, which is in excess of that allowed by Code.

Chris Sotos and Tony Marrone, representing Vland presented there proposal, and explained that the additional signage was necessary to improve visibility from the rear of the site facing Wal-Mart. The goal of the additional signage is to capture Wal-Mart and other user traffic from the interior ring drive and Wal-Mart parking lot. The signage allowed by Code would not accomplish this due to the nearly 500 feet between Wal-Mart and the site. .

Dustin Nilsen, Director of Community presented his report. He summarized the standards for a zoning variance approval listed under Title 10, Chapter 14, Section 6 of the Village Code, reported the history of the project and the comparison of the standards allowed by the past sign code and the current. Some of the distances that the applicant was looking to overcome and the comparables to that which was allowed and that requested.

After a brief discussion, review of the drawings, and no public comment, the Planning and Zoning Board recommended that the additional wall signage be approved in order to gain additional visibility from the rear of the property.

Findings

Based upon the facts presented in the case the Planning and Zoning Board finds the following:

The petitioner's building is situated in a manner that requires additional signage to address visibility issues from the WalMart anchor, the installation of such signage is not inconsistent with the standards for a variance approval, and the additional signage meets a need to better acknowledge the four independent users. This is a unique circumstance that generally does not apply to users of similar use and location. Therefore the additional wall signage is justified.

With those findings the Planning and Zoning Board recommended that the variance be approved.

Respectfully submitted,

Vernon Burdick, Chairman
Combined Planning Commission and Zoning Board

Name	Ayes	Nays	Absent
Chairmen Burdick	-	-	-
K. Ipsen	X		
M. Dominiak		X	
B. Kaiser	X		
B. Ralston		X	
R. Weber			X
K. Karasek	X		