

VILLAGE OF LIBERTYVILLE

ORDINANCE NO. 14-O-02

AN ORDINANCE AMENDING SECTION 6-3.2  
OF THE LIBERTYVILLE ZONING CODE  
RELATING TO PERMITTED USES

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Adopted by the  
President and Board of Trustees  
of  
the Village of Libertyville  
Lake County, Illinois  
this 14 day of Jan., 2014

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Published in pamphlet form by direction  
and authority of the Village of Libertyville  
Lake County, Illinois  
this 15 day of Jan., 2014

VILLAGE OF LIBERTYVILLE

ORDINANCE NO. 14-O- 02

AN ORDINANCE AMENDING SECTION 6-3.2  
OF THE LIBERTYVILLE ZONING CODE  
RELATING TO PERMITTED USES

WHEREAS, the President and Board of Trustees of the Village of Libertyville have considered amending the Libertyville Zoning Code relating to Permitted Uses in an O-2, Office, Manufacturing and Distribution Park District; and

WHEREAS, on November 18, 2013, 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 November 23, 2013, in the *Daily Herald*, held a public hearing on December 9, 2013, 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 December 9, 2013, 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 13-26, dated as of January 8, 2014; 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 use is consistent with the purposes of the Code as it is similar to existing permitted uses such as 'Offices of Physicians and Other Health Practitioners'.
- b. *The existing uses and zoning classifications of properties in the vicinity of the subject property.* The proposed text amendment is for a permitted use in an O-2, Office, Manufacturing and Distribution Park District. The existing zoning classification will remain intact.
- 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 text amendment is for a permitted use in an O-2, Office, Manufacturing and Distribution Park District. The existing zoning classification will remain intact.
- d. *The extent to which the value of the subject property is diminished by its present zoning classification.* The proposed text amendment is for a permitted use in an O-2, Office, Manufacturing and Distribution Park District. The existing zoning classification will remain intact.
- e. *The extent to which such diminution in value is offset by an increase in the public health, safety and welfare.* The proposed text amendment is for a permitted use in an O-2, Office, Manufacturing and Distribution Park District. The existing zoning classification will remain intact.
- f. *The extent, if any, to which the use and enjoyment of adjacent properties would be adversely affected by the proposed amendment.* The proposed text amendment is for a permitted use in an O-2, Office, Manufacturing and Distribution Park District. The existing zoning classification will remain intact.
- g. *The extent, if any, to which the value of adjacent properties would be adversely affected by the proposed amendment.* The proposed text amendment is for a permitted use in an O-2, Office, Manufacturing and Distribution Park District. The existing zoning classification will remain intact.

- h. *The extent, if any, to which the future orderly development of adjacent properties would be adversely affected by the proposed amendment.* The proposed text amendment is for a permitted use in an O-2, Office, Manufacturing and Distribution Park District. The existing zoning classification will remain intact.
- i. *The suitability of the subject property for uses permitted or specially permitted under its zoning classification.* The proposed text amendment is for a permitted use in an O-2, Office, Manufacturing and Distribution Park District. The existing zoning classification will remain intact.
- 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 text amendment is for a permitted use in an O-2, Office, Manufacturing and Distribution Park District. The existing zoning classification will remain intact.
- 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 proposed text amendment is for a permitted use in an O-2, Office, Manufacturing and Distribution Park District. The existing zoning classification will remain intact.
- 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 proposed text amendment is for a permitted use in an O-2, Office, Manufacturing and Distribution Park District. The existing zoning classification will remain intact.
- m. *The community need for the proposed amendment and for the uses and development it would allow.* The Village recognizes the need for the proposed amendment to address this issue and supports allowing it as a permitted use as it is similar to existing land uses.

SECTION THREE: Amendment of Article 6. Article 6-3.2, entitled "Permitted 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:

**6-3 O-2 OFFICE, MANUFACTURING AND DISTRIBUTION PARK DISTRICT**

**6-3.2 Permitted Uses**

- e. Health Care and Social Assistance, but limited to:
  - 7) All Other Outpatient Care Centers (621498), but limited to:
    - i) Outpatient Sleep Disorder Centers and Clinics

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.

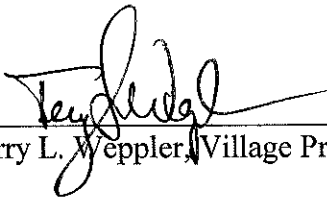
PASSED this 14 day of January, 2014.

AYES: Johnson, Cullum, Moras, Gaines, Justice, Moran

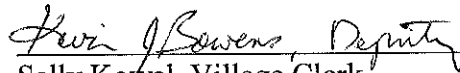
NAYS: None

ABSENT: None

APPROVED this 15 day of January, 2014.

  
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Terry L. Weppeler, Village President

ATTEST:

  
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Sally Kowal, Village Clerk