

MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP
Assistant Village Manager/Director of Community Development

DATE: February 15, 2007

SUBJECT: ZBA 03-27: 25 E. North Avenue – Third Extension Ordinance

On February 5, 2004, the Village Board adopted Ordinance 5423, which granted approval of a variation from Section 155.414 (K) of the Zoning Ordinance to reduce the requisite transitional landscape yard from thirty feet (30') to fifteen feet (15') in the B3 Community Shopping District. Pursuant to Section 155.103 (C)(10) of the Zoning Ordinance, variations are null and void if construction is not substantially underway within one year from the date of granting thereof, unless a time extension is granted by the Village Board. On February 3, 2005, the Village Board adopted Ordinance 5605, granting an amendment to Ordinance 5423 which extended the period in which the petitioner shall start the project for an additional one-year period. On February 2, 2006, the Village Board adopted Ordinance 5809, which also granted a time extension for an additional year, but now also obligated the petitioner to bury an existing overhead electrical line over Main Street.

Staff has received a request from the petitioner requesting an additional extension to the Ordinances of approval. This request will allow the petitioner to proceed with the development as it was originally approved by the Village Board without the need for a new public hearing. The property owner has informed staff that they are actively marketing the property and intend on developing the site consistent with the plans approved by the Village, but they have been unable to secure a developer for the project to date.

Staff supports the petitioner's request.

ACTION REQUESTED

Please place this item on the February 15, 2007 Board agenda with a recommendation to approve the attached Ordinance.