

**VILLAGE OF LAKE BLUFF**  
**HISTORIC PRESERVATION COMMISSION**  
**SPECIAL MEETING**

**MARCH 15, 2021 - 6:00 P.M.**

**Due to the COVID-19 emergency**, this meeting will be held primarily virtually. As required by law, at least one representative from the Village will be present at the Village Hall Board Room and the virtual meeting will be simulcast for members of the public who do not wish to view the virtual meeting from another location. The Board Room can only accommodate a limited number of people, including members of the public body and Village staff, while maintaining six feet of social distance between individuals. Accordingly, the opportunity to view the virtual meeting at Village Hall is available on a “first come, first-served” basis.

Members of the public may view and participate in the meeting via:

Online (**strongly recommended**): [lakebluff.org/lakebluff.org/VirtualHPC](https://lakebluff.org/lakebluff.org/VirtualHPC)

**OR**

Dial-in: **(312) 626-6799**. Enter meeting ID **872 5941 4275**. Press # when prompted for a Participant ID.

**IMPORTANT:** Additional instructions are available in the agenda packet immediately following the agenda.

**AGENDA**

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**1. Call to Order and Roll Call**

**2. Non-Agenda Items and Visitors**

The Chairperson and Members of the HPC allocate fifteen (15) minutes at this time for those individuals who would like the opportunity to address the HPC on any matter within its area of responsibility that is not listed on the agenda. Each person addressing the HPC is asked to limit their comments to a maximum of three (3) minutes.

**3. Review Proposed Revisions to Village Historic Preservation Policies**

The HPC will discuss and may make recommendations regarding the highest priority structures for preservation in the Village, as well as a Resolution formally providing the Village Board with recommendations concerning (i) Changes to the Village’s Historic Preservation Ordinance; (ii) Incentives for historic structures; and (iii) Highest priority structures for preservation

**4. Commissioner Report**

**5. Staff Report**

**6. Adjournment**

The Village of Lake Bluff is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact Glen Cole at 847-234-0774 or TDD number 234-2153 promptly to allow the Village of Lake Bluff to make reasonable accommodations.

# VIDEO MEETING GUIDE

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**Format:** Our goal is to provide a meeting that is as similar as possible to an in-person experience. Members of the public will be given opportunities to speak at the start of the meeting and before each agenda item.



**NORTH SHORE LIFE  
LAKE BLUFF STYLE**

We will use Zoom Webinars for this meeting. In this product:

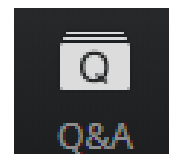
- Panelists (Trustees, Staff, etc.) control their own ability to speak and transmit video.
- Attendees (members of the public) can see the meeting, but cannot transmit audio or video unless recognized by the chair. (See below for how to be recognized.)
- One or more staff members will act as hosts and help organize the meeting.

## **Rules:**

- [An online guide to using Zoom is available here.](#) Please know that the Village cannot provide technical support. [You should test your ability to use Zoom ahead of time.](#)
- Ideally, all participants should join using the Zoom application so that they can experience the full meeting. While participants may call-in, this is a lower quality experience.
- All participants should use their real name (first and last) to identify themselves in the meeting. People using aliases or pseudonyms will not be recognized.
- All participants should stay muted unless they are actively speaking. Your mute may be enabled remotely if you are echoing or transmitting background noise.
- Elected officials participating with video should keep their video enabled at all times. Village Staff should disable their video unless they are participating in a discussion.
- In Lake Bluff meetings, text chat and private messaging features are disabled.

**Public Participation:** To participate in the meeting, members of the public can:

- Submit a comment or question using [Zoom's Q&A feature](#). Written items will be read aloud and answered as necessary. You can also ask to be recognized by the chair. You will be able to speak directly to the Board and may choose to send video.
- Phone users can dial \*9 and will be placed into a queue to be recognized by the chair.
- Email comments in advance to [vlb@lakebluff.org](mailto:vlb@lakebluff.org). Emails should list the meeting and date in the subject line (e.g. "April 13 Village Board meeting") and should identify the author by name. Emails will be shared electronically, and those that are 200 words or shorter will generally be read aloud by a staff member during the appropriate comment period.



## Village of Lake Bluff – Video Meeting Guide

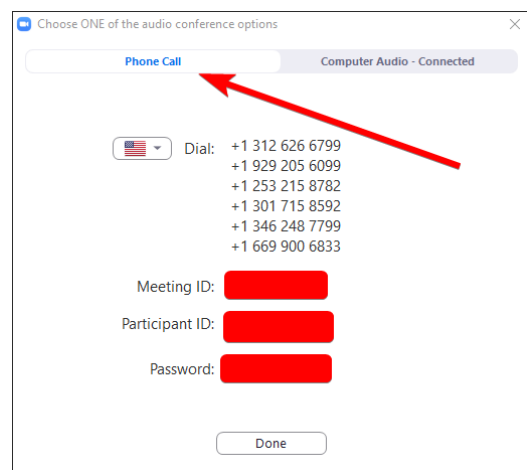
### Technical setup. The ideal attendee has:

- **Device:** The ability to transmit and receive video.
- **Audio:** Clear audio that does not echo or transmit background noise.
- **Connection:** A stable, high-quality internet connection.

	Device	Audio	Connection
<b>Ideal</b>	Zoom app on a desktop or laptop	A headset with microphone	Wired connection via Ethernet
<b>Okay</b>	Zoom app on a mobile phone or tablet	A headset (using built-in microphone) Using a phone to dial in	Connected wirelessly via WiFi
<b>Not ideal</b>	Calling into conference line (without Zoom app)	Computer speakers (using built-in microphone) Speakerphone on phone	Connected via 4G / LTE (cellular data) Using a phone to dial in
<b>Tips</b>	<ul style="list-style-type: none"> <li>• Use a stable surface so that your video doesn't move or shake.</li> <li>• Have a “boring” background that isn't distracting (e.g. others moving around).</li> </ul>	<ul style="list-style-type: none"> <li>• Pick a quiet place as your workspace.</li> <li>• Keep yourself muted when you are not talking.</li> </ul>	<ul style="list-style-type: none"> <li>• If you have to use WiFi, try to pick a workspace close to your router.</li> <li>• Discourage other household members from streaming video during the meeting.</li> </ul>

### Tips:

- You will appear more natural if you look directly at your camera when speaking. It may help you to put your camera near your monitor.
- While muted, you can [hold the spacebar to unmute yourself temporarily](#) (push-to-talk, like a walkie talkie). It will mute you again as soon as you release the spacebar.
- If you do not have a headset, you can use the Zoom application on your PC but [dial-in using your phone](#). This will let you see and share video, and also let you control if you are muted using your PC. This may reduce echo and background noise for those individuals without headsets.



*Joining via video but using a phone call for audio.*

## Village of Lake Bluff – Video Meeting Guide

### Frequently Asked Questions

**Q: How do I participate in a meeting?**

**A:** If you would like to participate in the meeting live, a URL will be listed on the top of the agenda that will invite you to join the meeting via Zoom. You can also dial-in using the phone number shown on the agenda, but this is a lower quality experience.

You can also watch the meeting live at [lakebluff.org/channel19](https://lakebluff.org/channel19) or by turning on Comcast Channel 19. Meetings are rebroadcast periodically.

**Q: How do I submit a public comment?**

**A:** An opportunity is provided for the public to comment on each agenda item before the Board votes. Additionally, a time is provided early in the agenda to address the Board regarding any matters not on the agenda. To submit a comment:

**Via Zoom.** Submit a comment or question using [Zoom’s Q&A feature](#). Written items will be read aloud and answered as necessary. You can also ask to be recognized by the chair.

**Via Phone.** If you are participating by phone, you can dial \*9 and be recognized by the chair.

**Via Email.** Finally, you can email comments in advance to [vlb@lakebluff.org](mailto:vlb@lakebluff.org). Emails should list the meeting and date in the subject line (e.g. “April 13 Village Board meeting”) and should identify the author by name. Emails will be shared electronically, and those that are 200 words or shorter will generally be read aloud by a staff member during the appropriate comment period.

**Q: How do I get technical support?**

**A:** Unfortunately, the Village cannot provide technical support. [An online guide to using Zoom is available here](#). Make sure to [test your ability to use Zoom ahead of time](#). If you are unable to use Zoom, you may use the call-in number, live stream link, and/or submit questions via e-mail.

## VILLAGE OF LAKE BLUFF

### **Memorandum**

**To:** Chair Kraus and Members of the Historic Preservation Commission

**From:** Glen Cole, AICP                      Assistant to the Village Administrator  
Samantha Lenocho                      Graduate Intern  
Allison Caskey                          Undergraduate Intern

**Subject:** **Agenda Item #5 - Revisions to Village Historic Preservation Policies**

**Date:** March 12, 2021

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Over the past three years, the Historic Preservation Commission has engaged in a thorough review of Lake Bluff's approach to historic preservation. In October 2020, the Commission recommended the Village Board adopt changes to the Village's preservation rules. At the request of the Village Board, the Commission again engaged the community's input and has directed Staff to prepare additional refinements to its proposal. On Wednesday, March 10, the Historic Preservation Commission considered the following items by motion:

- **Revised Ordinance.** Recommending the Village Board adopt changes to the Village's Historic Preservation Ordinance, with one additional change requiring the HPC specify the goals of an extended Advisory Review delay. (This change is shown in [redline](#) attached).
- **Revised Incentives.** Recommending the Village Board study specific additional incentives for properties that carry historic designations.

The Commission requested to reconvene on Monday, March 10 at 6 p.m. to continue identifying a shorter, specific **list of the highest priority structures** for the Commission's ongoing preservation efforts. We understand the Commission's intent is to review properties that are identified as historically significant in the Village yet do not already carry a local or national designation.

To assist the Commission's conversation, Staff requested that each Commissioner identify approximately 20 properties from the 92 presented meeting the above criteria. The attached spreadsheet retains only those 45 properties (of 92) that at least one Commissioner considered a priority. Also attached for context are current Village and National Register designated properties.

**Recommendation.** After providing opportunity for further public comment, the Commission should discuss the highest priority property list. Should it reach a consensus, it should consider (i) identifying these properties by motion and (ii) adopting the attached Resolution to formally make its recommendation to the Village Board. If there is not consensus to recommend one or more specific items of the recommendation, the Commission may consider scheduling continued discussion of these items at an upcoming regular or special meeting.

### **Attachments:**

- A. Draft HPC Resolution.
- B. Revised Draft Historic Preservation Ordinance – [Redline compared to March 10, 2021.](#)
- C. Working spreadsheet of significant properties; local landmarks; and National Register designations.
- D. [Public comment received to date.](#)

**VILLAGE OF LAKE BLUFF  
HISTORIC PRESERVATION COMMISSION  
RESOLUTION NO. 2021-HPC-\_\_**

**RECOMMENDATIONS TO THE VILLAGE BOARD OF TRUSTEES  
REGARDING REVISIONS TO, AND ADMINISTRATION OF, THE VILLAGE'S  
HISTORIC PRESERVATION REGULATIONS**

**WHEREAS**, the Village of Lake Bluff is a community with a rich historical, cultural, and architectural character that is unique among Northern Illinois communities; and,

**WHEREAS**, the Village desires to protect, enhance, and perpetuate the historic structures, buildings, and landscapes that contribute to the historical, cultural, or architectural heritage of the Village ("**Protected Features**"), and to that end has adopted Title 9, Chapter 14 of the Municipal Code ("**Historic Preservation Ordinance**") and has engaged in four separate professional surveys of the Village's historic, cultural, and architectural resources since 1998 ("**Resource Surveys**"); and,

**WHEREAS**, the Historic Preservation Commission ("**Commission**") was directed by the Village Board to review the effectiveness of the Historic Preservation Ordinance in 2015 and 2017 and recommended revisions to the Historic Preservation Ordinance in October 2020; and,

**WHEREAS**, at the direction of the Village Board, the Commission has engaged the community through a series of outreach efforts and has incorporated community feedback into its proposed revisions, which it now desires to recommend to the Village Board for adoption; and,

**WHEREAS**, the structures that are the subject of the Historic Preservation Ordinance often predate the Village's current building and zoning standards, which increases the costs borne by an owner to rehabilitate and perpetuate historic properties; and,

**WHEREAS**, in addition to revising the Historic Preservation Ordinance in a manner that better supports owners engaging in rehabilitation efforts, the Commission desires to concurrently recommend the introduction of new incentives and other changes in Village policy responsive to these concerns that will best preserve the unique history, culture, and architecture of the Village.

**NOW, THEREFORE, BE IT RESOLVED BY THE HISTORIC PRESERVATION COMMISSION OF THE VILLAGE OF LAKE BLUFF, LAKE COUNTY, ILLINOIS, as follows:**

**Section 1.** The foregoing recitals are incorporated herein as the findings of the Historic Preservation Commission.

**Section 2.** The Commission recommends the Village Board comprehensively amend the Historic Preservation Ordinance as presented in the attached draft Ordinance.

**Section 3.** The Commission recommends that the Village Board review and substantially increase the incentives and regulatory consideration available for Protected Features in the Village (such as local landmarks). Such programs may include:

- A. An increased discount (currently 25%), cap, or waiver of the Village's building permit fees.

- B. A local property tax “freeze” or rebate similar to the Village’s existing Senior Citizen Property Tax Rebate Program.
- C. A discount or waiver of the Village’s application fees to obtain zoning relief.
- D. Modifications to the Village’s zoning relief procedures that ensure these structures receive more favorable and/or expedited consideration.

**Section 4.** Every property identified as “Significant” in a Resource Survey or listed on the National Register of Historic Properties is likely to be meritorious of a historic designation. The owners of these properties are strongly encouraged to consider applying for historic designation. The Village should correspond with these owners annually to provide information and encouragement concerning designation of these properties.

**Section 5.** Notwithstanding Section 4, in order to prioritize the limited resources of the Village and the Commission, the Commission’s proactive efforts will focus only upon engaging in dialogue with owners of the following ## properties that the Commission believes to represent the highest priorities for preservation in the Village:

<u>tbd</u>	<u>tbd</u>	<u>tbd</u>
<u>tbd</u>	<u>tbd</u>	<u>tbd</u>
<u>tbd</u>	<u>tbd</u>	<u>tbd</u>
<u>tbd</u>	<u>tbd</u>	<u>tbd</u>
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<u>tbd</u>	<u>tbd</u>	<u>tbd</u>
<u>tbd</u>	<u>tbd</u>	<u>tbd</u>
<u>tbd</u>	<u>tbd</u>	<u>tbd</u>
<u>tbd</u>	<u>tbd</u>	<u>tbd</u>

**Section 6.** The Village Board should direct that the Resource Surveys and the list of highest priority properties provided in Section 5 be reviewed periodically so that each continues to represent a current inventory of the Village’s historic and architectural resources.

**PASSED** this \_\_\_<sup>th</sup> day of March, 2021, by a vote of the Historic Preservation Commission as follows:

- AYES:** (0)
- NAYS:** (0)
- ABSENT:** (0)
- ABSTAIN:** (0)

**APPROVED** this \_\_\_<sup>th</sup> day of March, 2021.

\_\_\_\_\_  
Steven Kraus, Chairperson

ATTEST:

\_\_\_\_\_  
Deputy Village Clerk

**EXHIBIT A**

**Draft Ordinance**

DRAFT



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**ORDINANCE NO. 2021-\_\_**

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**AN ORDINANCE COMPREHENSIVELY AMENDING  
THE VILLAGE'S HISTORIC PRESERVATION REGULATIONS  
AND THE REGULATIONS GOVERNING THE  
HISTORIC PRESERVATION COMMISSION  
(TITLE 2 AND TITLE 9, CHAPTER 14 OF THE MUNICIPAL CODE)**

Passed by the Board of Trustees, \_\_\_\_\_, 2021

Printed and Published, \_\_\_\_\_, 2021

Printed and Published in Pamphlet Form  
by Authority of the  
President and Board of Trustees

VILLAGE OF LAKE BLUFF  
LAKE COUNTY, ILLINOIS

I hereby certify that this document  
was properly published on the date  
stated above.

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Village Clerk

**ORDINANCE NO. 2021-\_\_**

**AN ORDINANCE COMPREHENSIVELY AMENDING  
THE VILLAGE'S HISTORIC PRESERVATION REGULATIONS  
AND THE REGULATIONS GOVERNING THE  
HISTORIC PRESERVATION COMMISSION  
(TITLE 2 AND TITLE 9, CHAPTER 14 OF THE MUNICIPAL CODE)**

**WHEREAS**, the Village is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, the Village of Lake Bluff is a community with a rich historical, cultural, and architectural character that is unique among northern Illinois communities; and

**WHEREAS**, the preservation of historically, culturally, and architecturally significant residential properties in the Village is necessary to maintain the essential character of the Village and to protect the value of properties in the Village; and

**WHEREAS**, the Village desires to promote the preservation of older homes while ensuring that homeowners are provided flexibility to adapt all homes to the changing needs of families and the community; and

**WHEREAS**, on February 12, 2001, the Lake Bluff Board of Trustees adopted the Village's Historic Preservation Ordinance as Ordinance No. 2001-03, which amended the Lake Bluff Municipal Code to provide a set of regulations for the designation and protection of landmarks within the Village ("**Historic Preservation Regulations**"); and

**WHEREAS**, the Village desires to comprehensively amend the Historic Preservation Regulations, which amendments include implementing the following changes (collectively, the "**Proposed Amendments**"):

- (i) Allowing for the establishment of Historic Districts with the consent of property owners;
- (ii) Extending the review periods applicable to the alteration or demolition of historically significant structures, as well as the demolition of structures not designated historically significant;
- (iii) After a reasonable transition period, providing that only a property owner may apply for a designation of their property under the Historic Preservation Regulations during the pendency of a demolition request;
- (iv) Ensuring that an owner meaningfully participates in the reviews required by the Historic Preservation Regulations;
- (v) Improving the usability, clarity, efficiency of administration, and ease of use of the Historic Preservation Regulations;
- (vi) Amending the regulations governing the Historic Preservation Commission;

And

**WHEREAS**, at its meeting on \_\_\_\_\_, the Historic Preservation Commission recommended the Village Board approve the Proposed Amendments as set forth in this Ordinance; and

**WHEREAS**, the Proposed Amendments necessitate conforming changes to Title 2 (Boards and Commissions), Section 1-12-13 (Comprehensive Fee Schedule), and Section 10-11-7 (Tree Regulations) of the Village Code; and

**WHEREAS**, public notice of the proposed amendment to Section 10-11-7 was duly advertised on or before September 1, 2020 in the *Lake County News-Sun*, and at the conclusion of a public hearing held by the Joint Plan Commission and Zoning Board of Appeals ("**PCZBA**") on September 16, 2020, the PCZBA recommended that the Village Board amend Section 10-11-7 as set forth herein; and

**WHEREAS**, the Board of Trustees has determined that adoption of the Proposed Amendments as set forth in this Ordinance is in the best interests of the Village;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LAKE BLUFF, LAKE COUNTY, ILLINOIS**, as follows:

**Section 1. Recitals.**

The foregoing recitals are incorporated herein as the findings of the President and Board of Trustees.

**Section 2. Amendments to Title 9 of the Municipal Code.**

Chapter 13, entitled "Historic Preservation," of Title 9, entitled "Building Regulations," shall be, and it is hereby, amended to adopt a revised Chapter 1 as set forth in **Exhibit A** attached to and, by this reference, made a part of this Ordinance.

**Section 3. Amendments to Title 2 of the Municipal Code.**

Title 2, entitled "Boards and Commissions," of the Lake Bluff Municipal Code, shall be, and it is hereby, amended to add a new Chapter 9, entitled "Historic Preservation Commission," as set forth in **Exhibit B** attached to and, by this reference, made a part of this Ordinance.

*[Continued on next page.]*

**Section 4. Amendment of Section 1-12-3 of the Municipal Code.**

Section 1-12-13, entitled "Schedule of Fees, Charges and Rates," of Chapter 12, entitled "Comprehensive Fee Schedule," of Title 1, entitled "Administration," of the Municipal Code is hereby amended to update references to the revised Historic Preservation Regulations as follows:

CONSTRUCTION/BUILDING FEES

Description	Amount	Municipal Code Provision
Building permit fee reduction for landmark designated structures <u>properties where a Protected Feature is located pursuant to the Village's Historic Preservation Regulations.</u>	Reduction of 25% of total building permit fee	<u>9-14-3(K)</u>
Building permit fee reduction for certified landmark designated structures <u>properties where a Certified Feature is located pursuant to the Village's Historic Preservation Regulations.</u>	Reduction of 50% of total building permit fee	<u>9-14-3(K)</u>
Demolition Tax for landmark designated structures <u>where the principal residential structure is a Protected Feature pursuant to the Village's Historic Preservation Regulations.</u>	12,500.00	<u>1-81-2,</u> <u>9-14-3(K)</u>
Demolition Tax for certified landmark designated structures <u>where the principal residential structure is a Certified Feature pursuant to the Village's Historic Preservation Regulations.</u>	15,000.00	<u>1-81-2,</u> <u>9-14-3(K)</u>

**Section 5. Public Hearing to Amend the Zoning Regulations.**

A public hearing to consider amending to Section 10-11-7, as set forth in Section 6 of this Ordinance, was duly advertised on or before September 1, 2020, in the *Lake County News-Sun*. The public hearing was commenced and completed by the PCZBA on September 16, 2020, on which date the PCZBA recommended that the Board of Trustees amend Section 10-11-7 as set forth in Section 6.

*[Continued on next page.]*

**Section 6. Amendment of Section 10-11-7 of the Zoning Regulations.**

Section 10-11-7, titled "Tree Replacement," of Chapter 11, titled "Trees," of Title 10, titled "Zoning Regulations," of the Lake Bluff Municipal Code, is hereby amended as follows [additions are **bold and double-underlined**; deletions are struck through]:

**10-11-7 TREE REPLACEMENT:**

[\* \* \*]

**B. Exemptions:** Tree replacement will ~~will~~ **shall** not be required if the ~~v~~Village Forester determines that any of the following circumstances exist:

[\* \* \*]

6. When the protected tree to be removed is located within the foundation footprint of an addition which creates additional gross floor area for a residential building ~~designated as a landmark pursuant to this code~~ **that is a Protected Building pursuant to Title 9, Chapter 14 of this Code**; provided, that ~~the combined gross floor area for the existing residential building and the addition is compliant with the maximum gross floor area restrictions for the residential building under these zoning regulations,~~ **(i) that the addition does not require any variations;** and **(ii) that the Historic Preservation Commission has approved the addition as described in Section 9-14-3(K)(3) of this Code.** ~~village's historic preservation commission has conducted an advisory review pursuant to this code and determined that the addition is consistent with the purposes and goals of the village's historic preservation regulations.~~ In this event, replacement trees will not be required for the removed protected trees within the construction footprint.

[\* \* \*]

**Section 7. Severability.**

If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

**Section 8. Effective Date.**

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

*[Signature page follows.]*

**PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2021, by vote of the Board of Trustees of the Village of Lake Bluff, as follows:

**AYES:**

**NAYS:**

**ABSTAIN:**

**ABSENT:**

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

**FIRST READING:** \_\_\_\_\_

**SECOND READING:** \_\_\_\_\_

**PASSED:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_

**PUBLISHED IN PAMPHLET FORM:** \_\_\_\_\_

**EXHIBIT A**  
**(Comprehensively Amended Chapter 14 of Title 9)**

**CHAPTER 14. HISTORIC PRESERVATION**

<b><u>9-14-1</u></b>	<b><u>PURPOSE AND GOALS</u></b>
<b><u>9-14-2</u></b>	<b><u>DEFINITIONS</u></b>
<b><u>9-14-3</u></b>	<b><u>GENERAL PROVISIONS</u></b>
<b><u>9-14-4</u></b>	<b><u>CRITERIA FOR DESIGNATION</u></b>
<b><u>9-14-5</u></b>	<b><u>DEMOLITION REVIEW FOR BUILDINGS MORE THAN 50 YEARS OLD</u></b>
<b><u>9-14-6</u></b>	<b><u>DESIGNATION OF LANDMARKS</u></b>
<b><u>9-14-7</u></b>	<b><u>DESIGNATION OF HISTORIC AREAS (DISTRICTS AND NEIGHBORHOODS)</u></b>
<b><u>9-14-8</u></b>	<b><u>CRITERIA FOR CHANGES TO PROTECTED FEATURES</u></b>
<b><u>9-14-9</u></b>	<b><u>ADVISORY REVIEW OF CHANGES TO PROTECTED FEATURES</u></b>
<b><u>9-14-10</u></b>	<b><u>VOLUNTARY CERTIFICATION OF PROTECTED FEATURES</u></b>
<b><u>9-14-11</u></b>	<b><u>CERTIFICATE REVIEW FOR CERTIFIED FEATURES</u></b>
<b>TABLE I</b>	<b>LIST OF LANDMARK FEATURES</b>
<b>TABLE II</b>	<b>LIST OF HISTORIC DISTRICTS</b>

1 **CHAPTER 14. HISTORIC PRESERVATION**

2 **9-14-1 PURPOSE AND GOALS**

- 3 A. **Purpose.** The purpose of this chapter is to promote historic and  
4 architectural preservation in the Village. The Village seeks to protect,  
5 enhance, and perpetuate those historical structures, buildings, sites, and  
6 landscapes valued by the Village and its residents that are significant to the  
7 Village history, culture, and architecture.
- 8 B. **Goals.** This chapter is created in order to achieve the following goals:
- 9 1. To foster civic pride in the beauty and accomplishments of the past  
10 as represented in the Village landmarks;
  - 11 2. To preserve, promote, maintain, and enhance the Village historic  
12 resources and character as a community comprised principally of  
13 well-maintained single-family residential neighborhoods and small,  
14 thriving business areas oriented to serve the day-to-day needs of  
15 local residents;
  - 16 3. To protect and enhance the Village attractiveness to residents,  
17 businesses, visitors, and prospective home buyers and businesses;
  - 18 4. To maintain and improve property values in the Village;
  - 19 5. To protect, preserve, and enhance the Village aesthetic  
20 appearance and character;
  - 21 6. To encourage the historic designation of structures, buildings, and  
22 landscapes at the local, state, and national levels; and,
  - 23 7. To educate the general public on the significance of historic  
24 preservation.

25 **9-14-2 DEFINITIONS**

26 **ALTERATION.** Any of the following:

- 27 i. Any act or process that requires a building permit and changes the  
28 exterior appearance of one or more Protected Features.
- 29 ii. Any act or process that requires a building permit and changes, as  
30 viewed from any adjacent public or private street, the Streetscape  
31 of a Historic District and/or the exterior appearance of a Property  
32 where one or more Protected Features are located.
- 33 iii. Any act or process that requires a building permit and that modifies  
34 a Protected Landscape. (This Chapter does not regulate changes  
35 to existing plantings, terrain grades, natural courses or bodies of  
36 water, or other objects that are not subject to a building permit under  
37 this Title 9.)
- 38 iv. A Demolition of a Feature is not an Alteration of that Feature.  
39 However, a Demolition may constitute an Alteration to a Feature  
40 that is not to be demolished. For example, where only part of a  
41 Building is Protected, the Demolition of the part not Protected may  
42 constitute an Alteration of the remainder.



1 **APPROVED.** Work that has been authorized by an affirmative act of the  
2 Commission or the Village Board, and not due to the expiration of an  
3 applicable delay period. Any administrative changes authorized by this  
4 Chapter shall not affect the Approved status of the Work.

5 **AUTHORIZATION.** Having satisfied the applicable Review requirement  
6 under this Chapter in order proceed with Work, whether by Approval of the  
7 Commission or the Village Board or the expiration of any applicable delay  
8 period.

9 **AREA.** A specific geographic division of the Village.

10 **BUILDING.** Anything constructed or erected, the use of which requires  
11 permanent or temporary location on or in the ground, and which is intended  
12 for human occupancy or habitation. Examples of some Buildings that may  
13 be Protected under this Chapter include, without limitation: houses, barns,  
14 stables, sheds, garages, courthouses, offices, train depots, churches,  
15 schools, stores, and theaters.

16 **BUILDING COMMISSIONER.** The Building Commissioner appointed from  
17 time to time by the Village President and Board of Trustees, including any  
18 duly appointed Deputy Building Commissioners.

19 **CERTIFICATION.** A voluntary, binding agreement by the Owner of a  
20 Property that contains Protected Features. The agreement, which shall run  
21 with the land and be binding upon future Owners, shall provide that any  
22 Alteration or Demolition of Protected Features on the Property shall be  
23 subject to the Certificate Review process provided in Section 9-14-11.

24 **CERTIFIED.** A Feature or subtype of Feature that is Protected and, further,  
25 that is located on a Property whose Owner has voluntarily agreed shall be  
26 subject to the Certificate Review process provided in Section 9-14-11 in  
27 lieu of the Advisory Review process provided by Section 9-14-9.

28 **COMMISSION.** The Lake Bluff Historic Preservation Commission  
29 established in Title 2, Chapter 9 of this Municipal Code.

30 **COMMISSIONERS.** Members of the Commission.

31 **DEMOLITION.** Any act or process that alters the exterior appearance of a  
32 Feature and either:

- 33 i. Destroys, removes, or physically relocates to a different Property at  
34 least 50 percent of a Building or Structure, as measured by the  
35 proportion of linear feet of exterior wall being demolished to the total  
36 linear feet of existing exterior wall. For the purposes of this  
37 subsection (i), the following actions shall be considered to be  
38 destruction:
- 39 a. Removal of the finish materials from both sides of a segment  
40 of a wall;
  - 41 b. Enclosing a segment of an existing exterior wall such that it  
42 becomes an interior wall; and,
  - 43 c. Cutting new openings or enlarging existing openings will  
44 result in the entire width of the new opening being treated  
45 as destroyed.

1 ii. Destroys, removes, or physically relocates to a different Property a  
2 Structure that does not have exterior walls.

3 iii. Rules of Interpretation:

4 a. Where only part of a Building or Structure is Protected, the  
5 criteria provided in this definition are calculated for the  
6 Building or Structure as a whole as well as to the individual  
7 part(s) that are Protected.

8 b. Activities taking place on a single Property within any  
9 consecutive 36 month period shall be deemed cumulative  
10 for the purposes of determining whether an act or process  
11 satisfies this definition, even where some or all of the  
12 preceding Work is Authorized under this Chapter.

13 **DEMOLITION LETTER OF INTENT.** A letter of intent notifying the Building  
14 Commissioner that the Owner desires to engage in a Demolition subject to  
15 review pursuant to Sections 9-14-5, 9-14-9, or 9-14-11 of this Chapter. The  
16 letter shall include, at a minimum:

17 i. An existing site plan of the Property illustrating the proposed extent  
18 of Demolition.

19 ii. A brief description of any Features on the Property proposed to be  
20 demolished.

21 iii. Photographs of the Property, which shall include a photograph of  
22 the Property from all streets adjacent to the Property.

23 **FEATURE.** Part of or an entire building, structure, or landscape.

24 **HISTORIC DISTRICT.** An area that has been so designated by an  
25 ordinance adopted by the Village Board of Trustees pursuant to the  
26 procedures and standards set forth in this Chapter to recognize and protect  
27 its special historic, visual, aesthetic, cultural, archaeological, and/or  
28 architectural significance.

29 **HISTORIC NEIGHBORHOOD.** An area that has been so designated by an  
30 ordinance adopted by the Village Board of Trustees pursuant to the  
31 procedures and standards set forth in this Chapter to recognize and protect  
32 its special historic, visual, aesthetic, cultural, archaeological, and/or  
33 architectural significance; but where the property owners did not consent  
34 to the higher levels of protection created by establishing a Historic District.

35 **RESOURCE SURVEY(S).** The following professional survey(s) of  
36 historical and architectural resources conducted at the direction of the  
37 Village, copies of which are maintained in the offices of the Village Clerk:

38 i. "Summary and Architectural Survey," Historic Certification  
39 Consultants, 1998;

40 ii. "A Summary and Inventory of the Southeast Survey Area," Historic  
41 Certification Consultants, 2003;

42 iii. "Summary and Historic Resource Survey: Estate Areas of Lake  
43 Bluff," Benjamin Historic Certifications, 2008; and.

44 iv. "A Summary and Inventory of Historic Resources 2018-2019,"  
45 Benjamin Historic Certifications, 2019.

1 **LANDMARK.** A Feature that has been designated as a historic landmark  
2 by an ordinance duly adopted by the Village Board of Trustees pursuant to  
3 the procedures and standards set forth in this Chapter in order to recognize  
4 and protect its special historic, visual, aesthetic, cultural, archaeological,  
5 and/or architectural significance.

6 **LANDSCAPE.** Manmade improvements to a portion of land or territory that  
7 are significant as a form of architecture and not merely as a complementary  
8 setting for one or more structures or buildings. Landscapes may consist of  
9 manmade improvements such as dividers (such as walls and fences),  
10 drainage and engineering structures (such as retaining walls), site  
11 furnishings (such as benches, planters, and urns), fountains and bodies of  
12 water, lighting, signage, sculptures, and other works of art. Landscapes do  
13 not include existing trees and plantings (whether naturally occurring or  
14 consciously planted), terrain grades, natural courses or bodies of water, or  
15 objects that are not subject to a building permit under this Title 9. Examples  
16 of Landscapes that may be Protected under this Chapter include manmade  
17 features in such places as, without limitation: parks, gardens, arboreta,  
18 plazas, greens, and recreational grounds.

19 **MUTUALLY AGREED CONDITIONS.** Conditions agreed to by the  
20 Commission and the Owner in order to cause the early termination of a  
21 Review, as set forth in Section 9-14-3(G)(2).

22 **OWNER.**

- 23 A. The person, corporation, or other legal entity that has a fee interest in  
24 a Property, as evidenced by the name that appears on the title records  
25 in the office of the Lake County Recorder or as otherwise determined  
26 by the Building Commissioner.
- 27 B. Where this Chapter requires mailings to an Owner, said requirements  
28 shall be satisfied by mailing to the address on file with the Lake County  
29 Chief Assessor's office for the mailing of property tax statements.
- 30 C. When the Property is in a land trust or is subject to a long term land  
31 lease, or when one or more persons, corporations, or other legal  
32 entities have an ownership interest in the Property (including beneficial  
33 interests and long term lessee interests), the rights afforded to, and  
34 obligations imposed on, Owners in this Chapter shall apply and be  
35 exercised as if there were only one Owner. Neither the Village nor the  
36 Commission shall have any obligation to investigate or determine the  
37 legal relationship among the multiple Owners. It shall be deemed to be  
38 sufficient for the purposes set forth in this Chapter for any one Owner  
39 to act for and bind, the Property (which shall include, without limitation,  
40 the delivery and receipt of notice and the provision of written consent),  
41 unless the Commission receives, within the applicable time periods or  
42 any extended time periods as the Commission shall deem appropriate,  
43 clear and convincing evidence, as determined by the Commission, that  
44 such Owner does not have the exclusive authority to act for, and bind,  
45 the Property. Absent such a timely protest or objection, the Commission  
46 shall have the right to rely on representations made by any one Owner  
47 with respect to the exercise of the rights and obligations set forth in this  
48 Chapter.

1 **PROPERTY.** Land and improvements identified as a separate zoning lot  
2 for purposes of the Village's zoning and subdivision regulations.

3 **PROTECTED.** A feature or subtype of feature that, except if it is Certified,  
4 is subject to Advisory Review pursuant to Section 9-14-9 because it is:

- 5 A. The subject of a Landmark designation;
- 6 B. Identified as contributing to the special characteristics of a Historic  
7 District by the ordinance establishing the Historic District; or,
- 8 C. The subject of a pending application that, if approved or adopted,  
9 would cause it to satisfy (i) or (ii).

10 **QUALIFIED REPRESENTATIVE.** The Owner of a Property or Feature that  
11 is the subject of an application under this Chapter, or the Owner's  
12 representative having power of attorney.

13 **REVIEW.** Any of the following processes provided by this Chapter:

- 14 A. Demolition Review for Buildings over 50 years old pursuant to  
15 Section 9-14-5;
- 16 B. Advisory Review for Protected Features pursuant to Section 9-14-  
17 9; and,
- 18 C. Certificate Review for Certified Features pursuant to Section 9-14-  
19 11.

20 **STRUCTURE.** Anything constructed or erected, the use of which requires  
21 permanent or temporary location on or in the ground, but which is not  
22 intended for human occupancy or habitation. Examples of some Structures  
23 that may be Protected under this Chapter include, without limitation:  
24 bridges, fire towers, silos, roadways, railroads, and gazebos.

25 **STREETSCAPE.** The visual elements of a street, including without  
26 limitation: the road, exterior form and appearance of adjoining buildings,  
27 sidewalks, street furniture, trees, open spaces, and other design elements  
28 that in combination form the street's character.

29 **WORK.** The specific act or acts proposed to be undertaken by an  
30 application for a Review.

31 **9-14-3**

**GENERAL PROVISIONS**

- 32 A. **Purpose.** This Section provides the general rules of process, procedure, and  
33 interpretation common throughout this Chapter.
- 34 B. **Regulated Activities.** It shall be a violation of this Code for any person to  
35 conduct an Alteration or Demolition, as those terms are defined in Section 9-  
36 14-2, without first satisfying the applicable Review requirement. The Building  
37 Commissioner, shall not issue a permit for any activity defined as an Alteration  
38 or Demolition until said reviews have been satisfied, including without limitation  
39 construction, demolition, or sign permits.
- 40 C. **Village Orders Exempt from Review.** The Building Commission may  
41 expressly exempt from Review under this Chapter any Work necessary to  
42 comply with a lawful order of the Village, including, without limitation, Work  
43 necessary to correct what the Building Commissioner determines to be an  
44 immediate health or safety problem. The Building Commissioner may subject

1 the Work to appropriate conditions to advance the purpose and goals of this  
2 Chapter.

3 **D. Partial Natural Destruction or Demolition.** In the case of partial natural  
4 destruction or demolition of a Protected Feature, the Owner shall be required  
5 to obtain Authorization for the Work prior to reconstruction. Although exact  
6 duplication of the previous Feature may not be required, the reconstructed  
7 exterior appearance of the Feature shall be in harmony with the exterior  
8 appearance of the Protected Feature prior to the damage. The reconstructed  
9 Feature shall thereafter remain a Protected Feature.

10 **E. Preliminary Workshops.**

- 11 1. **Who May Apply.** Prior to a formal submittal under this Chapter, any  
12 applicant may, and is encouraged, to request a preliminary workshop  
13 with the Commission.
- 14 2. **Purpose.** The purpose of a preliminary workshop is to broadly present  
15 the commission with the applicant's proposal and to provide the  
16 applicant with any preliminary views or concerns that Commissioners  
17 may have when positions are still flexible; adjustment is still possible;  
18 and before the applicant is required to expend the time and resources  
19 necessary to prepare the complete documentation required for a formal  
20 submittal.
- 21 3. **Notice.** No notice of a preliminary workshop shall be required except  
22 that the review shall be shown on the Commission's regular agenda in  
23 accordance with the Open Meetings Act (5 ILCS 120/).
- 24 4. **Procedure.** At the meeting at which the preliminary application is  
25 considered, any Commissioner may make any comments, suggestions,  
26 or recommendations regarding the preliminary application; provided,  
27 however, that no recommendation shall be made, and no final or  
28 binding action shall be taken, with respect to any preliminary application  
29 by the Commission. Any views expressed in the course of the  
30 Commission's review of any preliminary application shall be deemed to  
31 be only preliminary and advisory and only the individual views of the  
32 Commissioner expressing them. Nothing said or done in the course of  
33 such review shall be deemed to create or to prejudice any rights of the  
34 applicant or to obligate the Commission or any Commissioner to  
35 approve or deny any formal application following full consideration  
36 thereof as required by this Chapter.

37 **F. Applications.**

- 38 1. **Form.** Applications under this Chapter must be made in a form and  
39 number determined by the Building Commissioner.
- 40 2. **Minimum Requirements.** Every application must include, at a  
41 minimum, the following information:
- 42 a. The applicant's name and address.
  - 43 b. The Owner's name, if different from the applicant's.
  - 44 c. If the application concerns a specific property: an address,  
45 assigned property index number, and, if available, a legal

1 description to identify the subject property;

2 d. If the application concerns an area, a description of the  
3 boundaries of the area and a vicinity map; and,

4 e. Such other relevant information as requested by the Building  
5 Commissioner or the Commission.

6 f. For Review applications that propose to undertake Work:

7 (1) Identification of any architect or developer involved in  
8 the proposed Work.

9 (2) If the Applicant is not an Owner:

10 (A) The Owner's authorization to apply; and,

11 (B) A statement as to why the Applicant is necessary  
12 and fit to serve as a Qualified Representative  
13 before the Commission in the Owner's absence.

14 3. **Summary Denial of Incomplete Applications.** The Building  
15 Commissioner may summarily, and without hearing, deny any  
16 incomplete application after providing the applicant a reasonable  
17 opportunity to correct any deficiencies.

18 4. **Withdrawal of Application.** An applicant has the right to withdraw  
19 without prejudice an application at any time prior to the final decision  
20 on the application, including if it has been tabled by the Commission or  
21 the Village Board of Trustees. Requests for withdrawal must be in  
22 writing by the applicant.

23 **G. Public Notice of Applications.**

24 1. **Mailed Notice to Surrounding Owners.** Where required by this  
25 Chapter, the Village will send notice to the owners of all properties  
26 located within 300 feet from the property line of the subject property  
27 including any streets, alleys, and rights-of-way, as well as to the owners  
28 of any subject property that are not applicants. Notice shall be by first  
29 class mail postmarked no less than 15 days nor more than 30 days in  
30 advance of the scheduled meeting date. The notice shall include, at a  
31 minimum:

32 a. The date, time, place and purpose of the hearing or meeting;

33 b. The name of the applicant;

34 c. If the application concerns a specific property: an address,  
35 assigned property index number, or legal description to identify  
36 the subject property;

37 d. If the application concerns an area, a description of the  
38 boundaries of the area; and,

39 e. The action or relief sought by the applicant.

40 2. **Newspaper Notice.** Where required by this Chapter, the Village will  
41 publish notice in a newspaper of general circulation within the Village  
42 no less than 15 days nor more than 30 days in advance of the  
43 scheduled meeting date. The minimum contents of the notice shall be

1 the same as required for mailed notice to surrounding owners.

2 3. **Posting of Signage.** Where required by this Chapter, the Village will  
3 provide at least one sign which shall be prominently displayed within  
4 the property or an adjacent right-of-way at a place visible from the  
5 adjacent public or private street until the final disposition of an  
6 application. It shall be a violation of this Code for any person to remove,  
7 destroy, deface, or tamper with signage posted pursuant to this Chapter  
8 without Village authorization. The applicable notice requirement shall  
9 be deemed to be satisfied even when signage is damaged or  
10 destroyed. The contents of the sign shall include, at a minimum:

- 11 a. The action or relief sought by the applicant; and,  
12 b. The date, time, and location of the hearing(s) or meeting(s). A  
13 general statement as to the regular meeting schedule of the  
14 Commission satisfies this requirement.

15 4. **Open Meetings Act.** In addition to these requirements, the Village shall  
16 fully comply with the requirements of the Open Meetings Act (5 ILCS  
17 120/) for meetings, including posted notice of meeting agenda on its  
18 website and premises.

19 H. **Conduct of Public Hearings.** Where this Chapter requires a public hearing to  
20 be held, the following rules of procedure shall apply:

- 21 1. **Open Meetings Act.** All public hearings are subject to the Open  
22 Meetings Act (5 ILCS 120/).
- 23 2. **Representation.** All interested parties may appear for themselves or  
24 be represented by a person of their choosing.
- 25 3. **Submission of Testimony.** All persons offering testimony at a public  
26 hearing shall testify under oath. An attorney shall be sworn if he/she  
27 offers testimony, but not if he/she is questioning a witness,  
28 summarizing witness testimony, or addressing the body conducting the  
29 hearing on procedural issues. All persons wishing to testify at the public  
30 hearing shall state for the record his/her name and place of residence.  
31 Written statements will be accepted prior to the hearing to be entered  
32 into the public hearing record.
- 33 4. **Submission of Evidence.** Any person may appear at a hearing and  
34 submit evidence, upon receiving recognition from the Chair of the  
35 Commission. Any person may ask relevant questions of other  
36 witnesses, but only through the Chair and at the discretion of the Chair.  
37 All persons shall state his/her name for the record before submitting  
38 evidence or questioning a witness at the public hearing.
- 39 5. **Redundant or Irrelevant Testimony.** The Chair may use reasonable  
40 discretion in determining when testimony has become redundant or is  
41 not relevant to the proceedings.
- 42 6. **Continuances.** The Chair, with approval of the Commission, may  
43 continue the public hearing. In order to reopen the hearing, no new  
44 notice shall be required if a hearing is continued to a date specified,  
45 provided that a public announcement of the future date, time, and place  
46 of the continued hearing is made at the hearing and placed in the

1 minutes. If the hearing is adjourned, rather than continued to a date  
2 specified, in order to reopen the hearing all notices must be given that  
3 would have been required for the initial public hearing.

4 **I. Conclusion of Reviews (Authorizations).**

5 1. **Reviews Cumulative.** Any Review or Authorization under this Chapter  
6 is a cumulative requirement of Title 9 and Title 10 of this Code. No  
7 Authorization shall allow Work to be undertaken except upon the  
8 applicant's receipt of every permit or approval that may be required by  
9 the codes and ordinances of the Village, including without limitation  
10 demolition and building permits.

11 2. **Mutually Agreed Conditions of Approval.**

12 a. **Purpose.** The Commission and the Owner may mutually  
13 agree to specific conditions or restrictions that advance the  
14 purpose and goals of this Chapter. Without limitation,  
15 examples of such conditions may include:

16 (1) The donation or gift of specified Features to a unit of  
17 government or a non-profit organization concerned  
18 with restoration, rehabilitation, local history,  
19 archaeology, or neighborhood conservation or  
20 revitalization.

21 (2) Deferral of the unelapsed portion of a review delay,  
22 such that the Work may proceed yet the Commission  
23 may later consider the design of improvements to be  
24 subsequently constructed whether or not such  
25 improvements would otherwise be subject to the  
26 Commission's review.

27 (3) The Owner's subsequent Certification of any  
28 remaining Protected Features.

29 (4) The Owner's commitment to restore, rehabilitate, or  
30 reinvest in other Features outside the scope of the  
31 Work under review. Such features may be Protected  
32 or otherwise be important to the special character of  
33 a streetscape or area.

34 b. **Enforcement.**

35 (1) It shall be a violation of this Chapter to proceed with  
36 Work contrary to any Mutually Agreed Conditions  
37 unless and until a new Review is conducted and a  
38 new Authorization obtained.

39 (2) The Building Commissioner may withhold permits to  
40 authorize Work contrary to any Mutually Agreed  
41 Conditions unless and until a new Review is  
42 conducted and a new Authorization obtained.

43 (3) The Commission may require that the Owner enter  
44 into a binding covenant providing that the Owner and  
45 all subsequent Owners of the Property will fulfill any



1 Mutually Agreed Conditions. Such a requirement  
2 shall run with the land unless and until it is either  
3 satisfied or released by the Commission or the  
4 Village Board of Trustees by order, resolution, or  
5 ordinance duly adopted.

6 3. **Non-Transferable.** Unless explicitly provided for otherwise in the  
7 order, resolution, or ordinance granting a favorable decision, any  
8 Authorization to perform a particular Work shall not run with the land,  
9 shall only benefit the Owner, and shall not be transferable to a  
10 successor Owner.

11 4. **Administrative Changes to Authorizations.** The Building  
12 Commissioner may administratively approve the following changes to  
13 an Authorization without further review by the Commission, or may refer  
14 them to the Commission for further review:

15 a. **Reductions to Scope of Demolitions.** The Building  
16 Commissioner may administratively approve any reduction  
17 to the scope of a Demolition.

18 b. **Changes Requested by the State of Illinois Historic  
19 Preservation Office.** The Building Commissioner may  
20 administratively approve any change to an Alteration that is  
21 requested by the Illinois State Historic Preservation Office.

22 c. **Minor Changes.** The Building Commissioner may approve  
23 minor changes that, in his sole discretion, satisfy all of the  
24 following:

25 (1) The change is necessary to, and consistent with,  
26 proper completion of the Work reviewed by the  
27 Commission;

28 (2) The change is the minimum necessary to overcome  
29 the particular difficulty encountered;

30 (3) The change is not inconsistent with the purpose and  
31 goals of this Chapter; and,

32 (4) The change does not violate any condition of  
33 approval, including any Mutually Agreed Conditions.

34 d. **All Other Changes.** All changes referred to the  
35 Commission shall be reviewed only in accordance with the  
36 same procedures and standards established under this  
37 Chapter for an original application, including a full set of  
38 updated application materials. Any applicable delay period  
39 shall begin anew for the review of the changes proposed to  
40 the Work.

41 5. **Time Limitation Upon Authorization.**

42 a. **One Year To Commence:** Unless explicitly provided for  
43 otherwise in the order, resolution, or ordinance granting a  
44 favorable decision, no Authorization to perform a Work shall  
45 be valid for a period longer than one year unless the Work

1 proposed is lawfully commenced within that period and is  
2 thereafter diligently pursued to completion. The expiration of  
3 an Authorization for failure to commence Work within the  
4 maximum time provided shall be automatic and not require  
5 any hearing or decision.

- 6 b. **Extensions Up To One Additional Year:** The Village  
7 Administrator may extend the time limit one or more times  
8 where he determines that an extension is appropriate and  
9 necessary either (i) to promote the purpose and goals of this  
10 Chapter or (ii) to avoid undue hardship; but in no  
11 circumstance may the Village Administrator provide an  
12 extension that would allow the Work to first commence later  
13 than two years after the date of an Authorization. The Village  
14 Administrator shall provide notice to the Commission of any  
15 extensions granted.

16 **J. Successive Applications.**

- 17 1. **Second Applications Without New Grounds Barred For One Year.**  
18 Whenever any application filed pursuant to this Chapter has been  
19 finally denied on its merits, a second application seeking essentially the  
20 same relief, whether or not in the same form or on the same theory,  
21 shall not be brought for a period of one year unless, in the opinion of  
22 the Village Administrator or the Commission, there is substantial new  
23 evidence available or a mistake of law or fact significantly affected the  
24 prior denial.
- 25 2. **New Grounds to be Stated.** Any such second application shall include  
26 a detailed statement of the grounds justifying consideration of such  
27 application.
- 28 3. **Summary Denial With or Without Hearing.** Any such second  
29 application may be denied by the Village Administrator summarily, and  
30 without hearing, on a finding that no grounds appear that warrant a new  
31 hearing. In any case where such application is set for hearing, the  
32 applicant shall be required to establish grounds warranting  
33 reconsideration of the merits of its application prior to being allowed to  
34 offer any evidence on the merits. Unless such grounds are established,  
35 the application may be summarily dismissed for such failure.
- 36 4. **Second Applications After One Year.** Whether or not new grounds  
37 are stated, any such second application filed more than one year after  
38 the final denial of a prior application shall be heard on the merits as  
39 though no prior application had been filed. All evidence from any prior  
40 applications and proceedings, to the extent available, will be deemed  
41 admitted to the Commission and made part of the new record. The  
42 applicant shall be required to place in the record all evidence available  
43 concerning changes of conditions or new facts that have developed  
44 since the denial of the prior application. In the absence of such  
45 evidence, it shall be presumed that no new facts exist to support the  
46 new petition that did not exist at the time of the denial of the prior  
47 application.

1 K. **Adjustments to Fees for Protected or Certified Status.** Various Sections of  
2 the Municipal Code provide for special treatment of properties based on their  
3 status under this Chapter, including without limitation the increase or reduction  
4 in fees or taxes otherwise due. Where such adjustments are provided, the  
5 following eligibility rules shall apply:

- 6 1. Where a Property is certified, the Property in its entirety and any activity  
7 thereupon shall be treated as Certified.
- 8 2. Where any feature on a Property is Protected yet the Property is not  
9 Certified, the Property in its entirety and any activity thereupon shall be  
10 treated as Protected.
- 11 3. Where the Municipal Code provides for a reduction in fees, and the fees  
12 concern Work that is subject to the Commission's review, no reduction  
13 shall be provided unless the Work is Approved by an affirmative act of  
14 the Commission. No reduction in fees shall be provided for work  
15 Approved pursuant to a Certificate of Economic Hardship.

16 **9-14-4 CRITERIA FOR DESIGNATION**

17 A. **Purpose.** The Commission shall find that at least one of the following criteria  
18 is applicable when weighing whether to recommend the designation of a  
19 landmark, the recognition of a historic neighborhood, or the designation of a  
20 historic district.

21 B. **Effect of National Register Designation.** Any feature or area listed on the  
22 National Register of Historic Places shall be subject to the rebuttable  
23 presumption that it satisfies the criteria set forth in this Section.

24 C. **General Considerations.**

- 25 1. The feature or area has significant character, interest, or value as part  
26 of the historic, aesthetic, cultural, or architectural characteristics of the  
27 Village, the state of Illinois, or the United States.
- 28 2. The feature or area is closely identified with a person or persons who  
29 significantly contributed to the development of the Village, the state of  
30 Illinois, or the United States.
- 31 3. The feature or area involves the notable efforts of, or is the only known  
32 example of work by, a master builder, designer, architect, architectural  
33 firm, or artist whose individual accomplishment has influenced the  
34 development of the Village, state of Illinois, or the United States.
- 35 4. The unique location or singular physical characteristics of a feature or  
36 area make it an established or familiar visual feature.
- 37 5. The activities associated with a feature or area make it a current or  
38 former focal point of reference in the Village.
- 39 6. The structure or building is of a type or is associated with a use once  
40 common but now rare, or is a particularly fine or unique example of a  
41 utilitarian structure or building and possesses a high level of integrity or  
42 architectural significance.
- 43 7. The feature or area has yielded or is likely to yield historically significant  
44 information, or even prehistoric data.

1 **D. Architectural Significance.**

- 2 1. The feature or area represents certain distinguishing characteristics of  
3 architecture inherently valuable for the study of a time period, type of  
4 property, method of construction, or use of indigenous materials.
- 5 2. The feature or area embodies elements of design, detail, material, or  
6 craftsmanship of exceptional quality.
- 7 3. The feature or area exemplifies a particular architectural style in terms  
8 of detail, material, and workmanship which has resulted in little or no  
9 alteration to its original construction.
- 10 4. The feature or area is one of the few remaining examples of a particular  
11 architectural style and has undergone little or no alteration since its  
12 original construction.
- 13 5. The feature or area is, or is part of, a contiguous grouping that has a  
14 sense of cohesiveness expressed through a similarity of style  
15 characteristics, time period, type of property, method of construction,  
16 or use of indigenous materials and accents the architectural  
17 significance of an area.
- 18 6. The detail, material, and workmanship of the feature or area can be  
19 valued in and of themselves as reflective of or similar to those of the  
20 majority of the other visual elements in the area.
- 21 7. The landscape is significant in its own right as a work of landscape  
22 architecture and not merely as a complementary setting for one or more  
23 structures or buildings.

24 **E. Historic Significance.**

- 25 1. The feature or area is an exceptional example of an historic or  
26 vernacular style, or is one of the few such remaining properties of its  
27 kind in the Village.
- 28 2. The feature or area has a strong association with the life or activities of  
29 a person or persons who significantly contributed to or participated in  
30 the historic or cultural events of the United States, the state of Illinois,  
31 or the Village.
- 32 3. The feature or area is associated with an organization or group,  
33 whether formal or informal, from which persons have significantly  
34 contributed to or participated in the historic or cultural events of the  
35 United States, the state of Illinois, or the Village.
- 36 4. The feature or area is associated with a notable historic event.
- 37 5. The feature or area is associated with an antiquated use due to  
38 technological or social advances.
- 39 6. The feature or area is a monument to, or a cemetery of, a historic  
40 person or persons.

41 **9-14-5**

**DEMOLITION REVIEW FOR BUILDINGS MORE THAN 50 YEARS OLD**

- 42 **A. Review Required; Purpose.** The Commission shall review any proposed  
43 Demolition of a Building that is over 50 years old that is not subject to another

1 Review under this Chapter in order to:

- 2 1. Evaluate if the subject Building(s) satisfies the criteria for designation  
3 provided in Section 9-14-4;
- 4 2. Encourage the restoration, rehabilitation, and reuse of an existing  
5 Building, even where the Building may not satisfy the criteria for  
6 designation;
- 7 3. Provide feedback concerning the effects of any proposed Work upon  
8 existing Streetscapes, even where such Streetscapes are not within a  
9 Historic District; and,
- 10 4. Capture important historic information before it is irrevocably lost by the  
11 act of Demolition.

12 **B. Who May Apply.** Any Qualified Representative may apply, as or on behalf of  
13 an Owner, for Demolition Review.

14 **C. Application.** In addition to the general requirements of Section 9-14-2  
15 concerning applications, the applicant must provide:

- 16 1. A complete Demolition Letter of Intent; and,
- 17 2. A complete demolition review questionnaire, as the Commission may  
18 establish from time to time by resolution duly adopted.

19 **D. Public Notice (Sign).** The Village shall provide one or more signs for the  
20 subject property announcing the review as provided in Section 9-14-2; except  
21 that no public notice is required for applications reviewed under the expedited  
22 procedure provided in this Section.

23 **E. Procedure.**

- 24 1. **Expedited.** A Demolition subject to review under this Section shall be  
25 deemed Approved without further review when:
  - 26 i. The proposed Demolition is of a Building that is not identified as  
27 "Significant" in a Resource Survey; and
  - 28 ii. The Chairperson of the Commission approves, in advance and  
29 in writing, the application.
- 30 2. **Regular.** Upon receipt of a complete application and upon reasonable  
31 notice to the applicant, the Commission shall conduct its review at a  
32 regular or special meeting of the Commission. The Commission shall  
33 examine whether the subject Building or other Features on the Property  
34 meet the criteria for designation provided in Section 9-14-4 in addition  
35 to fulfilling the other purposes of Demolition Review. Following an initial  
36 review meeting, the Commission may continue to meet regarding the  
37 review or may allow the delay period to elapse without any further  
38 consideration.

39 **F. Maximum Review Duration (Demolition Delay).** A delay of 120 days shall  
40 apply following the submittal of a complete application. After the delay expires,  
41 the applicant may notify the Building Commissioner in writing that it no longer  
42 intends to participate in the Demolition Review process. After such notification,  
43 and notwithstanding any determination of the Commission, the Building  
44 Commissioner shall evaluate the application strictly on its merits under all other

1 Village codes and regulations. The 120 day delay period shall be terminated  
2 or extended under the following conditions:

- 3 1. **Termination by Commission.** The Commission may terminate its  
4 review at any time after it determines that the subject Building does not  
5 satisfy the criteria for designation provided in Section 9-14-4; provided,  
6 that the Commission shall not be required to terminate its review upon  
7 such a finding. The Commission may not terminate its review under this  
8 Subsection unless the sign required by this Section has been posted  
9 for at least seven days.
- 10 2. **Termination by Designation.** If any Feature on the Property is or  
11 becomes a Protected Feature, it is ineligible for Review under this  
12 Section. The Work shall thereafter be subject to Advisory Review.  
13 Where a pending application causes a Feature to become Protected,  
14 but the application ultimately fails, such failure shall be deemed an  
15 Authorization for the Work.
- 16 3. **Extension by Village Board of Trustees.** The Village Board of  
17 Trustees may, in its sole discretion and by resolution duly adopted,  
18 extend the time period for up to an additional 60 days where it  
19 determines that an extension will promote the purpose of this Section,  
20 the purpose and goals of this Chapter, and the public welfare without  
21 causing undue hardship on the applicant, which resolution shall set  
22 forth what objectives the Village Board aims to achieve during the  
23 extension.
- 24 4. **Tolling for Late Application.** Where an application is submitted less  
25 than ten business days prior to a regularly scheduled meeting of the  
26 Commission, the delay period shall not begin until ten business days  
27 prior to the Commission's subsequent regularly scheduled meeting.  
28 The delay period shall not begin to elapse even when (i) the  
29 Commission does not conduct the scheduled meeting triggering this  
30 extension; or (ii) where the Commission considers the application  
31 during this extension.
- 32 5. **Tolling for Qualified Representative.** When a Qualified  
33 Representative fails to appear for any scheduled review meeting, the  
34 Commission may, by motion, cause the applicable delay period to be  
35 tolled until the earliest of:
  - 36 a. 30 days after a failure to appear;
  - 37 b. The next regular meeting of the Commission; or,
  - 38 c. The Commission's consideration of the application at a  
39 special meeting.

40 **9-14-6 DESIGNATION OF LANDMARKS**

- 41 A. **Purpose.** The designation of a Landmark recognizes and protects specified  
42 Features of special historic, visual, aesthetic, cultural, archaeological, and/or  
43 architectural significance.
- 44 B. **Who May Apply.** A Landmark nomination may be submitted by any one of the  
45 following parties:

1. One or more Commissioners.
2. The Village Board of Trustees.
3. The Owner of the Property where the Feature(s) to be designated as a landmark are located.

~~3.4. Notwithstanding anything contained in this Section 9-14-6.B to the contrary, only an Owner may submit a Landmark nomination after Beginning <insert the date 3 years following the adoption of this Ordinance> if a nomination would cause a stay of proceedings under Section 9-14-6.E of this Code, only the Owner may submit a Landmark nomination that would cause the stay of a pending Demolition Review.~~

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C. **Form of Application.** In addition to the general requirements of Section 9-14-2 concerning applications, the applicant must provide:

1. A statement describing why each Feature to be designated as a landmark is meritorious for designation as a landmark in view of the criteria for designation in Section 9-14-4;
2. Photographs of each Feature to be designated as a landmark as viewed from each adjacent public or private street; and,
3. Other available information, such as elevation drawings and historic records, that may further substantiate the present condition and significance of each Feature to be designated as a landmark.

D. **Notice.** The Village shall publish notice and provide mailed notice to each affected Owner as well as surrounding property owners, all as provided in Section 9-14-2.

E. **Stay of Proceedings.** Upon the filing of a complete application, any Feature proposed to be designated as a landmark shall be Protected and subject to the applicable review provisions of this Chapter during the pendency of the landmark application.

F. **Procedure.**

1. **Commission Recommendation.** Upon receipt of an application and after the required notice has been provided, the Commission shall consider the application at a public hearing within 90 days following the receipt of a completed application. The Commission may recommend the Village Board designate a landmark where, based on the record of the hearing, the proposed feature(s) satisfy one or more of the criteria provided in Section 9-14-4; or may recommend the Village Board deny the application where the area does not satisfy the criteria based on the record of the hearing. The affirmative vote of at least four Commissioners shall be required to make a recommendation to the Village Board.
2. **Failure to Act by Commission.** If the Commission does not, or cannot, act to either recommend or not recommend the designation of a historic neighborhood within 90 days after the date of the Commission's first meeting to consider an application, such inaction shall be deemed to be a recommendation that the Village Board deny the application.

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3. **Village Board Consideration of Designation.** The Village Board shall initiate and complete consideration of establishing the proposed landmark within 90 days of the Commission's recommendation. The Village Board shall review and give due consideration to the findings, recommendations, and record of the Commission in determining to recommend the designation of a landmark. The Village Board may, by ordinance duly adopted, designate the landmark where, based on the evidence presented, the proposed area satisfies the criteria provided in Section 9-14-4.
  4. **Failure to Act by Village Board.** If the Village Board does not, or cannot, act to either approve or deny the designation of a landmark within 90 days after the date of the Commission's recommendation, such inaction shall be deemed to be a denial of the application.

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**G. Effect of Designation.**

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1. **Recordation of Ordinance.** The Building Commissioner shall cause the enacting Ordinance to be recorded in the office of the Lake County Recorder of Deeds.
  2. **Notice to Owners.** The Building Commissioner shall cause notice to be delivered to the Owner advising them of the designation and of the review requirements that will thereafter apply to the Property.
  3. **Review of Alterations and Demolitions Required.** Any Feature designated as a landmark shall be a Protected Feature and shall thereafter be subject to Advisory Review or, where a Certification is present, Certificate Review.

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**H. Withdrawal of Designation.**

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1. **Automatic Withdrawal of Designation.** The landmark designation of a Protected Feature that has been Demolished (i) in accordance and compliance with this Chapter and Demolished pursuant to a valid demolition permit, or (ii) the Protected Feature has been completely destroyed by natural destruction, shall be deemed to have been automatically withdrawn as of the date of demolition without hearing or decision.
  2. **By Application.**
    - a. **Conditions for Withdrawal.** No Landmark designation shall be withdrawn except where:
      - (1) The reasons for which the designation was once appropriate are no longer present, including without limitation, because: such qualities have been lost or destroyed, or additional information has been discovered;
      - (2) The original designation was clearly in error; or,
      - (3) There was prejudicial procedural error in the designation process.
    - b. **Procedure.** The procedure to consider withdrawing a landmark designation shall be the same as provided in this Section for the



1 initial designation of a Landmark, including the qualifications of  
2 applicants; notice; hearings before the Commission; and final  
3 action by the Village Board.

- 4 3. **Notice.** The Building Commissioner shall cause notice of a withdrawal  
5 to be delivered to the Owner and recorded against the Property in the  
6 office of the Lake County Recorder.

7 **9-14-7 DESIGNATION OF HISTORIC AREAS (DISTRICTS AND NEIGHBORHOODS)**

- 8 A. **Purpose.** The designation of an area as either a Historic District or a Historic  
9 Neighborhood recognizes and protects special historic, visual, aesthetic,  
10 cultural, archaeological, and/or architectural significance in a specified area of  
11 the Village. It may consist either of a single contiguous area, or it may be  
12 constructed as a thematic neighborhood or district that includes multiple areas  
13 or scattered sites connected by a unifying theme. The distinguishing feature  
14 between a Historic District and a Historic Neighborhood is that the majority of  
15 Owners within a Historic District previously supported the higher levels of  
16 protection provided by a District.
- 17 B. **Who May Apply.** An area may be nominated for designation under this Section  
18 only by an Owner of Property within the proposed boundaries of the nominated  
19 area.
- 20 C. **Form of Application.** In addition to the general requirements of Section 9-14-  
21 2 concerning applications, the applicant must provide:
- 22 1. A statement describing why the nominated area is meritorious for  
23 designation in view of the purpose of this Section and the criteria for  
24 designation in Section 9-14-4;
  - 25 2. A list identifying those Features that contribute to the special  
26 characteristics of the nominated area, including:
    - 27 a. A common address, parcel identification number, or legal  
28 description of each Property where such contributing Features  
29 are located;
    - 30 b. Photographs of each contributing Feature as viewed from each  
31 adjacent public or private street; and,
    - 32 c. Other available information, such as elevation drawings and  
33 historic records, that may further substantiate the present  
34 condition and significance of each contributing Feature.
  - 35 3. A map and a list that identifies each Property within the nominated area  
36 that does not contain a contributing Feature, whether by common  
37 address, parcel identification number, or legal description.
  - 38 4. A petition supporting the application signed, at a minimum, by the lesser  
39 of (i) the Owners of at least 10 Properties within the proposed  
40 boundaries of the nominated area or (ii) the Owners of 51 percent of  
41 the Properties within the proposed boundaries of the nominated area.  
42 In calculating the proportion of supporting Owners, the rules of validity  
43 applicable to a canvass of Owners under this Section shall apply.
- 44 D. **Notice.** The Village shall publish notice and provide mailed notice to each  
45 Owner within the nominated area and surrounding property owners, all as

1 provided in Section 9-14-2 of this Code.

2 E. **Stay of Proceedings.** Upon the filing of a complete application, any Feature  
3 identified as contributing to the special characteristics of the proposed  
4 designation shall be Protected and subject to the applicable review provisions  
5 of this Chapter during the pendency of the application.

6 F. **Standard of Review.** A designation of an area as either a Historic District or a  
7 Historic Neighborhood under this Section shall only be established where:

8 1. The nominated area, as a cohesive whole, satisfies one or more of the  
9 criteria provided in Section 9-14-4 of this Code;

10 2. The nominated area, as a cohesive whole, possesses adequate  
11 integrity of location, design, materials, and workmanship (all as defined  
12 by the Secretary of the Interior for use in identifying historic resources  
13 for the National Register of Historic Places) that merit recognition and  
14 protection; and

15 3. Either:

16 a. **Contiguous Designation.** The nominated Historic District or  
17 Historic Neighborhood consists of a single contiguous area  
18 that:

19 (1) Is geographically definable and reasonably compact in  
20 size; and

21 (2) Includes at least 50 percent of the properties, by number  
22 and not area, that are the location of a contributing  
23 Feature; or

24 b. **Thematic Designation.** The nominated Historic District or  
25 Historic Neighborhood consists of one or more areas or  
26 scattered sites where:

27 (1) The contributing Features within the nominated area are  
28 thematically related; and

29 (2) Every Property within the nominated area contains a  
30 Feature that satisfies at least one of the criteria provided  
31 in Section 9-14-4 of this Code.

32 G. **Procedure.**

33 1. **Commission Recommendation.** Upon receipt of an application and  
34 after the required notice has been provided, the Commission shall  
35 consider the application at a public hearing within 90 days following the  
36 receipt of a completed application. The Commission may recommend  
37 to the Village Board that it designate the nominated area if the  
38 nominated area satisfies the criteria provided Subsection 9-14-7.F of  
39 this Code.. The affirmative vote of at least four Commissioners shall be  
40 required to make an affirmative recommendation and proceed to a  
41 canvass of Owners in accordance with Subsection 9-14-7.G.3 of this  
42 Code. If the Commission determines that the nominated area does not  
43 satisfy the criteria in Subsection 9-14-7.F of this Code, the nomination  
44 shall be denied.

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2. **Failure to Act by Commission.** If the Commission does not make a recommendation to the Village Board to approve the nomination make a within 90 days after the date of the Commission's first meeting to consider an application, the nomination shall be deemed denied.

3. **Canvass of Owners To Voluntarily Establish a Historic District**

a. Within 30 days following the Commission's recommendation to designate an area as a Historic District, the Village shall, by certified mail, return receipt requested, deliver to an Owner of each Property within the designated area a written statement that:

- (1) Summarizes the reasons for designation set forth in the application;
- (2) Describes the criteria for an area to be designated a Historic District;
- (3) Describes the effects of Historic District designation;
- (4) States that, if the canvass is not successful, the nominated area may instead be designated a Historic Neighborhood.
- (5) Describes the effects of Historic Neighborhood designation.

b. The written statement shall be accompanied by a written ballot form on which each Owner of Property shall have the opportunity to state their approval or disapproval of establishing a Historic District.

c. Each Owner may complete the ballot form and return it, in the manner and at the location described on the ballot form, within 45 days after the date of mailing by the Village. No ballot form shall be counted unless it is received by the Village on or before the date that is 45 days after the date on which the Village mailed the ballot form.

d. Not more than one ballot form shall be counted or considered for any one Property within the designated area. Conflicting responses from multiple Owners of the same Property shall preclude all ballot forms for that Property from being counted or considered. Any percentage calculation of Owners shall exclude, from both the numerator and denominator, any Property (i) owned by the Village and (ii) returned ballots excluded by operation of this subsection.

e. A canvass of owners shall be considered successful if:

- (1) Owners of ~~at least~~more than 50 percent of the Properties within the nominated area return completed ballot forms; and
- (2) ~~At least~~More than 50 percent of the Owners who returned completed ballots support~~ing~~ the designation of the nominated area as an Historic

District.

- f. Promptly upon determination of the outcome of the canvass, the Building Commissioner shall cause the results to be: (i) transmitted to the Village Board; (ii) posted in Village Hall; and (iii) delivered by first class mail to the Owner of each Property within the area nominated to be an Historic District.

4. **Village Board Consideration of Designation.** The Village Board shall initiate and complete consideration of a nomination to designate an area an Historic District within 90 days of the conclusion of the canvass. If the Village Board determines that the proposed area satisfies the criteria provided in Subsection F of this Section, the Village Board may undertake one of the following actions by ordinance duly adopted:

- a. If the canvass of owners was successful, the Village Board may designate the nominated area as either a Historic District or a Historic Neighborhood.
- b. If the canvass of owners was unsuccessful, the Village Board may designate the nominated area as an Historic Neighborhood.

5. **Failure to Act by Village Board.** If the Village Board does not approve or deny the application for a designation of an Historic District or Historic Neighborhood within 180 days after the date of the canvass is complete, the application shall be deemed denied.

**H. Effect of Designation as a Historic District.**

- 1. **Recordation of Ordinance.** The Building Commissioner shall cause the enacting Ordinance to be recorded in the office of the Lake County Recorder of Deeds.
- 2. **Notice to Owners.** The Building Commissioner shall cause notice to be delivered to each Owner of Property within the Historic District advising them of the designation and of the review requirements that will thereafter apply to the Property.
- 3. **Review of Alterations and Demolitions Required.** Any Alteration or Demolition occurring within the boundaries of the Historic District shall thereafter be subject to Advisory Review or, where a Certification is present, Certificate Review.

**I. Effect of Designation as an Historic Neighborhood.**

- 1. **Honorary Designation Only.** The designation of a Historic Neighborhood is an honorific title that the Commission and the Village will endeavor to recognize through education and outreach. A Historic Neighborhood shall not confer any new rights, privileges, responsibilities, or restrictions upon a property within its boundaries; nor shall it create any favorable or unfavorable presumption concerning any other designation available under this Chapter.
- 2. **Notice to Owners.** The Building Commissioner shall cause notice to be delivered to each Owner of Property within the Historic Neighborhood advising them of the designation.

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3. **Subsequent Canvass.** No sooner than two years following the date of a Historic Neighborhood designation, an Owner within the Historic Neighborhood may apply to the Village Board to authorize a new canvass to be conducted in accordance with Subsection 9-14-7.G.3 of this Code. The application must be submitted with a petition signed by at least 25 percent of the Owners of the Properties within the Historic Neighborhood supporting the designation of the area as an Historic District. If the canvass is successful, the Village Board shall consider whether to designate the Historic Neighborhood an Historic District in accordance with the procedures set forth in Subsection 9-14-7-G.4 of this Code.

**J. Withdrawal of Historic District Designation.**

1. **Conditions for Withdrawal.** No area designated a Historic District or Historic Neighborhood shall have its designation withdrawn except where:

- a. The reasons for which the designation was once appropriate are no longer present, including without limitation, because: such qualities have been lost or destroyed or additional information has been discovered;
- b. The original designation was clearly in error; or,
- c. There was prejudicial procedural error in the designation process.

2. **Procedure.** The procedure to consider withdrawing an area designation shall be the same as provided in this Section for the initial designation, including without limitation the nature of qualified applicants and required support by Owners; notice; hearings before the Commission; a canvass of owners; and final action by the Village Board. However, the following modifications apply:

- a. **Failure to Act.** If the Commission fails to vote to recommend to the Village Board to remove the designation within 90 days after the Village receives a complete application, the Commission shall be deemed to have made a recommendation to deny the application.
- b. **Canvass After Commission's Recommendation.** A canvass of owners shall occur regardless of whether the Commission recommends approval or denial of the application. Such a canvass shall be conducted in accordance with the procedures set forth in Subsection 9-14-7-G.4 of this Code.
- c. **Village Board Consideration of Withdrawal.** When a Historic District designation is at issue, the Village Board shall have the authority, in its discretion, to retain or remove the District designation and concurrently designate part or the entirety of the prior District as a Historic Neighborhood without additional procedure.

3. **Notice.** The Building Commissioner shall cause notice of a withdrawal

1 to be delivered to each affected Owner and recorded against the  
2 Property in the office of the Lake County Recorder.

3 **9-14-8 CRITERIA FOR CHANGES TO PROTECTED FEATURES**

4 A. **Purpose.** The Commission shall consider the following criteria when weighing  
5 the appropriateness of proposed Alterations or Demolitions to Protected  
6 Features or within Historic Districts; and shall urge the Owner to incorporate  
7 the following criteria into any proposed Work.

8 **B. General Standards.**

- 9 1. Any permitted alteration or demolition should promote the purpose and  
10 goals of this Chapter and the general welfare of the Village and its  
11 residents.
- 12 2. Alterations that do not affect any essential architectural or historic  
13 features of a Feature, as viewed from any adjacent public or private  
14 street, ordinarily should be permitted.
- 15 3. The construction of new structures and buildings, and alterations to  
16 landscapes, should not be discouraged when such construction or  
17 alteration does not destroy significant historical, architectural, or  
18 cultural features and is compatible with the size, scale, color, material,  
19 and character of the existing features, neighborhood, or environment.
- 20 4. If possible, the construction of new structures and buildings, and  
21 alterations to landscapes, should be undertaken in such a manner that,  
22 if such construction or alteration were to be removed in the future, the  
23 essential form and integrity of the original feature would be unimpaired.
- 24 5. The distinguishing original qualities or character of a feature and its  
25 environment should not be destroyed. No alteration or demolition of any  
26 historic material or distinctive architectural feature should be permitted  
27 except when necessary to assure an economically viable use of a site.
- 28 6. Demolition should not be undertaken if a feature is economically viable  
29 in its present condition or could be economically viable after completion  
30 of appropriate alterations, even if demolition would permit a more  
31 profitable use.

32 **C. Rehabilitation Guidelines.**

- 33 1. Reasonable efforts should be made to use a feature for its originally  
34 intended purpose or to provide a compatible use that requires minimal  
35 alteration of a feature and its environment.
- 36 2. All features should be recognized as products of their own time.  
37 Alterations that have no historic basis and that seek to create an earlier  
38 appearance than the true age of the property are discouraged.
- 39 3. Changes that may have taken place over time evidence the history and  
40 development of a feature and its environment. These changes may  
41 have acquired significance in their own right, and this significance  
42 should be recognized and respected when dealing with a specific  
43 architectural period.
- 44 4. Distinctive stylistic features or examples of skilled craftsmanship that

1 characterize a feature should be maintained and preserved if possible.

- 2 5. Deteriorated architectural features should be repaired rather than  
3 replaced, if possible. In the event replacement is necessary, the new  
4 material should match the material being replaced in composition,  
5 design, color, texture, and other visual qualities. Repair or replacement  
6 of missing architectural features should be based on accurate  
7 duplications of features, substantiated by historic, physical, or pictorial  
8 evidence rather than conjectural designs or the availability of different  
9 architectural elements from other buildings or structures.
- 10 6. Surface and other forms of cleaning of a feature should be undertaken  
11 with the gentlest means possible. Sandblasting and other cleaning  
12 methods that will damage a feature should be avoided.

13 **D. Architectural Design Guidelines.**

- 14 1. The height of a feature after alteration should be compatible with the  
15 height of the original feature.
- 16 2. The relationship between a feature and adjacent open spaces after its  
17 alteration should be compatible with such relationship prior to such  
18 alteration.
- 19 3. The relationship among the height, width, and scale of a feature after  
20 alteration should be compatible with such relationship prior to such  
21 alteration.
- 22 4. The directional expression of a feature after alteration, whether its  
23 vertical or horizontal positioning, should be compatible with the  
24 directional expression of the original feature.
- 25 5. The roof shape of a feature after alteration should be compatible with  
26 the roof shape of the original feature.
- 27 6. The architectural details, general design, materials, textures, and colors  
28 of a feature after alteration should be compatible with the architectural  
29 details, general design, materials, textures, and colors of the original  
30 feature.
- 31 7. The appurtenances, including, without limitation, signs, fences,  
32 landscaping, accessory structures, and pavings, of a feature after  
33 alteration should be compatible with the appurtenances of the original  
34 feature.

- 35 **E. Secretary of the Interior Guidance.** In addition to the foregoing guidelines,  
36 the Commission may consider the most recent revision of the Secretary of the  
37 Interior's *Standards for Rehabilitation* (36 CFR 67) and *Guidelines for*  
38 *Rehabilitating Historic Buildings*.

39 **9-14-9 ADVISORY REVIEW OF CHANGES TO PROTECTED FEATURES**

- 40 **A. Review Required; Purpose.** No Alteration or Demolition may occur to a  
41 Protected Feature or within a Historic District without first satisfying the  
42 requirements of this Section except if a Certification applies. The Commission  
43 shall review any such proposed Alteration to or Demolition in order to:
- 44 1. Evaluate the consistency of any proposed Work with the Criteria

1 provided in Section 9-14-8 and either:

- 2 a. Allow Work that is generally consistent with the criteria to
- 3 proceed expediently and with a minimum of procedural
- 4 delay; or,
- 5 b. For Work that is inconsistent, attempt to reach mutually
- 6 satisfactory resolutions that satisfy the Owner's interests
- 7 and the Commission's concerns.

- 8 2. Allow the Commission to provide an Applicant with information and best
- 9 practices concerning historic rehabilitations, restorations, and adaptive
- 10 reuses within the Village.

11 B. **Who May Apply.** Any Qualified Representative may apply, as or on behalf of

12 an Owner, for Advisory Review.

13 C. **Application.** In addition to the general requirements of Section 9-14-2

14 concerning applications, the applicant must provide:

- 15 1. For a request for Demolition of a Building, whether or not Protected, a
- 16 complete Demolition Letter of Intent shall be required.
- 17 2. For all other requests subject to Advisory Review, a detailed description
- 18 of the proposed Work shall be required, as well as any architectural
- 19 drawings, sketches, and photographs indicating how and to what extent
- 20 the Work will affect any Protected Features. Such information may be
- 21 in the form of a partial or complete application for a building permit.

22 D. **Notice.**

- 23 1. **Protected Demolition (Mailed and Sign).** Where the Demolition of a
- 24 Protected Feature is proposed, the Village shall provide mailed notice
- 25 to surrounding properties as well as one or more signs for the subject
- 26 property announcing that it is under Advisory Review, all as provided in
- 27 Section 9-14-2.
- 28 2. **Demolitions Over 50 Years Old (Sign).** Where the Demolition of a
- 29 Building over 50 years old is proposed, the Village shall provide one or
- 30 more signs for the subject property announcing that it is under Advisory
- 31 Review as provided in Section 9-14-2.
- 32 3. **All Other Work (Sign).** For all other requests, the Village shall promptly
- 33 provide one or more signs for the subject property announcing that it is
- 34 under Advisory Review as provided in Section 9-14-2 only if the Review
- 35 is not terminated after the Commission's first consideration of the
- 36 Review.

37 E. **Procedure.**

- 38 1. **Initial Meeting.** Upon receipt of an application and after providing any
- 39 required public notice as well as reasonable notice to the applicant, the
- 40 Commission shall conduct its review at a regular or special meeting of
- 41 the Commission. At the conclusion of its initial review, the Commission
- 42 shall, by motion, conclude that:
  - 43 a. The Work is not inconsistent with the criteria provided in
  - 44 Section 9-14-8 and that no further review is necessary, upon



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which finding the review shall be terminated;

- b. The Work is inconsistent with the criteria provided in Section 9-14-8, and further review is necessary; or,
- c. Insufficient information is present to determine the Work's consistency with the criteria provided in Section 9-14-8, thereby requiring further review.

2. **Subsequent Meetings.** Following its initial review meeting, the Commission may continue to conduct its review in subsequent meetings or may allow the delay period to elapse without any further consideration.

F. **Maximum Review Duration (Delay).** No sooner than (i) 120 days following the submittal of a complete application to Demolish a Protected Feature or a Building that is not Protected but over 50 years old, or (ii) no sooner than 35 days following the submittal of a complete application for any other Work, the applicant may notify the Building Commissioner in writing that it no longer intends to participate in the Advisory Review process. After such notification, and notwithstanding any determination of the Commission, the Building Commissioner shall evaluate the application strictly on its merits under all other Village codes and regulations. The applicable delay period, whether 120 or 35 days, shall be terminated, reduced, or extended under the following conditions:

- 1. **Termination by Commission.** The Commission shall terminate its review if it determines that the Work is not inconsistent with the criteria provided in Section 9-14-8; provided that the Work need not satisfy each and every criteria provided therein. Such Work shall be deemed Approved Work. Where a sign is required by this Section, the Commission may not terminate its review under this Subsection unless the sign has been posted for at least seven days.
- 2. **Credit for Prior Demolition Review.** Where the proposed Work was the subject of Demolition Review immediately prior to the affected Features becoming Protected Features, the delay period shall be reduced by any delay incurred during Demolition Review; provided that no such reduction shall accrue for delay during the pendency of an application seeking to designate a Landmark or a Historic District.
- 3. **Extension by Village Board of Trustees.** The Village Board of Trustees may, in its sole discretion and by resolution duly adopted, extend the time period where it determines that an extension will promote the purpose of this Section, the purpose and goals of this Chapter, and the public welfare without causing undue hardship on the applicant, which resolution shall set forth what objectives the Village Board aims to achieve during the extension:
  - a. The delay period for a Demolition of a Protected Feature may be extended for up to an additional 245 days.
  - b. The delay period for any other proposed Work may be extended for up to an additional 60 days.
- 4. **Tolling for Late Application.** Where an application is submitted less than ten business days prior to a regularly scheduled meeting of the Commission, the delay period shall not begin until ten business days

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1 prior to the Commission's subsequent regularly scheduled meeting.  
2 The delay period shall not begin to elapse even where (i) the  
3 Commission does not conduct the scheduled meeting triggering this  
4 extension; or (ii) where the Commission considers the application  
5 during this extension.

6 **5. Tolling for Qualified Representative.** When a qualified representative  
7 fails to appear for any scheduled review meeting, the Commission may,  
8 by motion, cause the applicable delay period to be tolled until the  
9 earliest of:

- 10 a. 30 days after a failure to appear;
- 11 b. The next regular meeting of the Commission; or,
- 12 c. The Commission's consideration of the application at a  
13 special meeting.

14 **9-14-10 VOLUNTARY CERTIFICATION OF PROTECTED FEATURES**

15 **A. Purpose.** This Section allows an Owner of Protected Features (e.g. that are  
16 landmarked or within a historic district) to voluntarily consent to a higher level  
17 of review for future changes to their property. This additional rigor of review  
18 provides the Owner and the community with the maximum assurance available  
19 under this Chapter that the special historic, architectural, and cultural features  
20 present upon their property will be preserved for future enjoyment even after  
21 any future change in ownership. Additionally, Certification may provide the  
22 Owner with access to additional financial incentives that are not available to  
23 other Protected Features that are not so Certified.

24 **B. Who May Apply.** The Owner of a Property where one or more Protected  
25 Features are located may apply for Certification.

26 **C. Procedure.** The Village Administrator is authorized to accept and enter into a  
27 Certification, in a form approved by the Village Attorney, on behalf of the Village  
28 and cause it to be recorded against the Property in the office of the Lake  
29 County Recorder. The Certification shall run with the Property and bind future  
30 Owners to irrevocably consent to the Certificate Review provided in Section 9-  
31 14-11.

32 **D. Extinguishment of Certification.** No Certification may be withdrawn,  
33 revoked, or extinguished except:

- 34 1. **By the Village Board.** The Board of Trustees may extinguish a  
35 Certification by ordinance or resolution duly adopted. No hearing shall  
36 be required prior to the Board's consideration of extinguishment. There  
37 is no procedural right to apply to the Village Board to compel its  
38 consideration of extinguishment.
- 39 2. **By Operation of this Chapter.** When every landmark and historic  
40 district designation has been withdrawn from the property such that no  
41 Protected Features remain, the Property's Certification shall be  
42 extinguished automatically without hearing or decision.

43 Where a Certification is extinguished, the Building Commissioner shall cause  
44 notice of the same to be delivered to the Owner and recorded against the  
45 Property in the office of the Lake County Recorder.

2 **CERTIFICATE REVIEW FOR CERTIFIED FEATURES**

3 A. **Review Required; Purpose.** No Alteration or Demolition may occur to a  
4 Certified Feature without first satisfying the requirements of this Section. The  
5 Commission shall review any such proposed Alteration to or Demolition in  
6 order to:

- 7 1. Evaluate the consistency of any proposed Work with the Criteria  
8 provided in Section 9-14-8 and either:  
9 a. Allow Work that is generally consistent with the criteria to  
10 proceed expediently and with a minimum of procedural  
11 delay; or,  
12 b. For Work that is inconsistent, attempt to reach mutually  
13 satisfactory resolutions that satisfy the Owner’s interests  
14 and the Commission’s concerns.  
15 2. Allow the Commission to provide an Applicant with information and best  
16 practices concerning historic rehabilitations, restorations, and adaptive  
17 reuses within the Village.

17 B. **Who May Apply.** Any Qualified Representative may apply, as or on behalf of  
18 an Owner, for Certificate Review.

19 C. **Application.** In addition to the general requirements of Section 9-14-2  
20 concerning applications, the applicant must provide:

- 21 1. For a request for Demolition of a Building, whether or not Protected, a  
22 complete Demolition Letter of Intent shall be required.  
23 2. For all other requests subject to Certificate Review, a detailed  
24 description of the proposed Work shall be required, as well as any  
25 architectural drawings, sketches, and photographs indicating how and  
26 to what extent the Work will affect any Certified Features. Such  
27 information may be in the form of a partial or complete application for a  
28 building permit.

29 D. **Notice.**

- 30 1. **Demolition (Mailed and Sign).** Where the Demolition of a Protected  
31 Feature is proposed, the Village shall provide mailed notice to  
32 surrounding properties as well as one or more signs for the subject  
33 property announcing that it is under Certificate Review, all as provided  
34 in Section 9-14-2.  
35 2. **All Other Requests (Sign).** For all other requests, the Village shall  
36 provide one or more signs for the subject property announcing that it is  
37 under Certificate Review as provided in Section 9-14-2 only if the  
38 Review is not terminated after the Commission’s first consideration of  
39 the Review.

40 E. **Procedure.**

- 41 1. **Certificate of Appropriateness.** An applicant may seek the  
42 Commission’s approval of an Alteration or Demolition by demonstrating  
43 that it is consistent with the criteria provided in Section 9-14-8. It shall  
44 be the burden of the Applicant to establish these circumstances. Upon

1 receipt of an application and after providing any required public notice  
2 as well as reasonable notice to the applicant, the Commission shall  
3 conduct its review at a regular or special meeting of the Commission.  
4 At the conclusion of its initial review and any subsequent review, the  
5 Commission shall, by motion and with the affirmative vote of at least  
6 four Commissioners, conclude that:

- 7 (1) **Approved.** The Work is not inconsistent with the criteria  
8 provided in Section 9-14-8 and that no further review is  
9 necessary, upon which finding the review shall be  
10 terminated;
- 11 (2) **Approved with Conditions.** The Work would not be  
12 inconsistent with the criteria provided in Section 9-14-8  
13 if the Work is undertaken subject to certain conditions,  
14 which shall be binding upon the Applicant unless  
15 appealed if the Work is undertaken.
- 16 (3) **Continuance or Denial.** That the review should be  
17 continued, or the application denied, because either:
- 18 a. The Work is inconsistent with the criteria  
19 provided in Section 9-14-8; or,
- 20 b. Insufficient information is present to determine  
21 the Work's consistency with the criteria provided  
22 in Section 9-14-8, or additional investigation is  
23 necessary; provided that the applicant shall be  
24 provided a minimum of one continuance to  
25 provide additional information for the  
26 Commission before a denial on this basis.

27 2. **Certificate of Economic Hardship.** As an alternative to a Certificate  
28 of Appropriateness, or subsequent to the denial or conditional approval  
29 of a Certificate of Appropriateness, an applicant may seek the  
30 Commission's approval of an Alteration or Demolition in spite of  
31 acknowledged inconsistency with the criteria provided in Section 9-14-  
32 8 by demonstrating the presence of a financial hardship as the Property  
33 cannot be put to a reasonable beneficial use or that the Owner cannot  
34 obtain a reasonable economic return from the Property absent the  
35 proposed Work. It shall be the burden of the Applicant to establish these  
36 circumstances.

- 37 a. **Evidence of Hardship.** Any Applicant seeking a Certificate  
38 of Economic Hardship is encouraged to submit all of the  
39 following additional information as may be available to  
40 substantiate the claimed hardship and to assist the  
41 Commission in its determination:
- 42 (1) Evidence of any attempt to contact the State Historic  
43 Preservation Agency to apply for any favorable  
44 treatment available for historic properties under statute.
- 45 (2) A report from a licensed engineer or architect with  
46 experience in rehabilitation as to the structural

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soundness of the building or structure on the property and its suitability for and the economic feasibility of rehabilitation or reuse.

- (3) The amount paid for the property, the date of purchase, and the party from whom purchased (including a description of the relationship, if any, between the owner and the person from whom the property was purchased).
- (4) The assessed value of the land and improvements thereon according to the two (2) most recent assessments.
- (5) Real estate taxes for the previous two (2) years.
- (6) Remaining balance mortgage, if any, and annual debt service, if any, for the previous two (2) years.
- (7) All appraisals obtained within the previous two (2) years by the owner or applicant or their lenders in connection with the purchase, financing, or ownership of the property.
- (8) Any listing of the property for sale or rent, price asked, and offers received, if any.
- (9) Any consideration by the owner as to profitable adaptive uses for the property.
- (10) If the property is income producing, the annual gross income from the property for the previous two (2) years, itemized operating and maintenance expenses for the previous two (2) years, and annual cash flow before and after debt service, if any, during the same period.
- (11) Form of ownership or operation of the property, whether sole proprietorship, for profit or not for profit corporation, limited partnership, joint venture, or other.
- (12) Any other information, including income tax bracket of the owner, applicant, or principal investors in the property, reasonably necessary for a determination as to whether the property can be reasonably sold or yield a reasonable return to present or future owners.

b. **Initial Meeting.** Upon receipt of an application and after providing any required public notice as well as reasonable notice to the applicant, the Commission shall conduct its review at a regular or special meeting of the Commission. At the conclusion of its initial review and any continuation, the Commission shall, by motion, conclude that:

- (1) The Applicant has established that, based on the evidence provided, a financial hardship may exist that is meritorious of further study by the Village; or,
- (2) The Applicant has failed to demonstrate that a financial

1 hardship exists, and the application shall be denied.

2 c. **Study Period.** If the Commission finds that a financial  
3 hardship may exist absent approval of the proposed Work,  
4 the application shall be delayed for a period not to exceed  
5 60 days. During this period of delay, the Commission shall  
6 make recommendations to the Village Board to alleviate the  
7 alleged financial hardship or to otherwise preserve the  
8 subject property. Such plans and recommendations may  
9 include, without limitation: a relaxation of the provisions of  
10 this Chapter; a reduction in real property taxes; financial  
11 assistance; building code modifications; and/or zoning or  
12 subdivision relief.

13 d. **Decision on Approval.** If the Commission determines, by  
14 the affirmative vote of at least four Commissioners, that a  
15 financial hardship persists at the end of the Study Period the  
16 Commission shall approve the Work as a Certificate of  
17 Economic Hardship.

18 3. **Notice to Owner.** If the Owner is not present when an application is  
19 denied or approved with conditions, the Building Commissioner shall  
20 cause notice of the Commission's decision to be served either by  
21 personal delivery or by certified mail, return receipt requested. The  
22 Owner shall be deemed notified of the decision as of the date of mailing.

23 F. **Appeals.** Where a Certificate Review is denied or approved with conditions,  
24 the Applicant may appeal the Commission's decision to the Village Board by  
25 filing an appeal in writing with the Village Administrator within 15 days of being  
26 notified of the decision. The Village Board's review shall not be a public  
27 hearing. The Board may receive comments on the contents of the record but  
28 no new matter may be considered by the Village Board unless such matter is  
29 new or was not known at the time of the Commission's deliberations. The  
30 Village Board shall review and give due consideration to the findings,  
31 recommendations, and record of the Commission and thereafter may affirm  
32 the Commission's decision or else provide approval to the applicant with or  
33 without conditions.

**TABLE I  
LIST OF LANDMARK FEATURES**

<b>Ordinance</b>	<b>Feature</b>	<b>Address</b>
2005-04	Lake Bluff Village Hall (Building)	40 E. Center Ave.
2005-16	Stonebridge Manor House (Building) Stonebridge Gate House (Building) Jens Jensen Landscape (Landscape)	0-230 Jensen Lane f.k.a. 136 Green Bay Road
2005-24	T-Form Camp Meeting Cottage (Building)	548 E. Scranton Ave.
2005-29	“Claire Haven” House (Building) Detached Garage (Building) Masonry Wall and Features (Structure)	700 E. Center Ave.
2006-04	John Magaw House (Building)	525 E. Center Ave.
2006-20	Rev. Charles Trusdell House (Building)	115 E. Center Ave.
2006-08	Elmer Vilet House (Building) Elmet Vilet Cottage (Building)	401 E. Prospect Ave.
2007-01	Frank Lloyd Wright Bungalow (Building)	231 E. Prospect Ave.
2007-03	Munroe and Virginia Winter House (Building)	333 Crescent Dr.
2007-08	Harlan Colonial Revival House (Building)	271 Ravine Forest Dr.
2008-06	Caroline Morse Ely Estate – Orangerie (Building)	113 Moffett Rd.
2008-30	John Murdock House (Building)	550 E. Center Ave.
2009-02	Richard Reuter House (Building)	319 Crescent Dr.
2010-08	John Nash Ott House (Building)	1799 Shore Acres Rd.
2012-15	<u>Crab Tree Farm (Estate Parcel)</u> (Buildings, Structures, and Landscapes – See Ordinance)	982 N. Sheridan Rd.
2012-16	<u>Crab Tree Farm (Farm Parcel)</u> (Buildings and Structures – See Ordinance)	975 N. Sheridan Rd.
2016-10	Ralph Poole House (Building)	1010 Green Bay Rd.
2018-11	William Edward Sims House (Building)	673 Maple Ave.
2018-19	Camp Meeting Cottage (Building)	406 Prospect Ave.
2018-20	Harlan Colonial Revival House (II) (Building)	502 Prospect Ave.
2018-23	French Eclectic Camp Cottage (Building)	415 Prospect Ave.
2018-24	Cornish / Cochran House (Building)	400 Ravine Ave.
2018-25	Cloes House (Partial Building)	419 Prospect Ave.

**TABLE II  
LIST OF HISTORIC DISTRICTS**

<b>Ordinance</b>	<b>Name</b>

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**EXHIBIT B**  
**(New Chapter 9 of Title 2)**

**CHAPTER 9. HISTORIC PRESERVATION COMMISSION**

- 2-9-1      CREATION; APPOINTMENT; TERMS OF OFFICE; CHAIR; COMPENSATION**
- 2-9-2      DUTIES**
- 2-9-3      RULES OF PROCEDURE**

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**CHAPTER 9. HISTORIC PRESERVATION COMMISSION**

**2-9-1 CREATION; APPOINTMENT; TERMS OF OFFICE; CHAIR; COMPENSATION**

- A. **Creation; Purpose.** There is hereby created the Lake Bluff historic preservation commission. The purpose of the Commission shall be to assist the Village Board in making decisions and establishing policies regarding the preservation, protection, enhancement, rehabilitation, reconstruction, maintenance, and use of historic structures, buildings, sites, and landscapes in the village, and to educate Village residents on the importance of historic preservation, all as further provided in this chapter.
- B. **Appointment; Qualifications.** The Commission shall consist of seven members appointed by the Village President, with the advice and consent of the board of trustees. The Village President shall attempt to appoint to the commission at least one person each from the History Museum board, the Lake Bluff Plan Commission and Zoning Board of Appeals, and the Lake Bluff Architectural Board of Review, and three Village residents. Commissioners shall also be appointed on the basis of expertise, experience, and interest in historic preservation, architectural history, building construction and engineering, finance, neighborhood organization, and real estate development. Consideration shall be given to appointment of residents from a variety of geographic areas within the Village.
- C. **Terms of Office.** Commissioners shall serve for a term of four years and until their successors have been appointed and have qualified for office. Commissioners shall be eligible for reappointment. The Village Board shall have the power to remove any commissioner for cause. Any vacancy that may occur shall be filled for the balance of the unexpired term by appointment by the Village President, with the advice and consent of the board of trustees.
- D. **Chair.** The village president, with the advice and consent of the board of trustees, shall designate one commissioner as chairperson.
- E. **No Compensation.** All members shall serve without compensation.

**2-9-2 DUTIES**

Subject to the laws of the State of Illinois, this chapter, and any other ordinances and resolutions of the village, the Commission shall have the following powers and duties:

- A. To perform those functions set forth in the Village's Historic Preservation Regulations, as codified in Title 9, Chapter 14 of the Municipal Code.
- B. To inform and educate the residents of the Village concerning the historic and architectural heritage of the Village by preparing appropriate publications and by conducting programs and seminars.
- C. To provide information and assistance concerning the preparation of any application set forth in the Village's Historic Preservation Regulations, or any application for a State or Federal program or designation concerning historic preservation.

- 1 D. For Protected Features pursuant to the Historic Preservation Regulations,  
2 to seek designation of "historic buildings" with the Illinois Historic  
3 Preservation Agency and the United States Department of the Interior  
4 under the Illinois Property Tax Code, 35 ILCS 200/1-1 *et seq.*, or as  
5 "certified historic structures" under the Tax Reform Act of 1986, 26 USC  
6 section 1 *et seq.*, or under other legislation subsequently enacted by the  
7 State of Illinois or the United States.
- 8 E. To develop and maintain technical information relating to historic  
9 preservation, rehabilitation, and restoration, and to provide assistance  
10 relating to such matters to architects, contractors, property owners, and  
11 other persons involved in real estate development and construction within  
12 the village.
- 13 F. Upon referral by the Building Commissioner or another Village board or  
14 commission, to review and provide recommendations regarding any  
15 application for subdivision, site plan approval, or other zoning relief that  
16 may involve historic preservation considerations; provided that the  
17 Commission's recommendation shall not be a prerequisite to the  
18 consideration, approval, or denial of said applications.
- 19 G. To study and make recommendations to the Village Board of Trustees  
20 other desirable changes to Village rules, regulations, and policies to  
21 promote historic preservation within the Village, including without  
22 limitation changes to the Village's building, subdivision, or zoning  
23 regulations or the fees charged for development.
- 24 H. To submit an annual report to the Village Board of Trustees summarizing  
25 the Commission's activities during the preceding year and reviewing  
26 current preservation issues in the Village.
- 27 I. To seek certified local government status from the United States  
28 Department of the Interior for purposes of qualifying for financial and  
29 other assistance available through the Department of the Interior and  
30 other sources.
- 31 J. To perform such other functions as directed by the Village Board of  
32 Trustees, including those functions provided in 65 ILCS 5/11-48.2 not  
33 otherwise provided for in the Historic Preservation Regulations.

34 **2-9-3**

**PROCEDURE**

- 35 A. **Meeting Schedule.** Commission meetings shall be held on the second  
36 Wednesday of each month commencing at the hour of seven o'clock  
37 (7:00) P.M. in the board room, village hall, and at such other times and  
38 places as may be called by the chair, and at such other times as the  
39 Commission shall determine, upon proper notice pursuant to the open  
40 meetings act, 5 Illinois Compiled Statutes 120/1 *et seq.*
- 41 B. **Presiding Officer.** The Commission chairperson shall preside over all  
42 meetings and hearings of the Commission. In the absence of the  
43 chairperson, the vice chairperson shall assume the duties and  
44 responsibilities of the chairperson. In the absence of the chairperson and  
45 vice chairperson, a temporary chairperson shall be elected by the

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Commission and shall assume the duties and responsibilities of the chairperson.

- C. **Quorum.** A quorum of the Commission shall consist of four members.
- D. **Secretary; Records.** The Village Administrator or his or her designee shall serve as the secretary to the Commission. The secretary shall keep minutes of all proceedings, record the vote of each member, the absence or failure to vote of any member and records of hearings and other official actions. In the absence of the secretary, the village clerk or deputy village clerk shall have the duties of the secretary under this section. All records of the Commission shall be kept in the office of the village clerk and shall be public records.
- E. **Open Meetings.** All meetings and hearings of the Commission shall be conducted in accordance with the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*
- F. **Rules.** The Commission may adopt its own rules of procedure. In the absence of such rules, the Commission shall conduct its business, as nearly as practicable, in accordance with "Robert's Rules Of Order".
- G. **Disqualification From Voting.** No member of the Commission shall vote on any matter involving any property in which such Commissioner has a legal or beneficial ownership interest or on any other matter where such Commissioner's interest would violate any other applicable law.

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Significant Properties w/ at least 1 HPC Member Supporting  
For Discussion - March 15, 2020

HPC Member Count	Lake County URL	Lake Bluff Online URL	Address Num	Address Dir	Address Name	Address Suffix
5	<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	666		MAPLE	AVE
5	<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	244	E	NORTH	AVE
5	<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	456		SUNRISE	AVE
4	<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	345	E	CENTER	AVE
4	<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	600		LANDSDOWNE	
4	<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	618		MAPLE	AVE
4	<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	629		MOUNTAIN	AVE
4	<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	105	E	NORTH	AVE
4	<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	500	E	NORTH	AVE
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1	<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	404		SUNRISE	AVE
1	<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	420		SUNRISE	AVE
1	<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	500		SUNRISE	AVE
1	<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	205	E	WITCHWOOD	LN
1	<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	306	E	WITCHWOOD	LN

**Existing Village Landmarks**  
**March 15, 2020**

Lake County URL	Lake Bluff Online URL	Address Num	Address Dir	Address Name	Address Suffix	Information
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	40	E	CENTER	AVE	Village Hall
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	115	E	CENTER	AVE	Rev. Charles Trusdell Home
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	525	E	CENTER	AVE	John G Magaw House
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	550	E	CENTER	AVE	John Murdock House
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	700	E	CENTER	AVE	Claire Haven
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	319	E	CRESCENT	DR	Ralph Hines House
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	333	E	CRESCENT	DR	J Gardener Goodrich
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	136		GREEN BAY	RD	Stonebridge
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	1010		GREEN BAY	RD	Ralph Poole House
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	673		MAPLE	AVE	Sims/Gould House
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	113		MOFFETT	RD	Morse Ely estate; Orangerie
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	231	E	PROSPECT	AVE	American Systems Built home
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	401	E	PROSPECT	AVE	Elmer Vliet House
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	406	E	PROSPECT	AVE	Lake Bluff Camp Meeting cottage
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	415	E	PROSPECT	AVE	Lake Bluff Camp Meeting cottage
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	419	E	PROSPECT	AVE	Lake Bluff Camp Meeting L-Form house
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	502	E	PROSPECT	AVE	
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	400		RAVINE	AVE	Frank Cornish House
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	271		RAVINE FOREST	DR	
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	548	E	SCRANTON	AVE	Lake Bluff Camp Meeting T-Form Cottage
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	975	N	SHERIDAN	RD	Crab Tree Farm (farm parcel)
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	982	N	SHERIDAN	RD	Crab Tree Farm (estate parcel)
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	1799		SHORE ACRES	RD	Dr John Nash Ott House

Existing National Register Properties  
March 15, 2020

Lake County URL	Lake Bluff Online URL	Address Num	Address Dir	Address Name	Address Suffix	Description
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	700		ARBOR	DR	Lester Armour House
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	900		ARMOUR	DR	Tangley Oaks; Philip Armour III House
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	40	E	CENTER	AVE	Village Hall
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	31	E	CENTER	AVE	Sankiewicz Building
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	71	E	CENTER	AVE	Post Office Block
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	1010	N	GREEN BAY	RD	Ralph Poole House
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	111		MOFFETT	RD	Morse Ely Estate
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	102	E	SCRANTON	AVE	John Griffith Building
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	24	E	SCRANTON	AVE	Oldest Commercial Building
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	982	N	SHERIDAN	RD	William McCormick Blair Estate
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	600	N	SHERIDAN	RD	Train Station
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	0		SHERIDAN	RD	Village Green
<a href="#">Lake County Maps</a>	<a href="#">Lake Bluff Online</a>	555		SHORE	RD	Howard and Lucy Linn House