

TITLE 2

CHAPTER 3

ARCHITECTURAL REVIEW BOARD

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2-3-1: BOARD CREATED; MEMBERSHIP: There is hereby created an Architectural Review Board which shall consist of six (6) full members and one alternate member, all of whom shall be residents of the Village and who shall serve without pay. The six (6) full members shall attend and participate in all meetings of the Board and shall vote on all matters coming before the Board. The one alternate member shall attend and participate in all meetings of the Board, but shall only vote in the event one or more full members is absent at the time any vote is taken. All members shall be appointed by the Mayor subject to the advice and consent of the Village Board, based upon their particular fitness to be members, and shall have training or experience in art, architecture, community planning, land development, landscape architecture, or other relevant businesses or professions. One full member shall be appointed chairman by the Mayor. Of the original full member appointees to the Board, one shall hold office for the term of one year, two (2) for the term of two (2) years, and two (2) for the term of three (3) years, and thereafter all full members of the Board shall serve for a term of three (3) years from and after the expiration of the terms of their predecessors in office. The alternate member shall be appointed for a term of one year. If a vacancy shall occur in the full membership, the alternate member shall be appointed to fill such vacancy. Vacancies in the full and alternate membership shall be filled in the same manner as original appointments. (Ord. 83-775-29)

The Mayor or Village Board shall have the power to remove any member at any time without cause.

The Secretary of the Department of Community Development shall serve as secretary. All meetings shall be held at the call of the chairman or any two (2) members. Four (4) members of the Board shall constitute a quorum. Any action must receive the affirmative vote of a majority of the members present at a meeting. The Board shall keep minutes of its meetings, including a record showing the vote of each member upon every question. The Board secretary shall be the custodian of all such minutes and all reports, recommendations, documents, exhibits and other material pertaining to the conduct of the affairs of the Board.

The Board shall have the power to adopt, amend or repeal its own procedural regulations from time to time, provided the same are not inconsistent with law or this Chapter. (Amd. Ord. 03-1883-60, eff. 11/10/03)

2-3-2: INTENT AND PURPOSE: The Architectural Review Board is created to promote and maintain

the high character of the development of the Village, to preserve and protect the public health, safety, comfort and welfare by enhancing the value of real estate within the Village and by maintaining and protecting real estate within the Village from impairment or destruction of value, appearance and use, and to encourage the most appropriate use of land within the Village. The Board shall encourage and promote acceptability, attractiveness, and compatibility of new buildings and developments, and avoid the excessive uniformity, dissimilarity, inappropriateness or poor quality of design in the exterior appearance of buildings which tend to impair property values and the taxable value of real property in such areas, and increase the cost of municipal services in such areas, as well as other harmful effects. The Board shall review all proposed business, commercial, industrial, and multiple-family dwelling buildings and developments, and also all proposed planned unit developments and proposed uses of open space and public lands, including schools, libraries, fire stations, parks and other public uses of whatever nature.

2-3-3: DUTIES; REVIEW REQUIRED: The Architectural Review Board shall be an advisory body of the Village government, and shall have the following powers and duties:

- A. To consult with and advise, the Village Board and the Plan Commission, regarding all matters within their above-stated jurisdiction and expertise.
- B. To review and make recommendations regarding all new building and development within the Village, or within one and one-half (1-1/2) miles of the corporate limits of the Village, all as the proposed building and development relate to exterior architectural design, arrangement, height and appearance, color and texture of the materials of the exterior construction, landscaping, entrance ways, lighting, off-street parking facilities, and similar matters, including aesthetic factors, and all as within their above-stated jurisdiction and expertise.
- C. To make recommendations regarding advisable amendments to existing codes, ordinances and regulations of the Village.

2-3-4: ADMINISTRATION; STANDARDS FOR REVIEW: Upon receipt of an application for a building or zoning permit, or upon receipt of plans, drawings, specifications, architectural renderings or other similar documentation regarding a proposed building(s) or development(s) by which the same can be reasonably evaluated, whichever first occurs, the Department of Community Development shall file with the Board a copy of the application and all documentation submitted therewith, which should include a site and layout plan and specifications. Sufficient copies of all such documentation shall be required to be submitted by the applicant in order to comply with this provision. The Architectural Review Board shall review any such application within thirty (30) days from the date of referral, if possible. In reviewing said applications as submitted, the Board shall give consideration to the following:

- A. The architectural value and significance of the structure or its site.
- B. The relationship of the exterior architectural features of the proposed structure to the existing structures and to the surrounding area.
- C. The compatibility of exterior design, arrangement, texture and material to be used with that used in the surrounding area.

- D. Appropriateness, in relation to other property in the surrounding area, of landscaping and orientation of building to site.
- E. Excessive similarity to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application facing upon the same or intersecting street and within five hundred feet (500') of the proposed site as measured along center lines of street in a residential district and within two hundred fifty feet (250') of the proposed site in any district other than a residential district in respect to one or more of the following features of exterior design and appearance:
1. Apparently identical front or side elevations.
 2. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement.
 3. Other significant identical features of design, such as, but not limited to, material, roof line and height or other design elements; provided that a finding of excessive similarity shall state not only that such excessive similarity exists, but that it is of such a nature as to be reasonably expected to provoke one or more of the harmful effects sought to be avoided hereunder.
- F. Excessive dissimilarity in relation to any other structures existing or for which a permit has been issued or to any other structures included in the same permit application, facing upon the same or intersecting street, and within five hundred feet (500') of the proposed site as measured along center lines of streets in a residential district and within two hundred fifty feet (250') of the proposed site in any district other than a residential district in respect to one or more of the following features:
1. Cubical contents,
 2. Gross floor area,
 3. Height of building or height of roof,
 4. Other significant design features, such as materials or quality of architectural design, provided that a finding of excessive dissimilarity shall state not only that such excessive dissimilarity exists, but that it is of such a nature as to be reasonably expected to provoke one or more of the harmful effects sought to be avoided hereunder.
- G. Inappropriateness in relation to the established character of other structures in the immediate area of the neighboring areas in respect to significant design features, such as material or quality of architectural design, provided that a finding of inappropriateness shall state not only that such inappropriateness exists, but that it is of such a nature as to be reasonably expected to provoke one or more of the harmful effects sought to be avoided hereunder.
- H. Such other factors, including aesthetic factors, as the Board deems appropriate. (Ord. 75-386-16)

2-3-5: REPORTS AND RECOMMENDATIONS: After review and due consideration of each application, the Board shall submit to the Village Board in writing its findings and recommendations regarding the application, particularly in relation to the items set forth in Section 2 - 3-4 hereof. The Village Board thereafter will decide to accept or reject such recommendations of the Architectural Review Board, or accept the recommendations with certain modifications, changes or conditions. If the Village Board approves the recommendation as originally submitted or as amended by the Board of Trustees, then the appropriate building permit could then be issued. Provided, however, in no case shall a building permit be issued where the building plans are not in strict compliance with the plans recommended by the Architectural Review Board and approved by the Village Board. Any building permit issued in violation of this Section shall be null and void. If, on the other hand, the Village Board rejects the recommendation or accepts it with certain modifications, changes or conditions as required by the Village Board, such decision shall be communicated to the applicant within five (5) days of the date when the decision is made by the Village Board. (Ord. 86-887-24)

Such report may include the following:

- A. The exact location of the area in which the building or development is to take place.
- B. The exterior changes to be made or the exterior character of the structure to be erected.
- C. A list of the surrounding structures with their general exterior characteristics.
- D. The effect of the proposed development upon the general architectural nature of the surrounding area and the Village.
- E. The appropriateness of exterior architectural features which can be seen from a public street or way.
- F. The general design, arrangement, texture, material and color of the building or development and the relation of such factors to similar features of building or structures in the surrounding area and the Village.
- G. A sketch or drawing showing the building or development.
- H. The opinion of the Board (including any dissent) as to the appropriateness of the work proposed in relation to the preservation or destruction of the architectural aspects of the surrounding area and the Village, property values in the surrounding area and the Village, and the effect on the provision of municipal services.
- I. The specific recommendation of the Board as to the desirability or inappropriateness of the building or development.

2-3-6: APPLICANT'S OPPORTUNITY FOR COMMENT OR REBUTTAL: Any applicant desiring to rebut or comment upon the findings and recommendation of the Board may do so by submitting its rebuttal or comments in writing to the Village Board for its consideration, with a copy to be filed with the secretary of the Architectural Review Board. Any such applicant may, in addition, submit any oral comments or rebuttal directly to the Village Board at its regular meetings.

2-3-7: CONFLICT OF INTEREST: No member of the Architectural Review Board shall participate in the review of any work of which he or any partner or professional associate is the author or in which he or they have any direct or indirect financial interest. If such an occasion arises, the other members of the Board should proceed to determine the particular matter. (Ord. 75-386-16)