

TITLE 2: BOARDS & COMMISSIONS
CHAPTER 3: ARCHITECTURAL REVIEW BOARD

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2-3-1: INTENT AND PURPOSE

The Architectural Review Board (ARB) is hereby created to promote and maintain the high-quality 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 maintain and protect Village real estate from impairment or destruction of value through quality appearance analysis. The ARB shall encourage and promote attractiveness and compatibility of new buildings and developments, promote the reasonable, orderly, and effective display of signs, and avoid excessive uniformity or dissimilarity, inappropriateness, or poor quality of design in the exterior appearance of buildings and use of materials. The ARB shall review all proposed business, commercial, industrial, and multiple-family dwelling buildings and developments, and 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.

2-3-2: BOARD MEMBERSHIP

- A. Membership Criteria: The Architectural Review Board shall consist of six (6) full members and two alternate members, all of whom shall be residents of the Village and shall serve without pay. The six (6) full members shall attend and participate in all meetings of the ARB and shall vote on all matters coming before it. The alternate members shall attend and participate in all meetings of the ARB but shall only vote in the event one or more full members are 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 of Trustees, based upon their particular training or experience in art, architecture, community planning, land development, landscape architecture, construction or other relevant professions or trades. One full member shall be appointed chairman by the Mayor.
- B. Membership Terms: All full members appointed to the ARB, shall serve for a term of three (3) years. The alternate members shall be appointed for a term of one year.
- C. Vacancy: If a vacancy shall occur in any of the full membership, the alternate members shall be appointed to fill such vacancy. Additional vacancies in the full and alternate membership shall be filled in the same manner as original appointments and for the period remaining in the term of the member being filled at the time of replacement.
- D. Quorum: All meetings shall be held at the call of the chairman or three (3) members. Four (4) members of the ARB shall constitute a quorum. Any action must receive the affirmative vote of a majority of the members present at a meeting.
- E. Removal: The Mayor shall have the authority to remove any member of the ARB if it is determined the best interests of the Village require removal. The Mayor shall report his or her

reasons for the removal to the Village Board of Trustees within thirty (30) calendar days prior to removal, which must receive a favorable vote of two-thirds (2/3) of all elected members of the Village Board of Trustees and shall be entered upon the record of the corporate authorities. If the Mayor fails to report his or her reasons for the removal within thirty (30) calendar days or is overruled by the Village Board of Trustees, the member term shall remain. No member shall be removed a second time for the exact same factual occurrence.

- F. **Secretary:** A representative of the Department of Community and Economic Development shall serve as secretary. The ARB shall keep minutes of its meetings, including a record showing the vote of each member upon every question. The ARB 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.
- G. **Conflict of Interest:** No elected or appointed official or public employee, or family member of an elected or appointed official or public employee, or paid consultant of the Village shall appear on behalf of or represent any person or organization at any proceeding before the ARB or the Village Board, except on behalf of himself or a member of his/her household, or on behalf of an eleemosynary organization, when zoning, permits or the expenditure of Village funds are not an issue.

2-3-3: ADMINISTRATIVE DUTIES

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 of Trustees, regarding all matters within their above-stated jurisdiction and expertise.
- B. Review and make recommendations to the Village Board of Trustees regarding all new construction of buildings and development within the Village, excluding single-family residential, relative to exterior architectural design, arrangement, height and appearance, color and materials of the exterior construction, landscaping, entrance ways, lighting, off-street parking facilities, and similar matters, including aesthetic factors.
- C. Review all applications for a variance to Title 12 Sign Control, and report findings and recommendations to the Village Board of Trustees in the manner prescribed in Section 12-17-1 of this Code.
- D. Approve or disapprove applications for minor amendments to special uses, as defined in Section 6-14-11(F)(2) and to Planned Unit Developments, as defined in Section 6-14-12(H)(2).
- E. Approve or disapprove revisions to existing site development plan(s), including Minor Amendments to Special Use and Planned Unit Developments (PUD), regarding exterior architectural design, arrangement, building massing and scale, height and appearance, color and texture of exterior materials, landscaping, lighting, signage, and similar elements.
- F. To make recommendations regarding advisable amendments to existing codes, ordinances and regulations of the Village.
- G. Adopt, amend or repeal its own procedural regulations from time to time, provided the same are not inconsistent with law or this Chapter.

2-3-4: STANDARDS FOR REVIEW

The Architectural Review Board shall commence review of any application for the construction of any new or modification to any existing building or development, excluding single-family residential, within sixty (60) days from which a complete application has been referred to it. The ARB review shall give consideration to the following:

- A. The architectural value and significance of the structure or site to the proposed use.
- 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 architectural design with the arrangement, texture, and materials to be used on the structure.
- D. Appropriateness of landscaping and orientation of building to the site, in relation to other property in the surrounding area.
- E. Excessive similarity to any other structure existing or proposed structure included in the same site/development or facing upon the same or intersecting street 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. Inappropriate relation to the established character of other structures in the immediate neighboring area 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.
- G. For new industrial and warehouse buildings, the Design Guidelines for Industrial/ Warehouse Developments shall apply.
- H. For commercial, multi-family, and/or mixed-use developments located along the main commercial corridors within the Village (Milwaukee Avenue, Half Day Road, Olde Half Day Road, Aptakisic Road and Interstate 94), the Design Guidelines for the Village of Lincolnshire, dated November 23, 2015, shall apply.
- I. Such other factors, including aesthetic factors, as the Board deems appropriate.

2-3-5: REPORTS AND RECOMMENDATIONS

The Architectural Review Board shall convene a public meeting/hearing to review and consider any application identified in Section 2-3-3 herein, within sixty (60) days from which a complete

application has been referred to it. The ARB shall submit to the Village Board of Trustees written findings and/or recommendations within sixty (60) days from the vote, in relation to the items set forth in Section 2-3-4 of this Chapter.

The Village Board of Trustees shall act upon the recommendation of the ARB within not more than sixty (60) days from the last date the ARB votes on an application. The failure of the ARB to forward its recommendation to the Village Board of Trustees within the time period provided herein, or as extended with the agreement of the applicant, shall result in the recommendation on the application or request being deemed approved, and the Village Board of Trustees shall consider the recommendation accordingly. Without further public hearing, the Village Board of Trustees shall approve, deny the application, or refer it back to the ARB for further consideration. An application which fails to receive an approval recommendation of the ARB must include written findings based upon the items set forth in Section 2-3-4 of this Chapter and must receive a favorable vote of two-thirds (2/3) of all the elected members of the Village Board of Trustees to be approved. An application which receives the approval recommendation of the ARB may be denied by a majority vote of the Village Board of Trustees.

In no case shall a building permit be issued where the permit plans are not in strict compliance with the conditions for final approval. Any building permit issued in violation of this Section shall be null and void.

2-3-6:

APPEALS

Any person aggrieved by action taken under the regulations of this Chapter may appeal any order, requirement, decision or determination made by the ARB. Within thirty (30) days from the determination made by the ARB, an application for appeal shall be filed with the Zoning Administrator, who shall forward such appeal to the Village Board of Trustees for its consideration. Any applicant seeking an appeal will also be provided an opportunity to present oral comments directly to the Village Board of Trustees.