MEMORANDUM

TO: President Jeff Pruyn
Village Board of Trustees

RE: PC 19-016
801 E. Washington St.
Variances for Rear-Yard Setback and Lot Coverage

FROM: Mo Khan
Village Planner

COTW: December 3, 2019

CC: File

ENCL: Plan Commission Staff Report, Petition for Variance and Attachments

BACKGROUND

The Petitioner and Owner, Angelo Di Prizio, requests Variances in order to allow the roof of the principal structure to be extended.

The requests before the Committee of the Whole are as follows:

1. Variance to Section 7.05-5-c-(2) to allow for a rear-yard setback of 15’ whereas the minimum required is 30’.
2. Variance to Section 7.05-7-b to allow for a Lot Coverage of 53.75% or 4,021 ft.² whereas the maximum allowed is 50% or 3,740 ft.².

PLAN COMMISSION RECOMMENDATION

The Plan Commission conducted a Public Hearing on this matter on November 20, 2019. There were no comments from the public.

The Plan Commission Reviewed the Required Findings of Facts and Recommended Unanimous Approval (6-0) of the Variance Requests, subject to the following conditions as recommend by staff:

1. The variation if approved is for the expansion of solely the roof structure of the principal structure and not the building footprint of the principal structure itself.
2. The project must comply with all Village Ordinances, Building Codes, Subdivision Regulations, the DuPage County Stormwater Ordinance, and Standard Development Specifications in place at the time of permit application.

3. Construction for the roof expansion shall be completed within one (1) year from the date of Ordinance Approval.
Village of Itasca
Community Development Department
550 W. Irving Park Road, Itasca, IL 60143
PHONE: 630-773-5568 | FAX: 630-773-0852
www.itasca.com

PUBLIC HEARING DATE: NOVEMBER 20, 2019

TITLE: Di Prizio Variances
ADDRESS: 801 E Washington Street
PIN: 03-08-413-014

PROPOSAL: Angelo Di Prizio, property owner of 801 E Washington St. is requesting the following:
1. Variance to Section 7.05-5-c-(2) to allow for a rear-yard setback of 15’ whereas the minimum required is 30’
2. Variance to Section 7.05-7-b to allow for a Lot Coverage of 53.75% or 4,021 ft.$^2$ whereas the maximum allowed is 50% or 3,740 ft.$^2$

BACKGROUND

The owner/petitioner applied for and received a building permit in 2017 to expand the patio by approximately 84 ft.$^2$ along the northside of the existing patio. Since then the owner/petitioner have met with Village Staff to discuss extending the roof of the principal structure over the patio area to provide screening from sun, rain, and other weather elements in order to enjoy the outdoor patio area for a longer time period each year. The owner/petitioner are not proposing
to screen in the outdoor patio area. Though Village Staff does not believe a condition should be placed to prohibit this in the future, the Plan Commission may want to take this into consideration.

Since the roof is part of the principal structure it is regulated by setbacks for principal structures in the Village’s Zoning Ordinance. Furthermore, it appears that a full zoning review may not have occurred when the patio was permit was issued as lot coverage would have required a variance at the time.

Thus, in order to permit the extension of the roof structure, the owner/petitioner must apply for two variances: first for the rear-yard setback for the principal structure, and second for the variance for lot coverage.

**PLANNING & ZONING ANALYSIS**

The subject property is located at the northeast corner of Washington Street and Bonnie Brae Avenue and is Zoned R-2, Single-Family Residence District. The subject property is approximately 7,480 square feet or 0.17 acre. The subject property is improved with a two-story single-family structure with a basement and attached two-car garage, all of which is 5,350 square feet. The subject property is further improved with a concrete patio approximately 365 square feet and private walkways in the corner side-yard. The single-family structure was built in 2006.

The lot is considered legal non-conforming as it does meet the minimum lot size requirement of 9.100 square feet and the minimum lot width of sixty-five feet (65’) for lots zoned R-2, Single-Family Residence District and was legally established prior to the adoption of the current minimum lot size requirements for R-2 Zoned Lots.

**R-2 District Zoning Bulk Regulations**

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>801 E Washington</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Front-Yard Setback</strong></td>
<td>≥ 30 ft.</td>
<td>31’ 6”</td>
</tr>
<tr>
<td><strong>Side-Yard Setback</strong></td>
<td>≥ 6 ft.</td>
<td>7’ 4”</td>
</tr>
<tr>
<td><strong>Corner Side-Yard Setback</strong></td>
<td>≥ 16.5 ft.</td>
<td>18’ 9”</td>
</tr>
<tr>
<td><strong>Combined Side-Yard Setback</strong></td>
<td>≥ 16 ft.</td>
<td>26’</td>
</tr>
<tr>
<td><strong>Rear-Yard Setback</strong></td>
<td>≥ 30 ft.</td>
<td>16’ 3”</td>
</tr>
<tr>
<td><strong>Height</strong></td>
<td>≤ 35 ft.</td>
<td>14’*</td>
</tr>
<tr>
<td><strong>Building Coverage</strong></td>
<td>≤ 40%</td>
<td>40% or 2,994 ft.²</td>
</tr>
<tr>
<td><strong>Lot Coverage</strong></td>
<td>≤ 50%</td>
<td>53.75% or 4,021 ft.²</td>
</tr>
<tr>
<td><strong>Max. Allowable Floor Area</strong></td>
<td>≤ 3,873 ft.²</td>
<td>3,846 ft.²</td>
</tr>
<tr>
<td><strong>Accessory Structure Setback</strong></td>
<td>≥ 5 ft.</td>
<td>7’ 4” / 15’ 7”</td>
</tr>
</tbody>
</table>

*Note: The overall structure height is 26’ 4”, the roof addition is 14’ in height.
SUMMARY

The proposed roof addition will allow the owner/petitioner to be able to enjoy their outdoor patio area for longer time period each year. The proposed roof addition will be almost half the height of the total principal structure height at 14’ and will not encroach further into the rear-yard setback than the existing patio. Furthermore, there will be approximately 50’ separation distance between the roof structure at the subject property and the patio located on the adjacent property to the east (851 E. Washington Street).

STAFF RECOMMENDED CONDITIONS OF APPROVAL

Staff recommends the following conditions be placed upon any favorable recommendation by the Plan Commission:

1. The variation if approved is for the expansion of solely the roof structure of the principal structure and not the building footprint of the principal structure itself.
2. The project must comply with all Village Ordinances, Building Codes, Subdivision Regulations, the DuPage County Stormwater Ordinance, and Standard Development Specifications in place at the time of permit application.
3. Construction for the roof expansion shall be completed within one (1) year from the date of Ordinance Approval.

REQUIRED FINDINGS OF FACT FOR VARIANCES

Section 14.09-3 sets forth the following standards for variances:

No Variance shall be granted by the President and Board of Trustees unless the specific findings are made based on the evidence presented to the Plan Commission:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;
2. The plight of the owner is due to unique circumstances, and
3. The variation, if granted, will not alter the essential character of the locality.

In making this determination, the Plan Commission shall consider whether there are particular difficulties or particular hardships, and take into consideration whether the following facts have been established by evidence:

1. The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out;
2. The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification;
3. The purpose of the variation is not based exclusively upon a desire to make more money from the property, or merely for the convenience of the owner;
4. The alleged difficulty or hardship has not been created by any person presently having an interest in the property;
5. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or
6. That the proposed variation will not impair an adequate supply of light on adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.

The petitioners have responded to the above Standards within the Petition for Variance. At the time of preparing this report, staff is not aware of any objections to the proposal.

DOCUMENTS ATTACHED

1. Petition for Variance Application, dated 10/4/19
2. Plat of Survey, dated 10/10/06
3. Architectural Site Plan, dated 11/14/19
PETITION FOR VARIANCE

Village of Itasca Plan Commission
c/o Community Development Department
550 W. Irving Park Rd.
Itasca, IL 60143
(Ph): 630-773-5568      (F): 630-773-0852
comdev@itasca.com

Date Submitted: 10-23-19

ALL ITEMS MUST BE COMPLETE TO PROCESS APPLICATION

Address(es) of Property: 801 E Washington Street

Owner(s) of Property: Angelo Di Prizio

Petitioner(s) (if other than owners):

Existing Use: Residential

Zoning: R-2

P.I.N. #(s):

Lot Size (sq. ft.): 7,508

Please answer the following questions (you may attached additional sheets if needed):

1.) Specifically state the variance(s) which is sought including the relevant section(s) of the Zoning Ordinance and how and/or the amount(s) by which the ordinance is sought to be varied.

   i. The required minimum rear yard setback in a R-2 zoned district is 35 ft. for corner lots. The existing single-family residence has a setback of 30.69 ft.

   ii. A Variance to Sec. 7.05-5-c-(2) to allow a rear yard-setback of 15ft. for the principal structure, whereas a minimum of 30ft. is required.

   iii. A Variance to Sec. 7.05-7-b to allow for a lot coverage of 53.55% or 4,201 square feet, whereas the maximum allowed is 40% or 3,003 sq.ft.

2.) Generally state the purpose and reasons for which the variance(s) is/are sought.

   The home is a single-family residence with an existing patio. The proposed canopy will conform to the design of the home and serve several purposes including providing protection from wind, sun, and snow. This will also assist in preventing unwanted debris on patio. In addition, it will act as a sound barrier for aircraft flying directly over the home.

3.) Explain how the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the Zoning Ordinance.
The patio will not be usable due to the noise of the aircrafts above, rain, snow and severe sunlight.

4.) State and explain the particular factors of the property (e.g., physical surroundings, shape or topographical conditions, etc.) that bring a hardship to the owner under the strict letter of the Zoning Ordinance. The property is a corner lot which neighboring properties are located on the north and east of the lot as stated above. The average size of a residential lot in an R-2 district is approximately 9,100 sq.ft. The size of this lot is 7,500 sq.ft. If the lot was the size of the average lot, the width and depth would be larger and the new canopy structure would not be positioned in the setbacks. The current house is located in the side yard setback and many of the surrounding corner lots have the homes located within the side yard setback.

5.) Explain how the plight of the owner is due to unique circumstances and not generally applicable to other properties in the neighborhood. The lot size is unique and different from the defined standard lot size in the zoning district. The footprint of the existing patio is already in place and does not affect the core structure of the residence. Also, the property is a corner lot which yields that it is not completely surrounded by adjacent properties/ lots. The average size of a residential lot in an R-2 district is approximately 9,100 sq.ft. The size of this lot is 7,500 sq.ft. If the lot was the size of the average lot, the width and depth would be larger and the new canopy structure would not be positioned in the setback.

6.) State the effects of the proposed variation(s) upon the character of the neighborhood, the property values, traffic conditions, public utilities, storm water detention, and other matters pertaining to the public health, safety, morals, and general welfare of the community. Explain how the variation will not alter the essential character of the locality. The proposed canopy does not have an effect on the neighborhood, traffic conditions, public utilities, stormwater detention and other matters. Adding a canopy of this type will not deviate from the mentioned characteristics. The intent is to merely cover the existing patio which may result in adding value to the overall property. The existing neighbors house adjacent to the rear lot line is approximately 61 ft. from the existing patio.

Owner's Name(s): Angelo Di Prizio
Address: 801 E. Washington Street
Phone: Email:  
Petitioner's Name(s): Angelo DiPrizio
Address(es): 801 E Washington Street
Phone: Email:
Agent or Attorney (if applicable)

Name: 

Firm: 

Address: 

Phone: 

Email: 

Site Planner or Engineer (if applicable)

Name: John Berta

Firm: Capital Architects, LLC

Address: 422 N. Hough Street, Barrington, IL 60010

Phone: 847-209-1125

Email: jbera@comcast.net

Please attach the following:

☐ Legal description of property (from title policy or plat of survey) – required for all variances.
☐ Current plat of survey (showing all site improvements/structures and easements).
☐ Architectural renderings of new or altered structures (if applicable).
☐ Site Plan (drawn to scale showing buildings, parking spaces, storm water detention and all other significant data with all pertinent dimensions fully noted).
☐ If held in trust, letter naming all beneficiaries of the trust and authorizing the below signed person to act on the matters related to the petition request. The letter must be signed by all beneficiaries of the trust.

THE LEGAL TITLEHOLDER MUST SIGN THE PETITION. Where the property is held in trust, the trust officer must sign the petition and include a letter naming all beneficiaries of the trust and authorizing the below signed person to act on the matters related to this petition request. The undersigned acknowledges and agrees that this application and all documentation submitted becomes public record and may be viewed by the public.

I WE, Angel O. Perez, do hereby certify or affirm that I/we are the owner(s) of record of the aforesaid described property and hereby made application as such.

Signature: [Signature]

Date: 10-23-2019

SUBSCRIBED AND SWORN TO

BEFORE ME THIS 23rd DAY OF October, 2019

[Notary Seal]

Selena Siwek

Notary Public

SELENA SIWEK
Official Seal
Notary Public - State of Illinois
My Commission Expires Dec 16, 2022
CONSULTANT SERVICES AGREEMENT

Pursuant to Section 4.05(5) of the Village of Itasca Zoning Ordinance, the Village of Itasca may use the services of professional consultants for research, investigation and professional opinion in the processing of any application.

Section 4.04(5) of the Itasca Zoning Ordinance:  
CONSULTANTS: The Plan Commission/Zoning Board of Appeals and the Village Board may utilize the services of professional consultants for research, investigation, and professional opinion, for assistance in arriving at recommendations or decisions. The applicant whose request to the Plan Commission/Zoning Board of Appeals, or Village Board, requires the use of such professional services, shall reimburse the Village the reasonable cost it incurred for the services rendered by its consultants within ten (10) days after the submission of the bill by the Village. The consultants shall bill for their services at the same hourly rate which they normally charge municipal clients. The Village consultants shall include but no be limited to the persons who provide the Village with advice in the field of engineering, law, planning, traffic, design, finance, and court reporters.

I/We the applicant(s) understand that when the services of a consultant are utilized in accordance with the above section for research, investigation, professional opinion or other assistance, I/we shall pay all costs incurred within ten (10) days of submission of a bill by the Village of Itasca.

Angelo Di Prizio  
Name of Applicant

N/A  
Agent or Attorney (if applicable)

801 E. Washington St.  
Street Address

Street Address

Itasca IL 60143  
City State Zip

City State Zip

312-493-4825  
Telephone

Telephone

angelodiprizio@sbcglobal.net  
E-Mail

E-Mail

Signature of Applicant

Date:

Please indicate who the bills for the costs incurred for the petition should be sent to.

Applicant: ☑  
Agent: ☐  
Other: ☐

If other, please complete the below information.

Name: __________________________

Address: __________________________

City, State, Zip: __________________________

Phone: __________________________  
E-Mail: __________________________
NEW 6"x6" TREATED POST COLUMN SECURED TO EXISTING CONCRETE FOUNDATION WALL WITH "SIMPSON STRONG TIE" COLUMN CONNECTION BRACKET, #ABA662. REMOVE PORTION OF EXISTING MASONRY FIER TO EXPOSE EXISTING CONCRETE FOUNDATION WALL. MASONRY TO BE SAVED FOR REUSE TO ENCLOUSE NEW WOOD POST COLUMN.

NEW 6"x6" TREATED POST COLUMN SECURED TO TOP OF EXISTING STONE CAP WITH "SIMPSON STRONG TIE" COLUMN CONNECTION BRACKET, #ABA662. PROVIDE NEW PREFABRICATED COLUMN ENCLOSURE AROUND TREATED WOOD POST, TYPICAL AT ALL MASONRY FIER LOCATIONS (4) TOTAL

NEW LVL BEAM TO BE SECURED TO EXISTING WOOD HOUSE FRAMED WALL CONSTRUCTION WITH "SIMPSON STRONG TIE" JOIST HANGERS, REMOVE EXISTING MASONRY TO ACCESS EXISTING WOOD FRAMING.

NEW ROOF CANOPY

CANOPY FRAMING PLAN

SCALE: 1/4" = 1'-0"

Capital Architects, LLC
422 N. Hough Street
Barrington, IL 60010
Tel: 847-209-1125

R01 E. WASHINGTON STREET
ITASCA, IL 60143

NEW ROOF CANOPY

PROJECT

DATE

PROJ NO

SHEET

3 of 6
NEW ROOF CANOPY

EXISTING ASPHALT ROOFING SYSTEM

EXISTING MASONRY CHIMNEY

NEW ROOF SADDLE WITH FULLY ADHERED ASPHALT MEMBRANE TO MATCH NEW ASPHALT SHINGLES. INSTALL "GRACE" ICE & WATER SHIELD OVER THE ENTIRE SADDLE.

NEW OVERSIZED PREFINISHED GUTTER AND DOWNSPOUT, COLOR TO MATCH EXISTING GUTTERS.

"LP" SMART SIDING PANELS INSTALLED AROUND "LVL" BEAMS, CUT TO CREATE AN ARCH BETWEEN COLUMNS, PRIME AND PAINT TO MATCH NEW COLUMN ENCLOSURE

NEW 6"x6" TREATED POST COLUMN SECURED TO EXISTING CONCRETE FOUNDATION WALL WITH "SIMPSON STRONG TIE" COLUMN CONNECTION BRACKET, #AB66Z. REMOVE PORTION OF EXISTING MASONRY PIER TO EXPOSE EXISTING CONCRETE FOUNDATION WALL. MASONRY TO BE SAVED FOR REUSE TO ENCLOSE NEW WOOD POST COLUMN. PROVIDE NEW PREFABRICATED COLUMN COVER OVER NEW WOOD POST, PRIME AND PAINT, COLOR TO BE SELECTED

EXISTING MASONRY WALL AND PIERS WITH STONE TOP CAP

EXISTING CONCRETE FOUNDATION WALL AND FOOTING

1 EAST ELEVATION

1/4" = 1'-0"

Capital Architects, LLC
422 N. Hough Street
Barrington, IL 60010
Tel: 847-209-1125

NEW ROOF CANOPY

PROJECT

R61 E. WASHINGTON STREET
ITASCA, IL 60143

DATE 11-14-19
PROJ NO. 1932

SHEET 4 of 6
SOUTH ELEVATION
1/4" = 1'-0"

30"x38" FIXED SKYLIGHT BY *VELUX*
OR APPROVED EQUAL, EXACT
LOCATION TO BE DETERMINED IN
FIELD WITH OWNER, TYP. OF (2)

NEW ASPHALT ROOFING SHINGLES,
COLOR TO BE SELECTED. INSTALL
NEW "GRACE" ICE & WATER SHIELD
OVER THE ENTIRE WOOD DECK.

PREFINISHED ALUMINUM GUTTERS
AND DOWNSPOUTS TO MATCH
EXISTING GUTTERS, V.I.F.

EXISTING MASONRY WALL
AND PIERS WITH STONE TOP CAP

Capital Architects, LLC
422 N. Hough Street
Barrington, IL 60010
Tel: 847-209-1125

NEW ROOF CANOPY

PROJECT
ITASCA, IL 60143
DATE 11-14-19 PROJ NO 1932 SHEET 5 of 6
NEW ASPHALT ROOFING SHINGLES, COLOR TO BE SELECTED. INSTALL NEW "GRACE" ICE & WATER SHIELD OVER THE ENTIRE WOOD DECK.

"LP" SMART SIDING PANELS INSTALLED AROUND "LVL" BEAMS, CUT TO CREATE AN ARCH BETWEEN COLUMNS, PRIME AND PAINT TO MATCH NEW COLUMN ENCLOSURE.

PREFINISHED ALUMINUM GUTTERS AND DOWNSPOUTS TO MATCH EXISTING GUTTERS, V.I.F.

NEW 6"x6" TREATED POST COLUMN SECURED TO EXISTING CONCRETE FOUNDATION WALL WITH "SIMPSON STRONG TIE" COLUMN CONNECTION BRACKET, #ABA662. REMOVE PORTION OF EXISTING MASONRY PIER TO EXPOSE EXISTING CONCRETE FOUNDATION WALL. MASONRY TO BE SAVED FOR REUSE TO ENCLOSE NEW WOOD POST COLUMN. PROVIDE NEW PREFABRICATED COLUMN COVER OVER NEW WOOD POST, PRIME AND PAINT, COLOR TO BE SELECTED.

EXISTING MASONRY WALL WITH STONE TOP CAP

EXISTING CONCRETE FOUNDATION WALL AND FOOTING

1 NORTH ELEVATION
1/4" = 1'-0"
MEMORANDUM

TO: President Jeff Pruyn
Village Board of Trustees

RE: PC 19-016
801 E. Washington St.
Variances for Rear-Yard Setback and Lot Coverage

FROM: Mo Khan
Village Planner

COTW: December 3, 2019

CC: File

ENCL: Plan Commission Staff Report, Petition for Variance and Attachments

BACKGROUND

The Petitioner and Owner, Angelo Di Prizio, requests Variances in order to allow the roof of the principal structure to be extended.

The requests before the Committee of the Whole are as follows:

1. Variance to Section 7.05-5-c-(2) to allow for a rear-yard setback of 15’ whereas the minimum required is 30’.
2. Variance to Section 7.05-7-b to allow for a Lot Coverage of 53.75% or 4,021 ft.² whereas the maximum allowed is 50% or 3,740 ft.².

PLAN COMMISSION RECOMMENDATION

The Plan Commission conducted a Public Hearing on this matter on November 20, 2019. There were no comments from the public.

The Plan Commission Reviewed the Required Findings of Facts and Recommended Unanimous Approval (6-0) of the Variance Requests, subject to the following conditions as recommend by staff:

1. The variation if approved is for the expansion of solely the roof structure of the principal structure and not the building footprint of the principal structure itself.
2. The project must comply with all Village Ordinances, Building Codes, Subdivision Regulations, the DuPage County Stormwater Ordinance, and Standard Development Specifications in place at the time of permit application.

3. Construction for the roof expansion shall be completed within one (1) year from the date of Ordinance Approval.
ORDINANCE NO. 1928-19

AN ORDINANCE APPROVING VARIANCES
FOR 801 EAST WASHINGTON STREET (DI PRIZIO)

WHEREAS, Angelo Di Prizio (hereinafter, “Petitioner”) has filed a Petition for variances from the Village of Itasca Zoning Ordinance for the property at 801 East Washington Street in the Village of Itasca (hereinafter “Subject Property”) in the R-2 Single Family Residential District; and

WHEREAS, Petitioner submitted a petition, attached hereto as Exhibit A, for variances (1) from § 7.05(5)(c)(2) of the Itasca Zoning Ordinance to permit a rear-yard setback of 15-feet; and (2) from § 7.05(7)(b) of the Itasca Zoning Ordinance to permit a lot coverage of 53.75% or 4,021 square feet; and

WHEREAS, a public hearing was held by the Itasca Plan Commission on November 20, 2019, pursuant to public notice as required by law, with respect to Petitioner’s application and petition; and

WHEREAS, the Plan Commission made the following findings of facts with respect to the Petitioner’s request for variances:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

2. The plight of the owner is due to unique circumstances.

3. The variation, if granted, will not alter the essential character of the locality.

WHEREAS, the Plan Commission recommended to the Village Board of Trustees that the variances be approved subject to the following conditions:

1. The variation is only for the expansion of the roof structure of the principal structure and not the building footprint of the principal structure itself.

2. The project must comply with all Village Ordinances, Building Codes, Subdivision Regulations, the DuPage County Stormwater Ordinance, and Standard Development Specifications in place at the time of permit application.

3. Construction for the roof expansion shall be completed within one (1) year from the date of Ordinance Approval.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Itasca, DuPage County, Illinois, as follows:

SECTION ONE: The corporate authorities accept the findings of fact and recommendations of the Itasca Plan Commission concerning Petitioner’s application for approval of the variances to allow a rear-yard setback of 15-feet; and lot coverage of 53.75% or 4,021 square feet, subject to the conditions recommended by the Plan Commission.
SECTION TWO: All other aspects of the Subject Property are to be in compliance with all Village ordinances, including but not limited to the Itasca Zoning Ordinance, unless otherwise modified by ordinance.

SECTION THREE: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION FOUR: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FIVE: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

AYES: ________________________________________________

NAYS: ________________________________________________

ABSENT: ______________________________________________

ABSTAIN: ______________________________________________

APPROVED and ADOPTED by the Village President and Board of Trustees of the Village of Itasca this 17th day of December, 2019.

APPROVED:

___________________________________
Village President Jeffery J. Pruyn

ATTEST:

___________________________________
Village Clerk Jody Conidi