VILLAGE OF BRADLEY

ORDINANCE NO. O-1-15-2

AN ORDINANCE GRANTING A VARIANCE FOR BUILDING SETBACK LINES AND PARKING SPACE REQUIREMENTS FOR THE PROPERTYLOCATED AT 507 E. NORTH STREET, BRADLEY, IL

ADOPTED BY THE
BOARD OF TRUSTEES
VILLAGE OF BRADLEY

This 26 day of JANUARY, 2015

Published in pamphlet form by authority of the Board of Trustees of the Village of Bradley, Kankakee County, Illinois, this 26 day of JANUARY, 2015.

CERTIFICATE:

Michael J. LaGesse

Michael J. LaGesse, Village Clerk

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AN ORDINANCE GRANTING A VARIANCE FOR BUILDING SETBACK LINES AND PARKING SPACE REQUIREMENTS FOR THE PROPERTYLOCATED AT 507 E. NORTH STREET, BRADLEY, IL

WHEREAS, on January 6, 2015, at a meeting of the Village of Bradley Planning and Zoning Commission (hereinafter the "Plan Commission"), the Plan Commission held a public hearing on the application of the Petitioner, Millco Investments Co., on behalf of Dollar General (hereinafter the "Petitioner"), for a building setback variance that varies from the allowed twenty-five feet (25') and a parking space requirement variance that varies from the required 53 spaces, as set forth in §10-7(b) and §60-201(2)(a) of the Village of Bradley's Code of Ordinances (hereinafter "Village Code"), respectively, for the following legally described property:

WARDS BASEBALL PARK LT 7 MAP 9-20H 20-31-12E

Commonly known as: **507 EAST NORTH STREET, BRADLEY, IL**

P.I.N.: 17-09-21-301-007

WHEREAS, notice of public hearing was published in the *Daily Journal* on December 16, 2014; and

WHEREAS, variances for building setback lines and parking space requirements are authorized pursuant to §60, Division 6, *et seq.*, of the Village Code; and

WHEREAS, the Plan Commission recommended that the request for building setback line and parking space requirement variances be DENIED by a vote of nine (9) in favor of denial and none (0) against denial, as reflected in the minutes of the public hearing of January 6, 2015, incorporated herein by reference as though fully set forth; and

WHEREAS, the President & Board of Trustees of the Village have considered the Findings and Recommendation of the Plan Commission and all of the facts and circumstances affecting the Application, and the President and Board of Trustees have determined that it is appropriate to grant the variance as provided in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bradley, Kankakee County, State of Illinois, as follows:

Section 1. RECITALS. The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. **VARIANCE GRANTED.** The application of the Petitioner for a building setback variance of 12 feet on the rear yard side that varies from the allowed twenty-five feet (25') as set forth in §10-7(b) of the Village Code, and a parking space requirement variance of 40 spaces from the required 53 spaces as set forth in §60-201(2)(a) is granted for the Subject Property, subject to the conditions set forth in §§3 and 4 of this Ordinance. The variance granted herein is authorized pursuant to §60, Division 6, *et seq.*, of the Village Code.

Section 3. **VARIANCE STANDARDS.** The variance granted by this Ordinance is in strict accordance with the application of the petition on file and the testimony and evidence presented at the Public Hearing. The variance shall run with the land and not expire with the current owner.

Section 4. **EXECUTION OF ORDINANCE.** This Ordinance shall be signed by the Petitioner to signify its agreement to the terms hereof.

Section 5. **VIOLATION OF CONDITION OR CODE.** Any violation of (i) any term or condition set forth in this Ordinance or (ii) any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission by the Board of Trustees of the approvals granted pursuant to this Ordinance.

Section 6. **SEVERABILITY & REPEAL OF INCONSISTENT ORDINANCES.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All existing ordinances of the Village are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

Section 7. **Effective Date.** The Clerk of the Village of Bradley shall certify to the adoption of this Ordinance and shall cause it to be published in pamphlet form and this Ordinance shall take effect upon its approval and publication in pamphlet form as so certified.

TRUSTEES:

Jerry Balthazor:	AYE - ✓	NAY - ____	ABSENT - ____
Robert Redmond:	AYE - ✓	NAY - ____	ABSENT - ____
Lori Gadbois:	AYE - ✓	NAY - ____	ABSENT - ____
George Golwitzer:	AYE - ✓	NAY - ____	ABSENT - ____
Eric Cyr:	AYE - ____	NAY - ____	ABSENT - ✓
Melissa Carrico:	AYE - ✓	NAY - ____	ABSENT - ____
Bruce Adams:	AYE - ____	NAY - ____	ABSENT - ____
TOTALS:	AYE - ____	NAY - ____	ABSENT - ____

APPROVED ____ DENIED ✓ this 26 day of JANUARY, 2015

Bruce Adams, President of the Board of Trustees of the Village of Bradley

ATTEST:

Michael J. Lagesse, Village Clerk

ACKNOWLEDGEMENT AND AGREEMENT BY THE PETITIONER TO THE CONDITIONS OF THIS ORDINANCE NO. O-1-15-2

_____ **Date:** _____**, 2015**

By:

Title: