

VILLAGE OF BRADLEY

ORDINANCE NO. O-10-15-1

**AN ORDINANCE GRANTING A VARIANCE
FOR BUILDING SETBACK LINES FOR THE PROPERTY
LOCATED AT 424 EDGEBROOK DRIVE**

ADOPTED BY THE
BOARD OF TRUSTEES
VILLAGE OF BRADLEY

This 12 day of OCTOBER, 2015

Published in pamphlet form by authority of the Board of Trustees of the Village of Bradley, Kankakee County, Illinois, this 12 day of OCTOBER, 2015.

CERTIFICATE:



Michael J. LaGesse, Village Clerk

ORDINANCE NO. O-10-15-1

**AN ORDINANCE GRANTING A VARIANCE
FOR BUILDING SETBACK LINES FOR THE PROPERTY
LOCATED AT 424 EDGEBROOK DRIVE**

WHEREAS, on October 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, Pommier Construction (hereinafter the "Petitioner"), for a building setback variance that varies from the allowed twenty-five feet (25') as set forth in §10-7(b) of the Village of Bradley's Code of Ordinances (hereinafter "Village Code") for the following legally described property:

EDGEBROOK PHASE 1 LT 4 22-31-12E

Commonly known as: **424 Edgebrook Drive, Bourbonnais, IL 60914**

P.I.N.: 17-09-22-301-004

WHEREAS, notice of public hearing was published in the *Daily Journal* on September 16, 2015; and

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

WHEREAS, the Plan Commission recommended that the height and size variances be granted by a vote of eight (8) in favor and none (0) against, with one (1) absent, as reflected in the minutes of the public hearing of October 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 less than one foot (1') as evidenced on Exh. A attached hereto, that varies from the allowed twenty-five feet (25') as set forth in §10-7(b) of the Village Code 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.

PASSED this 12 day of OCTOBER, 2015

TRUSTEES:

Jerry Balthazor:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Robert Redmond:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Lori Gadbois:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Eric Cyr:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Melissa Carrico:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Michael Watson:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>

Bruce Adams: Aye - Nay - Absent -

TOTALS: AYE - 6 NAY - 0 ABSENT - 0

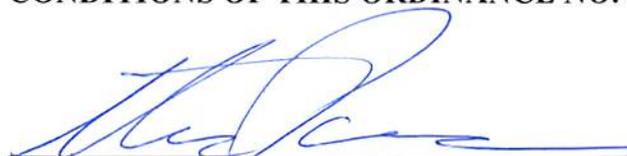
APPROVED this 12 day of OCTOBER, 2015


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-10-15-1**

 Date: 10/19/15, 2015
By:

o/b/o: Pommier Construction

Title:

EXHIBIT A

PLAT OF SURVEY

LOT 4, EDGEBROOK DRIVE, BEING A SUBDIVISION OF TRACT 12, IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE THIRD RANGE, 14TH IN RANGE, IN RANKIN COUNTY, MISSISSIPPI.

M. GINGRICH, GREAVY & ASSOCIATES
 BRADLEY
 ENGINEERING • PLANNING • SURVEYING
 20011 Industrial Drive
 Brandon, Mississippi 39042
 Phone: 601-815-4789
 Fax: 601-815-4789

PREPARED BY: **POWERS**
 JOB NUMBER: 15-010
 JOB DATE: MZ
 FIELD WORK COMPLETED: 8-24-2015
 SR 106, PG. 146

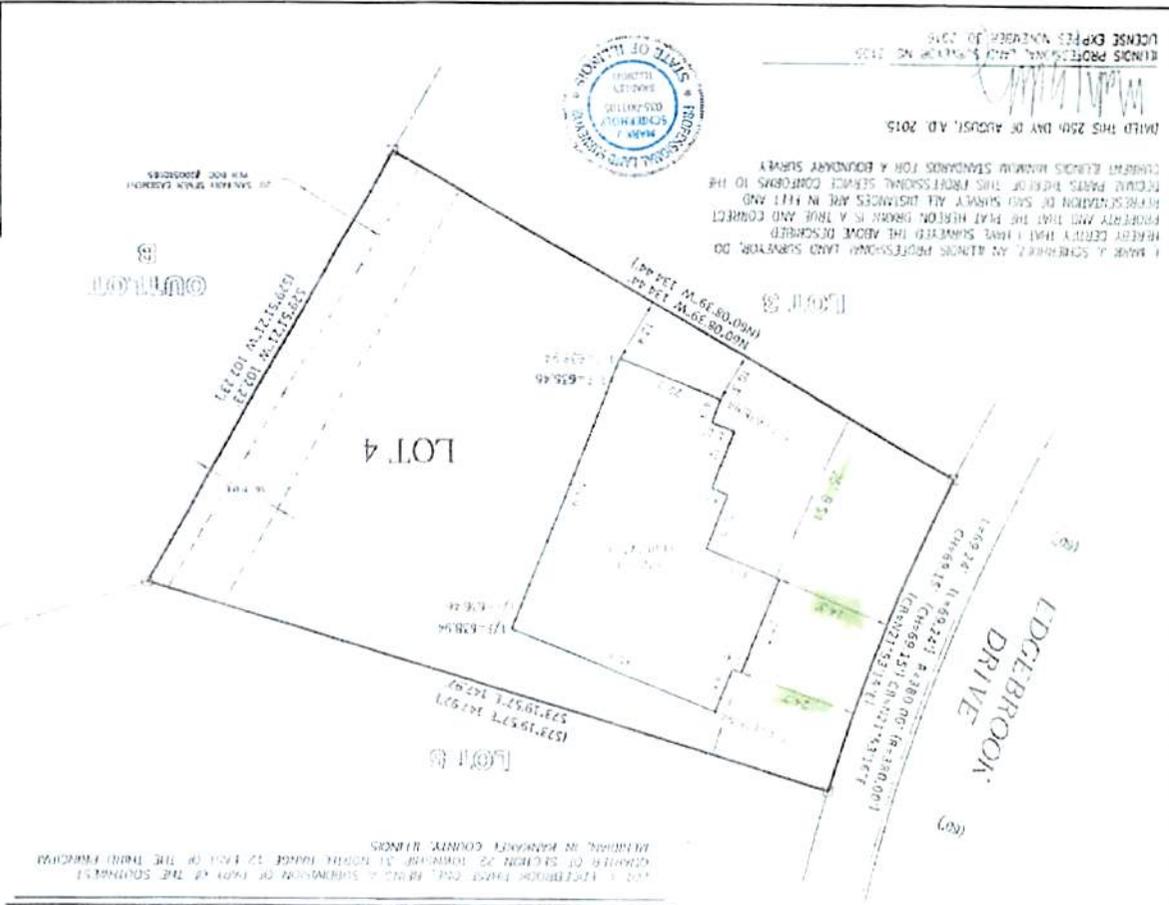
LEGEND
 SCALE: 1" = 20'

- FOUND FROM HERE
- 1" = 1" RECORDED DATE
- 1" = 1" RECORDED DATE
- 1" = 1" PUBLIC UTILITY EXHIBITION
- 1" = 1" 3/4" OF FOUNDATION
- 1" = 1" BUILDING STRUCK LINE

SITE ADDRESS
 424 EIGHTHORN DRIVE
 BRADLEY, MS 39011

BENCHMARK
 GHI CROSS ON TOP OF CURB IN INTERSECTION OF LOTS 4S & 46
 ELEVATION = 636.25

NORTH
 SCALE: 1" = 20'



I, MARK A. SCHREIBER, AN ATTORNEY-AT-LAW, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON BORN IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY. ALL DISTANCES ARE IN FEET AND CORRECT TO THE NEAREST HUNDREDTHS OF AN INCH. I HAVE RECEIVED FROM THE SURVEYOR ALL THE NECESSARY RECORDS AND INSTRUMENTS TO THE CURRENT STANDARDS FOR A BOUNDARY SURVEY.

MAILED THIS 25th DAY OF AUGUST, A.D. 2015

LICENSURE PROFESSIONAL LAND SURVEYOR NO. 1135
 LICENSE EXPIRES AUGUST 10, 2015