

VILLAGE OF BRADLEY

ORDINANCE NO. O-7-16-1


**AN ORDINANCE GRANTING A SPECIAL USE PERMIT ON THE
APPLICATION OF MICHAEL BORTON AND JUNIOR TOLEDO
TO OPERATE A USED CAR SALES LOT AT
224 S. SCHUYLER AVE., BRADLEY, IL 60915**

**ADOPTED BY THE
BOARD OF TRUSTEES
VILLAGE OF BRADLEY**

This 11 day of July, 2016

Published in pamphlet form by authority of the Board of Trustees of the Village of
Bradley, Kankakee County, Illinois, this 11 day of July, 2016.

CERTIFICATE:


Michael J. LaGesse, Village Clerk

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WHEREAS, on July 5, 2016, 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 Petitioners, Michael Borton & Junior Toledo (hereinafter the "Petitioner"), for a special use permit in a B-2 Commercial District to operate a used car sales lot at the property (hereinafter "Subject Property") legally described as:

VILLAGE OF BRADLEY LOT 6 BLK 135 29-31-12E

Commonly known as: 224 S. Schuyler Ave., Bradley, IL 60915

P.I.N. NOS: 17-09-29-223-006

WHEREAS, notice of public hearing was published in the *Daily Journal* on June 16, 2016; and

WHEREAS, the Plan Commission has made its findings on the application and recommended that the special use permit be approved for the subject property by a vote of nine (9) in favor and zero (0) against, with zero (0) absent, as reflected in the minutes of the public hearing of July 5, 2016, 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 special use permit as provided in this Ordinance; and

WHEREAS, the President and Board of Trustees have determined that the granting of the special use permit for the use set forth in Petitioner's application serves a public purpose and will be in the best interests of the Village of Bradley upon the conditions set forth in this Ordinance pursuant to Section 60-393 *et seq.* (Division 7 - Special Uses) of the Zoning Chapter of the Village's Code of Ordinances (hereinafter "Zoning Code").

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. SPECIAL USE PERMIT GRANTED. The application of the Petitioner for a special use permit in a B-2 Commercial District to operate a used car sales lot is granted for the Subject Property, subject to the conditions set forth in §§3, 4 and 5 of this Ordinance.

Section 3. REPORTS, EXHIBITS & TESTIMONY. The special use permit granted by this Ordinance is in strict compliance with the application on file with the Village and with the reports, exhibits, and testimony presented to the Plan Commission.

Section 4. CONDITIONS OF SPECIAL USE PERMIT. The special use permit granted herein is subject to the following conditions in the interest of the public health, safety and welfare as prescribed by Chapter 60, Article VIII, Division 7, *et seq.*, of the Village's Zoning Code:

1. Compliance with B-2 Commercial District. The special use granted herein shall comply with all other applicable requirements of the B-2 Commercial District.

2. Special Use Shall Run With The Parcels. The special use shall be transferable to a new owner or subsequent lessee provided that the use approved by this Ordinance does not change. Any change to the use by the current owner or any subsequent owner and/or lessee shall require reapplication, hearing and approval in the manner provided by the Village's Zoning Ordinance.

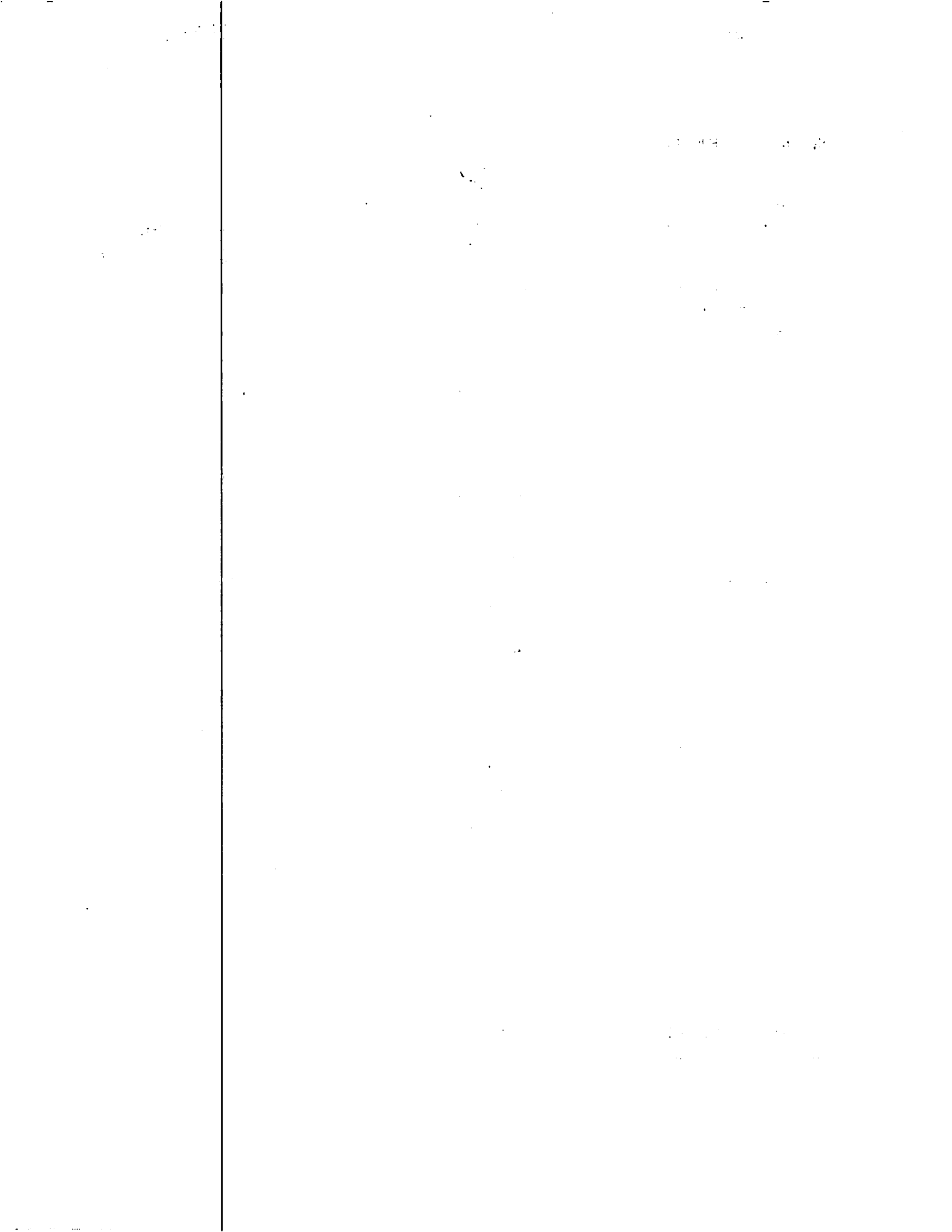
3. Compliance with Codes, Ordinances, and Regulations. The provisions of the Village Code of Bradley and the Village's Zoning Ordinance apply to and govern the Subject Property. All activities at the Subject Property shall comply with all Village codes, ordinances, and regulations at all times.

4. Inspection. The Petitioner shall allow Village inspectors to inspect all portions of the buildings and/or property located at the Subject Properties upon request by the Village at a mutually convenient time.

5. 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 AND 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 ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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 certifie

PASSED this 11 day of July, 2016.


TRUSTEES:

Jerry Balthazor:	AYE - <input checked="" type="checkbox"/>	NAY - <input type="checkbox"/>	ABSENT - <input type="checkbox"/>
Robert Redmond:	AYE - <input type="checkbox"/>	NAY - <input checked="" 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 - 5 NAY - 1 ABSENT - 0

APPROVED this 11 day of July, 2016


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-7-16-1

Junior F Toledo
By:

Date: 7-18-2016, 2016

Title: Partner

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