

VILLAGE OF BRADLEY

ORDINANCE NO. O-9-16-6

AN ORDINANCE GRANTING VARIANCES
FROM FRONT YARD SETBACK REQUIREMENTS
ON LOT NOS. 113-117, 128-137 & 147-156 OF SUMMERFIELD OF
BRADLEY NORTH UNIT 2, PIN NO. 17-09-10-400-006

ADOPTED BY THE
BOARD OF TRUSTEES
VILLAGE OF BRADLEY

This 10 day of OCTOBER, 2016

Published in pamphlet form by authority of the Board of Trustees of the Village of
Bradley, Kankakee County, Illinois, this 10 day of OCTOBER, 2016.

CERTIFICATE:



Michael J. LaGesse, Village Clerk

ORDINANCE NO. O-9-16-6

**AN ORDINANCE GRANTING VARIANCES
FROM FRONT YARD SETBACK REQUIREMENTS
ON LOT NOS. 113-117, 128-137 & 147-156 OF SUMMERFIELD OF
BRADLEY NORTH UNIT 2, PIN NO. 17-09-10-400-006**

WHEREAS, on September 20, 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 Petitioner, Curwick XI LLC (hereinafter the "Petitioner"), for a variance from front yard setback requirements, reducing the setback from 25' to 20' on the following lots:

Lot Nos. 113-117, 128-137 & 147-156

Legal Description: SWQ & N PT SEQ 10-31-12E

P.I.N.: 17-09-10-400-006 (hereinafter the "Subject Property")

WHEREAS, notice of public hearing was published in the *Daily Journal* on September 1, 2016; and

WHEREAS, variances from front yard setbacks are permitted pursuant to Section 60-369 (Authorized Variations) of the Village Code; and

WHEREAS, the Plan Commission recommended by a vote of eight (8) in favor and zero (0) against, with one (1) absent, that the requests for the aforesaid variances be approved, as reflected in the minutes of the public hearing of September 20, 2016, incorporated by reference as though fully set forth herein; 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 variances 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 variances to permit a reduction of front yard setback requirements from 25' to 20' on Lot Nos. 113-117, 128-

137 & 147-156 of the Subject Property, is granted 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 & CONDITIONS. The variances granted by this Ordinance are in strict accordance with the application of the petition on file and the testimony and evidence presented at the Public Hearing. The variances shall run with the land and not expire with the current owner; and

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 - <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 10 day of OCTOBER, 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-9-16-6

By:

Date: 10/14/16, 2016

Title: