VILLAGE OF BRADLEY

ORDINANCE NO. O-1-15-3

AN ORDINANCE GRANTING A VARIANCE FROM SIGN REQUIREMENTS FOR THE PROPERTY LOCATED AT 2051 N. STATE ROUTE 50, 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

ORDINANCE NO. O-1-15-3

AN ORDINANCE GRANTING A VARIANCE FROM SIGN REQUIREMENTS FOR THE PROPERTY LOCATED AT 2051 N. STATE ROUTE 50, 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, Doyle Signs, Inc. on behalf of Aldi Foods, Inc., (hereinafter the "Petitioner"), for a sign variance that varies from the allowed one sign per wall frontage requirement, and a third monument sign within 150' of another sign, as set forth in §38-4 and §38-3 of the Village of Bradley's Code of Ordinances (hereinafter "Village Code"), respectively, for the following legally described property:

10.00AC E OF RR & W NEW RTE 50 EH NWQ

Commonly known as: **2051 N. STATE ROUTE 50, BRADLEY, IL**

P.I.N.: 17-09-09-100-016

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

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

WHEREAS, the Plan Commission recommended that the request for sign variances be approved by a vote of nine (9) in favor and none (0) against, 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 second sign per wall frontage that varies from the allowed one sign per wall frontage as set forth in §38-4 of the Village Code, and a third monument sign within 150' of another monument sign, which varies from the permitted two sign limit and 200' buffer as set forth in §38-3(c) 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 26 day of JANUARY, 2015.

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 - 5	NAY - 0	ABSENT - 1

APPROVED 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-1-15-3

By: Lisa Neal **Date:** 1-30-2015, **2015**

Title: Agent for Doyle Signs, Inc