

VILLAGE OF BRADLEY

ORDINANCE NO. O-7-15-5

**AN ORDINANCE GRANTING A VARIANCE
FROM METAL BUILDING RESTRICTIONS FOR THE PROPERTY
LOCATED AT 1806 N. STATE RTE. 50, BOURBONNAIS, IL**

ADOPTED BY THE
BOARD OF TRUSTEES
VILLAGE OF BRADLEY

This 13 day of July, 2015

Published in pamphlet form by authority of the Board of Trustees of the Village of
Bradley, Kankakee County, Illinois, this 13 day of July, 2015.

CERTIFICATE:



Michael J. LaGesse, Village Clerk

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**AN ORDINANCE GRANTING A VARIANCE
FROM METAL BUILDING RESTRICTIONS FOR THE PROPERTY
LOCATED AT 1806 N. STATE RTE. 50, BOURBONNAIS, IL**

WHEREAS, on June 2, 2015 and July 7, 2015, at meetings 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, General Development Corporation of Kankakee (hereinafter the "Petitioner"), for a variance from metal building restrictions for the following legally described property:

Legal Description: EUGENIE CARSON SUB LOT 2 BAL 5.00AC 9-31-12E

Commonly known as: 1806 N. State Rte. 50, Bourbonnais, IL 60914

P.I.N.: 17-09-09-303-012 (hereinafter the "Subject Property")

WHEREAS, notice of public hearing was published in the *Daily Journal* on May 14, 2015; and

WHEREAS, variances from metal building restrictions in a B-2 zoning district are permitted conditioned upon passage of Village of Bradley Ordinance No. O-7-15-4, pursuant to Chapter 60, Article 8, §369 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 request for a variance to permit a metal building on the subject property be approved, as reflected in the minutes of the public hearing of July 7, 2015, 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 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 variance to permit a metal building 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, conditioned upon passage of Village of Bradley Ordinance No. O-7-15-4..

Section 3. VARIANCE STANDARDS & CONDITIONS.

- a. 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; and
- b. The variance is conditioned upon passage of Village of Bradley Ordinance No. O-7-15-4.

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 - <u>✓</u>	NAY - <u> </u>	ABSENT - <u> </u>
Robert Redmond:	AYE - <u>✓</u>	NAY - <u> </u>	ABSENT - <u> </u>
Lori Gadbois:	AYE - <u>✓</u>	NAY - <u> </u>	ABSENT - <u> </u>
Eric Cyr:	AYE - <u>✓</u>	NAY - <u> </u>	ABSENT - <u> </u>
Melissa Carrico:	AYE - <u>✓</u>	NAY - <u> </u>	ABSENT - <u> </u>
Michael Watson:	AYE - <u>✓</u>	NAY - <u> </u>	ABSENT - <u> </u>

Bruce Adams:	AYE - <u> </u>	NAY - <u> </u>	ABSENT - <u> </u>
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TOTALS:	AYE - <u>6</u>	NAY - <u>0</u>	ABSENT - <u>0</u>
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APPROVED this 13 day of July, 2015


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




 Michael J. Lagesse, Village Clerk

**ACKNOWLEDGEMENT AND AGREEMENT BY THE PETITIONER TO THE
 CONDITIONS OF THIS ORDINANCE NO. O-7-15-5**


 By: _____

Date: 8-21-15, 2015

Title:

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