

VILLAGE OF BRADLEY

ORDINANCE NO. O-8-17-2

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR CERTAIN LAND LOCATED
WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 14 DAY OF AUGUST, 2017

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 14 day of AUGUST, 2017

ORDINANCE NO. O-8-17-2

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR CERTAIN LAND
LOCATED WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS**

WHEREAS, the President and Board of Trustees of the Village of Bradley, Kankakee County, Illinois (the “Village”), have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, the land described in Section 2 of this Ordinance (the “Subject Property”), *infra*, is located within the corporate boundaries of the Village; and

WHEREAS, Rick Jones Construction, Inc., (the “Applicant”), is the owner of the Subject Property and has filed an application for a Special Use Permit to allow the operation of (1) automobile minor repair facilities (BVC §60-153(2)(d)), (2) automobile service stations, repair facilities, and/or carwashes (BVC §60-153(2)(e)), and (3) a used car sales and/or storage lot (BVC §60-153(2)(w)); and

WHEREAS, the Applicant’s application for approval of a special use permit, with all necessary documentation and supporting data (the “Application”), has been submitted to the President and Board of Trustees of the Village by the Village of Bradley Planning and Zoning Commission (the “Plan Commission”) (a copy of the Application is attached hereto as “Exhibit A” and fully incorporated herein); and

WHEREAS, the Plan Commission held a public hearing to consider the Application on August 8, 2017, with notice having been properly given for the same, and at that time made all findings of fact required by and pursuant to the Village of Bradley Code of Ordinances (the “Village Code”); and

WHEREAS, the Plan Commission has recommended that the President and Board of Trustees approve the Application and hereby pass this Ordinance granting the Applicant a Special Use Permit to allow the operation of (1) automobile minor repair facilities (BVC §60-153(2)(d)), (2) automobile service stations, repair facilities, and/or carwashes (BVC §60-153(2)(e)), and (3) a used car sales and/or storage lot (BVC §60-153(2)(w)), subject to the conditions set forth herein; and

WHEREAS, the Plan Commission has supported its recommendation by setting forth its findings of fact in accordance with the requirements of the Village Code; and

WHEREAS, the President and Board of Trustees of the Village hereby approve and adopt the Plan Commission’s findings of fact; and

WHEREAS, the President and Board of Trustees of the Village have determined that granting the Applicant a Special Use Permit to allow the operation of (1) automobile minor repair facilities (BVC §60-153(2)(d)), (2) automobile service stations, repair facilities, and/or

carwashes (BVC §60-153(2)(e)), and (3) a used car sales and/or storage lot (BVC §60-153(2)(w)) is in the best interest of the citizens of the Village.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The President and Board of Trustees hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. That the Subject Property is currently zoned B-2 (Commercial District) and is legally described as follows:

LOTS 1, 2, 3, 4 AND 5 IN BLOCK 112, IN NORTH KANKAKEE, NOW KNOWN AS VILLAGE OF BRADLEY, SITUATED IN THE COUNTY OF KANKAKEE AND STATE OF ILLINOIS, AND THE NORTHERLY PART OF THE FOLLOWING DESCRIBED VACATED ALLEY: THAT PART OF THE EAST, WEST ALLEY IN BLOCK 112, NORTH KANKAKEE, NOW KNOWN AS THE VILLAGE OF BRADLEY, SITUATED IN KANKAKEE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHEAST CORNER OF LOT 6 IN SAID BLOCK 112; THENCE SOUTH 83 DEGREES 35 MINUTES 56 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 141.44 FEET TO AN IRON ROD BEING THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTH 02 DEGREES 16 MINUTES 28 SECONDS EAST A DISTANCE OF 25.29 FEET TO AN IRON PIPE BEING THE SOUTHWEST CORNER OF LOT 1 IN SAID BLOCK 112; THENCE NORTH 83 DEGREES 36 MINUTES 17 SECONDS EAST ALONG THE SOUTH LINE OF LOTS 1, 2, 3, 4, AND 5 IN SAID BLOCK 112 A DISTANCE OF 139.23 FEET TO AN IRON ROD BEING THE SOUTHEAST CORNER OF LOT 5 OF SAID BLOCK 112; THENCE SOUTH 02 DEGREES 44 MINUTES 13 SECONDS EAST A DISTANCE OF 25.04 FEET TO THE POINT OF BEGINNING.

Commonly known as 300 E. Broadway, Bradley, IL.

Property Index Numbers: 17-09-29-219-001 (Lots 1-3) (Bourbonnais Twp)
 17-09-29-219-002 (Lot 4)
 17-09-29-219-003 (Lot 5)

SECTION 3. That the President and Board of Trustees of the Village hereby grant and approve a Special Use Permit to allow the operation of (1) automobile minor repair facilities (BVC §60-153(2)(d)), (2) automobile service stations, repair facilities, and/or carwashes (BVC §60-153(2)(e)), and (3) a used car sales and/or storage lot (BVC §60-153(2)(w)) for and upon the Subject Property, subject to the special conditions set out in Section 4 of this Ordinance, *infra*.

SECTION 4. That Special Use Permit granted pursuant to this Ordinance is and shall be subject to the following special conditions:

A. The Village reserves the right to reclaim, replace, restore, and/or repair any and all portions of the Village's right of way as may be adjacent to the Subject Property at any time and for any purpose. This right to reclaim, replace, restore, and/or repair includes, but is in no way limited to, any and all portions of the Village's right of way, adjacent to the Subject Property, that have been or may be paved over or otherwise encroached upon by the Applicant or any of the Applicant's predecessors in interest. By proceeding to operate under the Special Use Permit granted by this Ordinance the Applicant acknowledges and agrees: (1) that the Applicant does not, by virtue of his ownership of the Subject Property, have any right to use any portion of the Village's right of way for any purpose whatsoever, business or otherwise; (2) that the Special Use Permit granted pursuant to this Ordinance does not in any way authorize the Applicant to use any portion of the Village's right of way for any purpose whatsoever, business or otherwise; and (3) that the Village has an absolute right to reclaim, replace, and/or repair any portion of its right of way at any time in the future.

SECTION 5. That in the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 6. That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 7. That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 8. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED by the Board of Trustees on a roll call vote on the 14 day of August, 2017.

TRUSTEES:

GERALD 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"/>
MICHAEL WATSON	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
JACLYN DUGAN-ROOF	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
DONALD BARBER	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>

VILLAGE PRESIDENT:

BRUCE ADAMS	Aye - <input type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
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TOTALS:

Aye - 6 Nay - 0 Absent - 0

Michael J. Lagesse

MICHAEL J. LAGESSE, VILLAGE CLERK

APPROVED this 14 day of AUGUST, 2017.



Bruce W. Adams

BRUCE ADAMS, VILLAGE PRESIDENT

ATTEST:

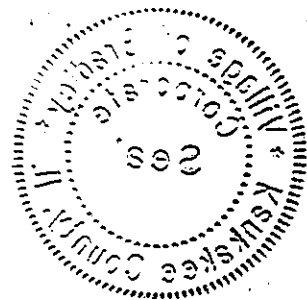
Michael J. Lagesse

MICHAEL J. LAGESSE, VILLAGE CLERK

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1880

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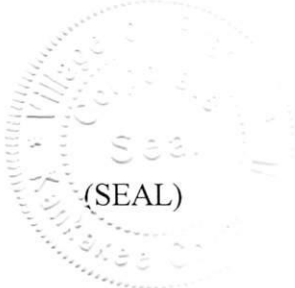
STATE OF ILLINOIS)
) §§
COUNTY OF KANKAKEE)

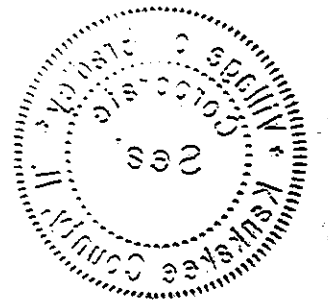
I, Michael J. LaGesse, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number O-8-17-2, “AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR CERTAIN LAND LOCATED WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS,” which was adopted by the Village President and Board of Trustees at a meeting held on the 14 day of Aug, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 14 day of Aug, 2017.



MICHAEL J. LAGESSE, VILLAGE CLERK





Office Use Only
 Date Filed: 7-10-17
 File No.: _____
 Publish: _____
 Hearing: _____
 By: _____

VILLAGE OF BRADLEY
 KANKAKEE COUNTY, ILLINOIS
 PLANNING & ZONING COMMISSION

APPLICATION FOR PUBLIC HEARING, WORKSHOP,
 APPEAL, OR CONSIDERATION OF PLATS AND PLANS

Fiscal Year 2017

Date: Month 7 Day 7

Applicant: Rick Jones Construction, Inc.

Contact Name: Rick Jones

Individual

Partnership

Corporation

Applicant Address:

Street: 429 W. Cypress

City: Kankakee State: IL Zip Code: 60901

Telephone: 815 939-7582 Email: cobbblvd@aol.com

Relationship to Subject Property:

Owner

Authorized Agent *

* Affidavit establishing authorized agent must be attached. Fill in owner information below if the applicant is an authorized agent

Owner: _____

Street: _____

City: _____ State: _____ Zip Code _____

Telephone () _____

LOCATION

Address	<u>300 E. Broadway</u>	<input checked="" type="checkbox"/> Kankakee County
Lot	<u>1-3 4 5</u>	
Block	<u>112</u>	
Subdivision		
<input type="checkbox"/> NE 1/4	<input type="checkbox"/> SE 1/4	<input type="checkbox"/> SW 1/4
<input type="checkbox"/> NW 1/4	<input type="checkbox"/> East	<input type="checkbox"/> 3rd P.M.
Sec. T N. R	<input type="checkbox"/> West	<input type="checkbox"/> 2nd P.M.

ACTION REQUESTED

ACTION REQUESTED	FEE REQUIRED	AMOUNT PAID
A/B <input type="checkbox"/> Change of Zoning (Zoning Amendment)	\$ 700.00	
A/B <input checked="" type="checkbox"/> Special Use Permit	\$ 700.00	<u>700.00</u>
B <input type="checkbox"/> Appeal One-lot Residential \$50, Multi-lot Residential \$150 Not Residential \$250	Varies (\$50, \$150, \$250)	
A/B <input type="checkbox"/> Variance Request	\$ 700.00	
A/B <input type="checkbox"/> *Single Lot Annexation	\$ 50.00	
A/B <input type="checkbox"/> *Zoning upon Annexation Residential \$150 + _____ AC x \$25/AC Non-Residential \$250 + _____ AC x \$25/AC		
C <input type="checkbox"/> Planned Development Preliminary Plan	No Fee	
C <input type="checkbox"/> Planned Development Final Development Plan	(\$250, \$400, \$600) (Fee by total acreage)	
E <input type="checkbox"/> Workshop (Pre-Application Conference)	No Fee	
D <input type="checkbox"/> Preliminary Plat of Subdivision	No Fee	
D <input type="checkbox"/> **Final Plat of Subdivision	_____ AC. X \$100/Ac. (\$500 Minimum Fee)	
D <input type="checkbox"/> Minor subdivision	\$ 500.00	
TOTAL FEES PAID		<u>700.00</u>

Note: Confirm fees payable with Building Department at 815-933-5008.

ATTACHMENTS

Attach Affidavit establishing authorized agent (if applicable)

Attach legal description of property

Attach supplemental information required

CK# 9825

* This fee is actually the annexation application fee. A petition for annexation must be filled out with the Village Clerk. Additional fees are due if the petition for annexation is approved. The additional fee is \$350.00 per acre or \$100.00 for a single lot

** The Village Clerk will not certify the Planned Development-Final Development Plan or Final Plat of Subdivision until a fee in lieu of park land dedication has been paid in accordance with Ord. #O-3-04-14

RICK JONES CONSTRUCTION INC

9825

815-939-7582
429 WEST CYPRESS
KANKAKEE, IL 60901

DATE 7/7/17 70-183-719

PAY TO THE ORDER OF Village of Bradley \$ 700.00
Seven Hundred DOLLARS

CENTRUE BANK
(888) 728-6466
WWW.CENTRUE.COM

FOR MM variance



⑈009825⑈ ⑆071901837⑆ ⑆1001012720⑈

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VILLAGE OF BRADLEY-CORPORATE
*** CUSTOMER RECEIPT ***
DATE: 07/10/17 TIME: 10:20:12 MODIFY
CUST NAME: 19-61-00-4124
DESCRIPTION      PAY CD  AMOUNT
-----
R. JONES SPECIAL USE      CHK  9825  700.00
BL ACCT# 1001004124
TOTAL AMOUNT DUE          700.00
AMOUNT TENDERED          700.00
CHANGE DUE                 .00
-----
TRANS #: 1 CASHIER CODE: 006
BATCH #: C170710 REGISTER ID: 012
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The real property together with all improvements and fixtures, more commonly known as 300 E. Broadway, Bradley, Kankakee County, Illinois 60915.









Legal description: Lots 1, 2, 3, 4 and 5 in Block 112, in North Kankakee, now known as Village of Bradley, situated in the County of Kankakee and State of Illinois, and the Northerly part of the following described vacated alley: that part of the East, West alley in Block 112, North Kankakee, now known as the Village of Bradley, situated in Kankakee County, Illinois, described as follows; Beginning at the Northeast corner of Lot 6 in said Block 112; thence South 83 degrees 35 minutes 56 seconds West along the North line of said Lot 6 a distance of 141.44 feet to an iron rod being the Northwest corner of said Lot 6; thence North 02 degrees 16 minutes 28 seconds East a distance of 25.29 feet to an iron pipe being the Southwest corner of Lot 1 in said Block 112; thence North 83 degrees 36 minutes 17 seconds East along the South line of Lots 1, 2, 3, 4, and 5 in said Block 112 a distance of 139.23 feet to an iron rod being the Southeast corner of Lot 5 of said Block 112; thence South 02 degrees 44 minutes 13 seconds East a distance of 25.04 feet to the point of beginning.

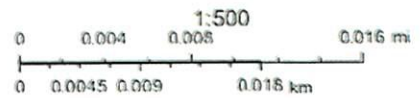
Parcel Index No.: (17) 09-29-219-001 (Lots 1-3) (Bourbonnais Twp)
(17) 09-29-219-002 (Lot 4)
(17) 09-29-219-003 (Lot 5)

Kankakee County GIS Webmap



July 7, 2017

- | | |
|---|--|
|  Tax Parcels |  US/State Combination |
| Parcel Number Labels |  State |
| Road Name Labels |  County |
| Road Centerlines |  Local |
|  Interstate |  Ramp/Median |
|  US | |



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapboxIndia, © OpenStreetMap contributors, and the GIS User Community
KOGIS

Printed from KS-Mapper

**RICK JONES CONSTRUCTION, INC.
429 West Cypress
Kankakee, Illinois 60901**

PHONE: 815-939-7582

FAX: 815-936-1651

July 7, 2017

A request is being made that the property located at 300 East Broadway, Bradley, Illinois remain as it was prior to my purchase, an auto detail, auto resale and minor repair shop.