

VILLAGE OF BRADLEY

ORDINANCE NO. O-07-23-03


AN ORDINANCE REZONING LAND LOCATED IN THE VILLAGE OF BRADLEY,
KANKAKEE COUNTY, ILLINOIS
(384 S. Forest Avenue)

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 14 DAY OF August, 2023

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, 2023

CERTIFICATE:


Julie Tambling, Village Clerk

Prepared by and Return to:
Michael A. Santschi
Spesia & Taylor
1415 Black Road
Joliet, Illinois 60435
(815) 726-4311

ORDINANCE NO. 00723-03

AN ORDINANCE REZONING LAND LOCATED IN THE VILLAGE OF BRADLEY,
KANKAKEE COUNTY, ILLINOIS
(384 S. Forest Avenue)

WHEREAS, pursuant to 65 ILCS 5/11-13-1, *et. seq.*, the Corporate Authorities are authorized to regulate zoning within the Village; and

WHEREAS, an application has been filed with the Village requesting a map amendment (rezoning) of the territory legally described in Section 2 of this Ordinance, *infra*, (the “Subject Property”); and

WHEREAS, the Subject Property is presently zoned M (industrial) and the Applicant has requested that the Subject Property be rezoned R-3 (single-family residence); and

WHEREAS, on July 5, 2023, a public hearing was held before the Village of Bradley Planning and Zoning Commission (the “Plan Commission”) to consider the Applicant’s rezoning request, with all notices and certifications having been properly given in accordance with the ordinances of the Village of Bradley and all other applicable laws; and

WHEREAS, on July 5, 2023, the Plan Commission fully considered the Applicant’s application and made all required findings of fact in accordance with the ordinances of the Village of Bradley, including but not limited to the findings required by Section 60-233(f) of the Village Code; and

WHEREAS, the Plan Commission has presented its findings of fact and recommendation to the Corporate Authorities of the Village of Bradley; and

WHEREAS, the Plan Commission has recommended that the Corporate Authorities of the Village of Bradley approve the Applicant’s request for rezoning (the Plan Commission’s findings of fact and recommendation of approval is attached hereto as Exhibit A and fully incorporated herein); and

WHEREAS, the President and Board of Trustees of the Village of Bradley concur in and adopt the Plan Commission’s findings of fact and recommendation; and

WHEREAS, the President and Board of Trustees of the Village of Bradley have determined that granting the Applicant’s request for rezoning is in the best interests 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 hereby rezoned from M (industrial) to R-3 (single-family residence). The Subject Property is legally described as follows:

LOT SEVEN (7) IN BLOCK SIXTY-SEVEN (67) IN NORTH KANKAKEE AS PLATTED SEPTEMBER 7, 1891, NOW KNOWN AS THE VILLAGE OF BRADLEY, SITUATED IN THE COUNTY OF KANKAKEE, IN THE STATE OF ILLINOIS.

Commonly known as: 384 S. Forest Avenue, Bradley Illinois 60915

Bearing the current PINs: 17-09-29-301-002

SECTION 3. That the Village Clerk is hereby authorized and directed to note the change in zoning, as made by this Ordinance, upon the Official Zoning Map of the Village.

SECTION 4. That the Village Clerk is hereby instructed to record a copy of this ordinance, with all attached exhibits, with the office of the Kankakee County Recorder of Deeds.

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.

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PASSED by the Board of Trustees on a roll call vote on the 14 day of Aug, 2023.

TRUSTEES:

RYAN LEBRAN	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN BILLINGSLEY	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
DARREN WESTPHAL	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN TIERI	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
GRANT D. VANDENHOUT	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
GENE JORDAN	Aye - <input type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input checked="" type="checkbox"/>

VILLAGE PRESIDENT:

MICHAEL WATSON Aye - Nay - Absent -

TOTALS: Aye - 5 Nay - 0 Absent - 1

ATTEST:

Julie Tambling
JULIE TAMBLING, VILLAGE CLERK

APPROVED this 14 day of August, 2023.

Michael Watson
MICHAEL WATSON, VILLAGE PRESIDENT

ATTEST:

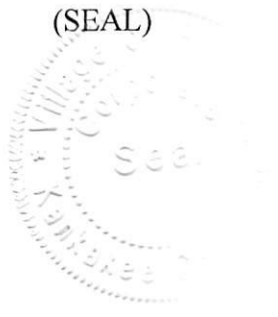
Julie Tambling
JULIE TAMBLING, VILLAGE CLERK

STATE OF ILLINOIS)
)
COUNTY OF KANKAKEE) §§

I, Julie Tambling, 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 007-2303 "AN ORDINANCE REZONING LAND LOCATED IN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS (384 S. Forest Avenue)" which was adopted by the Village President and Board of Trustees at a meeting held on the 14 day of Aug, 2023.

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 August, 2023.

Julie Tambling
JULIE TAMBLING, VILLAGE CLERK



(10)

100

Handwritten text, possibly a signature or name, appearing as "S. S. S. S."

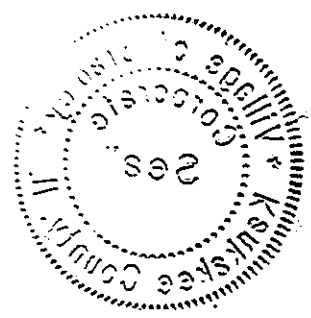


EXHIBIT A

**Plan Commission's Findings of Fact and
Recommendation of Approval**

**PZC FINDINGS OF FACT AND RECOMMENDATION OF APPROVAL ON
PROPOSED ZONING MAP AMENDMENT
(PIN: 17-09-29-301-002)**

On July 5, 2023, at 6:30 p.m. the Village of Bradley Planning and Zoning Commission conducted a public hearing, with public notice having been duly given for the same. At that hearing, the Planning and Zoning Commission considered of whether or not to recommend approval or denial of a map amendment (rezone) to change the zoning classification of certain property located within the corporate boundaries of the Village (the “Subject Property”) from its current zoning classification of M (industrial) to a new zoning classification of R-3 (single-family residence). Having heard and considered all of the evidence presented at the hearing and being fully advised in the premises, the Planning and Zoning Commission hereby finds as follows:

1. The proposed rezoning is consistent with the existing uses and zoning of all nearby property.
2. Refusing to rezone the Subject Property would likely reduce the value of said property.
3. Granting the rezoning requested by the applicant likely will not reduce the value of any nearby properties.
4. The Village’s interest in promoting public health, safety, morals, and the general welfare does not require that the Subject Property be kept in its current zoning classification.
5. Rezoning the Subject Property as requested would serve the Village’s interest in promoting public health, safety, morals, and the general welfare.
6. The public benefit derived from granting the applicant’s requested rezoning outweighs any burden that may be placed on surrounding properties as a result.
7. There is no significant public benefit to be derived from refusing to grant the applicant’s rezoning request and the burden that such a refusal would place on the applicant outweighs any burden that may be placed on any surrounding properties if the request is granted.
8. The Subject Property is suitable for the uses permitted in the proposed new zoning classification.
9. The proposed rezoning is otherwise consistent with and meets all standards and requirements set out in the Village’s code of ordinances, as amended.

Based on the foregoing findings, the Planning and Zoning Commission hereby recommends that the Corporate Authorities of the Village approve and adopt an ordinance granting the applicant’s request and rezone the Subject Property from its current zoning classification of M (industrial) to a new zoning classification of R-3 (single-family residence).

PASSED this 5th day of July, 2023, by roll call vote.

	Aye	Nay	Absent
Ryland Gagnon (Chairman)	<u> X </u>	<u> </u>	<u> </u>
Charlene Eads (Secretary)	<u> </u>	<u> </u>	<u> X </u>
James Guiss	<u> X </u>	<u> </u>	<u> </u>
Rick White	<u> X </u>	<u> </u>	<u> </u>
Bill Bodemer	<u> X </u>	<u> </u>	<u> </u>
Michael Williams	<u> X </u>	<u> </u>	<u> </u>
Robert Redmond	<u> </u>	<u> </u>	<u> X </u>