VILLAGE OF BRADLEY

ORDINANCE NO. O-3-18-1

AN ORDINANCE REZONING CERTAIN PREMISES LOCATED WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS AND GRANTING A SPECIAL USE PERMIT AND VARIANCE FOR SAID PREMISES

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 26 DAY OF MARCH, 2018

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley, Kankakee County, Illinois this 26 day of MARCH, 2018

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AN ORDINANCE REZONING CERTAIN PREMISES LOCATED WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS AND GRANTING A SPECIAL USE PERMIT AND VARIANCE FOR SAID PREMISES

WHEREAS, the President and Board of Trustees of the Village of Bradley, Kankakee County, Illinois, 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, General Development Corporation of Kankakee (the "Applicant") is the owner of the Subject Property; and

WHEREAS, on December 15, 2017, the Applicant submitted an application to the Village requesting that the Village grant the Applicant a special use permit to operate a storage facility business on the Subject Property; and

WHEREAS, the Applicant later amended its December 15, 2017, application to include additional requests that (1) the Village rezone the subject property from B-3 (Village-Center Shopping District) to B-2 (Commercial District) and (2) the Village grant a variance allowing the construction, maintenance, and use of metal buildings on the Subject Property.

WHEREAS, the Applicant's application, along 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"); and

WHEREAS, the Plan Commission held a public hearing to consider the Application on March 6, 2018, 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 pass this Ordinance granting all three of the Applicant's requests; 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 hereby find that it is in the best interest of the citizens of the Village to grant the Applicant's Application and (1) rezone the Subject Property from its current zoning classification of B-3 (Village-Center Shopping District) to a new zoning classification of B-2 (Commercial District), (2) grant a special use permit authorizing the Applicant to operate a storage facility business on the Subject Property, and (3) grant a variance allowing the Applicant to construct, maintain, and use metal buildings on the Subject Property.

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 its current zoning classification of B-3 (Village-Center Shopping District) to a new zoning classification of B-2 (Commercial District). The Subject Property is legally described as follows:

> LOT ONE (1) OF EUGENIE CARON SUBDIVISION, IN SECTION NINE (9), TOWNSHIP THIRTY-ONE (31) NORTH, RANGE TWELVE (12) EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN THE COUNTY OF KANKAKEE, IN THE STATE OF ILLINOIS.
>
> Bearing the Tax PIN: 17-09-09-303-011
>
> Commonly known as: 1846 N. State Route 50, Bourbonnais, Illinois

The Subject Property is depicted on the Zoning Exhibit attached hereto as Exhibit A and fully incorporated herein.

SECTION 3. That the Village Clerk is hereby instructed to (1) record a certified copy of this ordinance, with all attached exhibits, with the office of the Kankakee County Recorder of Deeds and (2) update the official zoning map of the Village of Bradley to reflect the change in zoning affected by this Ordinance.

SECTION 4. That the Subject Property, legally described in Section 2 of this Ordinance, *supra*, is hereby granted a special use permit for the purposes of operating storage facility business pursuant to Section 60-153(2)(p) of the Village Code.

SECTION 5. That the Subject Property, legally described in Section 2 of this Ordinance, *supra*, is hereby granted a variance pursuant to Section 60-369(9) of the Village Code, allowing the construction, maintenance, and use of metal buildings thereon.

SECTION 6. 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 7. 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 8. That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 9. 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 26 day of March, 2018.

TRUSTEES:

GERALD BALTHAZOR	Aye – ✓	Nay – ____	Absent – ____
ROBERT REDMOND	Aye – ✓	Nay – ____	Absent – ____
LORI GADBOIS	Aye – ✓	Nay – ____	Absent – ____
MICHAEL WATSON	Aye – ✓	Nay – ____	Absent – ____
DON BARBER	Aye – ✓	Nay – ____	Absent – ____
NICK ALLEN	Aye – ✓	Nay – ____	Absent – ____

VILLAGE PRESIDENT:

BRUCE ADAMS	Aye – ____	Nay – ____	Absent – ____
TOTALS:	Aye – 6	Nay – 0	Absent – 0

ATTEST:

MICHAEL J. LAGESSE, VILLAGE CLERK

APPROVED this 26 day of MARCH, 2018.

BRUCE ADAMS, VILLAGE PRESIDENT

ATTEST:

MICHAEL J. LAGESSE, VILLAGE CLERK

STATE OF ILLINOIS)
) §§
COUNTY OF KANKAKEE)

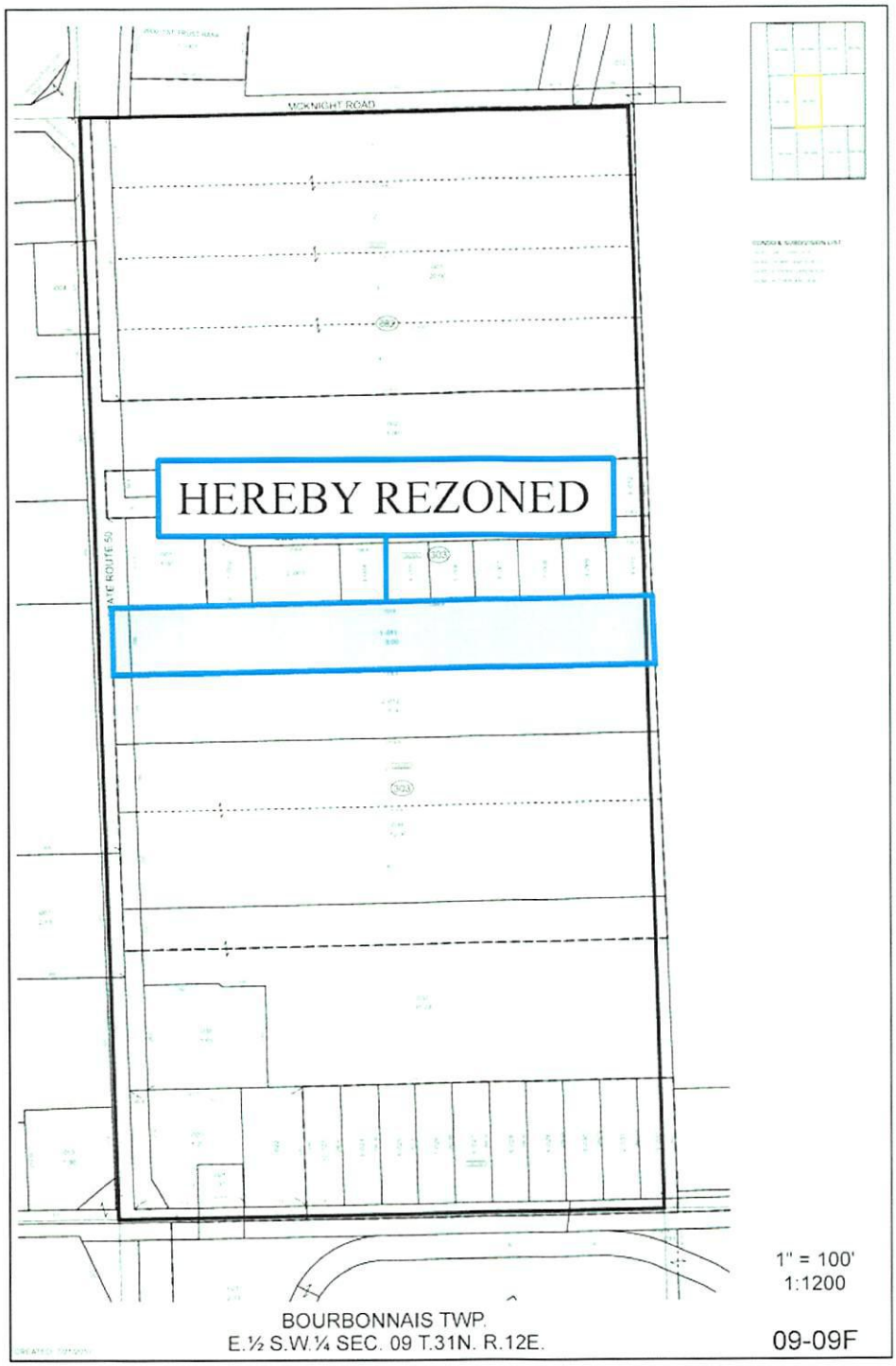
I, Michael J. LaGesse, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number O-3-18-1, "AN ORDINANCE REZONING CERTAIN PREMISES LOCATED WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS AND GRANTING A SPECIAL USE PERMIT AND VARIANCE FOR SAID PREMISES," which was adopted by the Village President and Board of Trustees at a meeting held on the 26 day of March, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 26 day of March, 2018.

MICHAEL J. LAGESSE, VILLAGE CLERK

(SEAL)

Exhibit A


MIDNIGHT ROAD
HEREBY REZONED
1" = 100'
1:1200
BOURBONNAIS TWP.
E.½ S.W.¼ SEC. 09 T.31N. R.12E.
09-09F