

**VILLAGE OF BRADLEY**

**ORDINANCE NO. O-7-16-5**

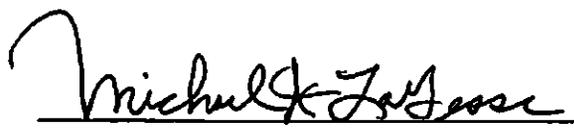
**AN ORDINANCE GRANTING A VARIANCE ON THE APPLICATION OF  
DENNIS CAPPETTA FROM SWIMMING POOL REGULATIONS AT  
1320 GALAXY WAY, BOURBONNAIS, IL 60914**

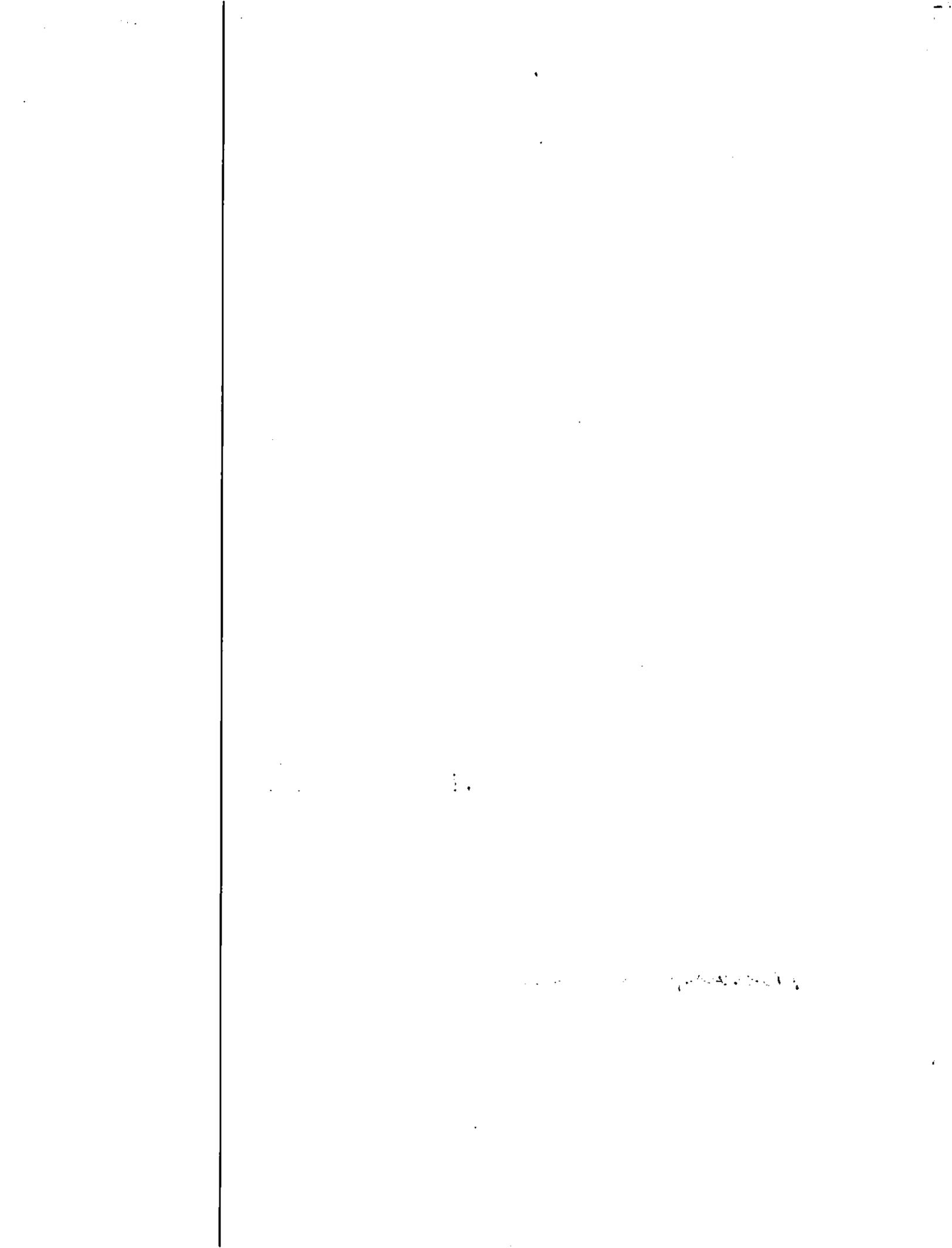
**ADOPTED BY THE  
BOARD OF TRUSTEES  
VILLAGE OF BRADLEY**

This 11 day of July, 2016

Published in pamphlet form by authority of the Board of Trustees of the Village of  
Bradley, Kankakee County, Illinois, this 11 day of July, 2016.

CERTIFICATE:

  
Michael J. LaGesse, Village Clerk



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DENNIS CAPPETTA FROM SWIMMING POOL REGULATIONS AT  
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**WHEREAS**, on July 5, 2016, 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, Dennis Cappetta (hereinafter the "Petitioner"), for a variance from swimming pool regulations for the following legally described property:

NORTHERN LIGHTS SUB LOT 1 15-31-12E

Commonly known as: 1320 Galaxy Way, Bourbonnais, IL 60914

P.I.N.: 17-09-15-305-001

**WHEREAS**, notice of public hearing was published in the *Daily Journal* on July 16, 2016;

**WHEREAS**, variances from swimming pool regulations are permitted pursuant to Chapter 60, Article 8, §369 of the Village Code; and

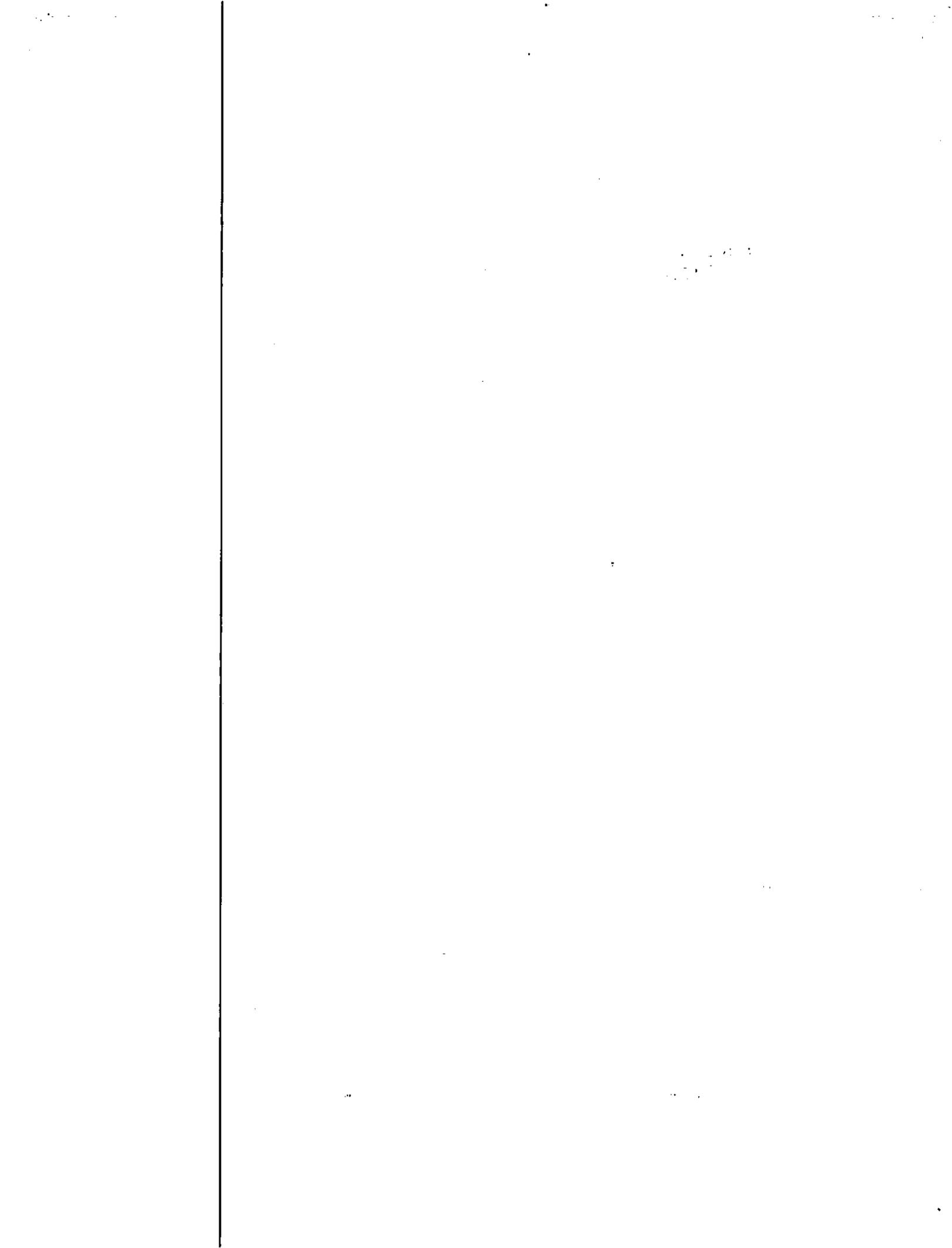
**WHEREAS**, the Plan Commission recommended by a vote of nine (9) in favor and none (0) against, with zero (0) absent, that the Village grant the request for a variance to permit a swimming pool to be located in the side yard of the subject property, as reflected in the minutes of the public hearing of July 5, 2016:

**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 variances 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 requesting a variance to permit a swimming pool to be located in the side yard of the subject property as reflected in the minutes of the public hearing of July 5, 2016, is authorized pursuant to §60, Division 6, *et seq.*, of the Village Code, and is granted for the Subject Property, subject to the conditions set forth in §3 of this Ordinance;



**Section 3. VARIANCE STANDARDS & CONDITIONS.** The variance shall run with the land and not expire with the current owner. All other swimming pool regulations must be complied with.

**Section 4. 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.

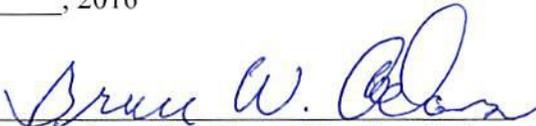
**Section 5. SEVERABILITY & REPEAL OF INCONSISTENT ORDINANCES.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All existing ordinances of the Village are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

**Section 6. 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

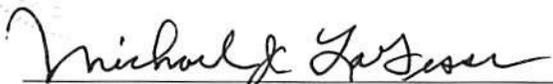
TRUSTEES:

Jerry Balthazor:	AYE - <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"/>
Eric Cyr:	AYE - <input checked="" type="checkbox"/>	NAY - <input type="checkbox"/>	ABSENT - <input type="checkbox"/>
Melissa Carrico:	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"/>
Bruce Adams:	AYE - <input type="checkbox"/>	NAY - <input type="checkbox"/>	ABSENT - <input type="checkbox"/>
TOTALS:	AYE - <u>6</u>	NAY - <u>0</u>	ABSENT - <u>0</u>

APPROVED this 11 day of July, 2016

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

ATTEST:

  
  
Michael J. Lagesse, Village Clerk

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