

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #662H

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW IN-VEHICLE SALES OR SERVICE AS AN ACCESSORY
USE WITHIN THE CB, CENTRAL BUSINESS DISTRICT
(600 SOUTH STATE STREET)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 4TH DAY OF MARCH 2024.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 5TH DAY OF MARCH, 2024.

Published in Pamphlet Form this 5th day of March 2024.

ORDINANCE NO. 662H

**AN ORDINANCE GRANTING A SPECIAL USE
TO ALLOW IN-VEHICLE SALES OR SERVICE AS AN ACCESSORY USE
WITHIN THE CB, CENTRAL BUSINESS DISTRICT
(600 South State Street)**

WHEREAS, The City of Belvidere has adopted Chapter 150, Zoning Ordinance in accordance with the provisions of Illinois Compiled Statutes to regulate the use of land and to specify the minimum requirements for improvements on land in the City of Belvidere; and

WHEREAS, Special Uses are certain municipal or private uses that due to their physical or operational characteristics may pose a threat to the value, use and enjoyment of adjoining property; are reviewed on a case by case basis; and are permitted only by permission of the Belvidere City Council; and,

WHEREAS, The applicant, State Permits, 319 Elaines Court, Dodgeville, WI 53533 on behalf of the property owner, Midland States Bank, 11670 Gravius Road, St. Louis, MO 63126 is requesting a special use to permit in-vehicle sales or service as an accessory use; and

WHEREAS, after due notice by publication pursuant to the Illinois State Statutes, the City of Belvidere Planning and Zoning Commission held a public hearing on February 13, 2024 concerning the proposed Special Use; and,

WHEREAS, the City of Belvidere Planning and Zoning Commission having examined the application and having considered the evidence, both oral and documentary and being fully advised about the premises did make findings of fact and a recommendation; and,

WHEREAS, the corporate authorities of the City considered the findings of fact and concur with the recommendation of the Planning and Zoning Commission,

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELVIDERE, BOONE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein by this reference.

Section 2. That a Special Use in the CB, Central District to allow for in-vehicle sales or service as an accessory use on the property depicted in Attachment A and legally described as:

PART OF BLOCK TWO (2) AND SIX (6) AS DESIGNATED UPON COHOON AND ALLEN'S ADDITION TO BELVIDERE, THE PLAT OF WHICH BEING RECORDED IN BOOK O OF PLATS ON PAGE 524 AND 525 IN THE RECORDER'S OFFICE OF BOONE COUNTY, ILLINOIS, BOUNDED AND

DESCRIBED AS FOLLOWS, TO-WIT; BEGINNING AT THE NORTHWEST CORNER OF SAID BLOCK 2 AS AFORESAID; THENCE NORTH 88 DEGREES 58 MINUTES 52 SECONDS EAST, ALONG THE NORTH LINE OF SAID BLOCK 2, A DISTANCE OF 310.90 FEET TO A POINT WHICH BEARS SOUTH 88 DEGREES 58 MINUTES 52 SECONDS WEST, 20.00 FEET FROM THE NORTHEAST CORNER OF SAID BLOCK 2; THENCE SOUTH 45 DEGREES 29 MINUTES 16 SECONDS EAST, 28.02 FEET TO A POINT IN THE EAST LINE OF SAID BLOCK 2 WHICH BEARS SOUTH 00 DEGREES 02 MINUTES 36 SECONDS WEST, 20.00 FEET FROM THE NORTHEAST CORNER OF SAID BLOCK 2; THENCE SOUTH 00 DEGREES 02 MINUTES 36 SECONDS WEST, ALONG THE EAST LINE OF SAID BLOCKS 2 AND 6 AS AFORESAID, 245.00 FEET TO THE NORTHEAST CORNER OF LOT 3 OF SAID BLOCK 6; THENCE SOUTH 89 DEGREES 01 MINUTES 32 SECONDS WEST, ALONG THE NORTH LINE OF LOTS 3 AND 7 OF SAID BLOCK 6, A DISTANCE OF 198.35 FEET TO THE WEST LINE OF THE EAST 2 RODS OF LOT 6 OF SAID BLOCK 6; THENCE NORTH 00 DEGREES 01 MINUTES 18 SECONDS EAST, ALONG THE WEST LINE OF THE EAST 2 RODS OF LOT 6 OF SAID BLOCK 6, A DISTANCE OF 66.21 FEET TO THE SOUTH LINE OF LOT 10 OF SAID BLOCK 6; THENCE SOUTH 89 DEGREES 00 MINUTES 55 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 10 OF BLOCK 6, A DISTANCE OF 132.37 FEET TO THE WEST LINE OF SAID BLOCK 6; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SAID BLOCKS 6 AND 2 AS AFORESAID, 198.55 FEET TO THE POINT OF BEGINNING. SITUATED IN PART OF SECTION 36, TOWNSHIP 44 NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF BELVIDERE, BOONE COUNTY, ILLINOIS. SAID PARCEL CONTAINS 78,230 SQUARE FEET OR 1.796 ACRES MORE OR LESS. PIN: 05-36-104-023.

is hereby approved, subject to the following conditions:

1. Substantial compliance with the submitted site plan dated 10/17/23 except for revisions required by the City. Attachment B.
2. A stamped site plan shall be submitted for review by the appropriate staff before building permits may be issued. This includes lot layout, landscaping and a photometrics plan.
3. Compliance with all applicable codes and ordinances.

Section 3. That the premises shall be used in accordance with and subject to the applicable provisions of the Zoning Ordinance of the City of Belvidere and shall not be used except as may otherwise be expressly authorized by the applicable law and the special use.

Section 4. That acceptance of any of the benefits of this Special Use shall be deemed acceptance of all the terms and conditions set forth herein.

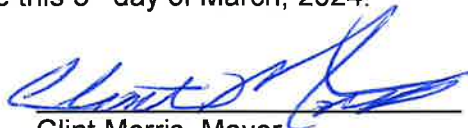
Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

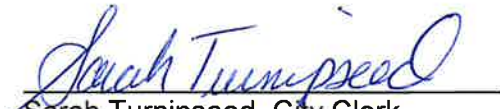
Section 7. This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Belvidere this 4th day of March, 2024.

APPROVED by the Mayor of the City of Belvidere this 5th day of March, 2024.


Clint Morris, Mayor

ATTEST:


Sarah Turnipseed, City Clerk

Ayes:8 Nays:0 Absent: 2

City Council Members Voting Aye: Fleury, Frank, Freeman, Gramkowski, McGee, Snow, Stevens and Albertini.

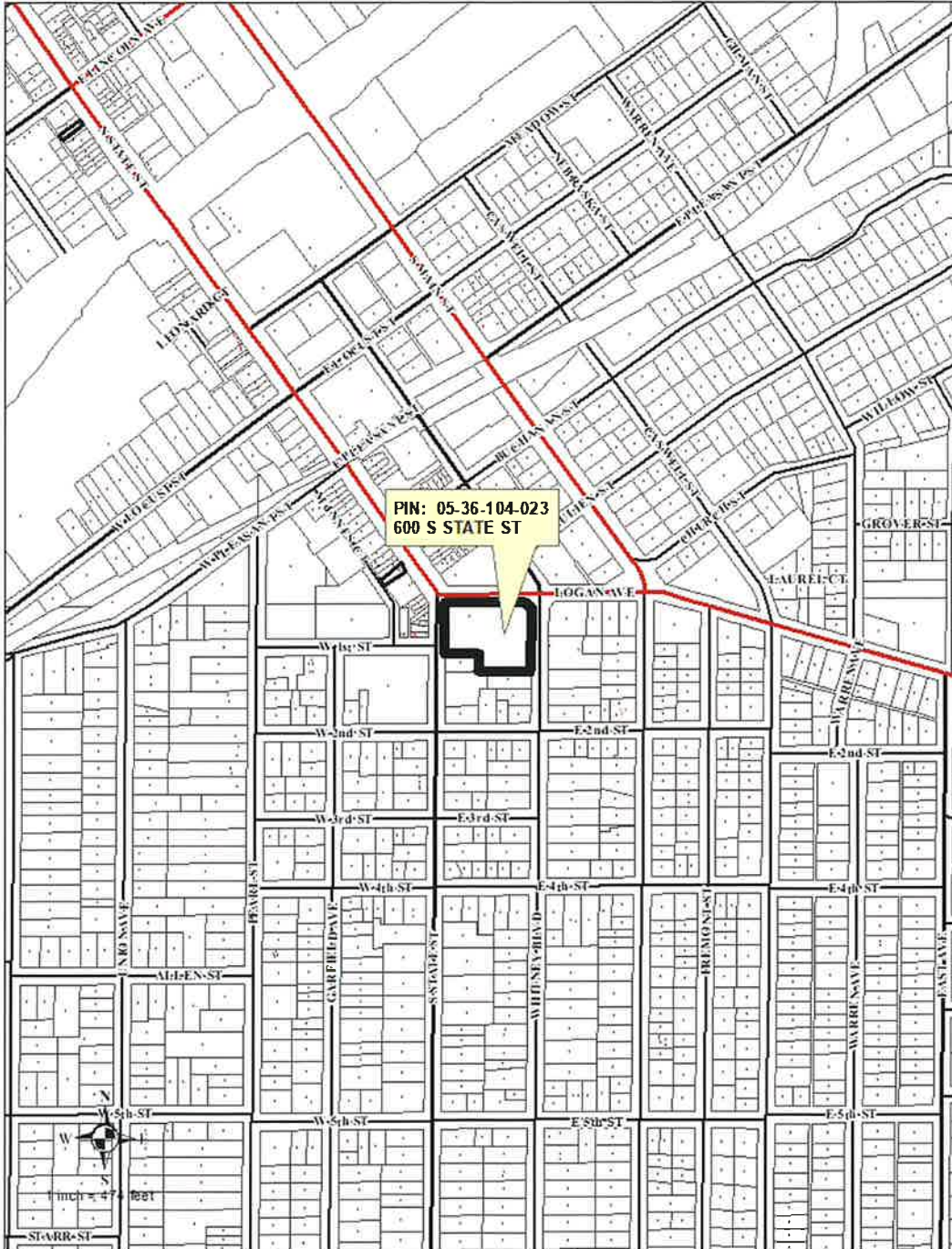
City Council Members Voting Nays: None.

City Council Absent: Brereton and Mulhall.

Date Published: March 5, 2024

Sponsor: Ald. Frank

ATTACHMENT A




AFFIDAVIT

STATE OF ILLINOIS)
)
COUNTY OF BOONE)

Sarah Turnipseed, first being duly sworn on oath deposes and says as follows:

By authority of the City Council of the City of Belvidere, Illinois, I published Ordinance #662H of the City of Belvidere, Illinois, in pamphlet form on March 5, 2024, and as a convenience for the public; I posted the pamphlet form of Ordinance #662H on the bulletin board in the lobby of Belvidere City Hall at 401 Whitney Blvd., Belvidere, Illinois; said location being readily accessible to the public during business hours of the City Clerk's office.


Sarah Turnipseed
City Clerk

SUBSCRIBED AND SWORN TO BEFORE ME
this 5th day of March, 2024.





Notary Public