

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #713H

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A PLANNED DEVELOPMENT WITHIN THE GB,  
GENERAL BUSINESS DISTRICT  
(1940 NORTH STATE STREET)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 6<sup>th</sup> DAY OF JANUARY.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 8<sup>th</sup> DAY OF JANUARY 2025.

Published in Pamphlet Form this 8<sup>th</sup> day of January 2025.

**ORDINANCE NO. 713H**

**AN ORDINANCE GRANTING A SPECIAL USE  
TO ALLOW A PLANNED DEVELOPMENT  
WITHIN THE GB, GENERAL BUSINESS DISTRICT  
(1940 North 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, MH Bradley, LLC (Jeff Kimbell), 6402 Cornell Avenue, Indianapolis, IN 46220 on behalf of the property owner, Dodge Lanes, Inc. 1940 North State Street, Belvidere, IL 61008 has petitioned the City for a Special Use to permit a planned development at 1940 North State Street; 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 December 10, 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 GB, General Business District for a planned development on the property depicted in Attachment A and legally described as:

A part of Section 22, Township 44 North, Range 3 East of the Third Principal Meridian described as follows: Beginning at the point of intersection of the Section Line between Sections 22 and 23 and the center line of a public highway known as U.S. Route 20, which point is also a point on the Northerly extension of the center line of a public highway known as Sunset Avenue; thence Southwesterly along the said extension of the center line of Sunset Avenue a distance of 191.25 feet to a point which is the point of beginning of the property herein described; thence, continuing Southwesterly along the center line of said Sunset Avenue a distance of 202.27 feet; thence Northwesterly at an angle of 87 degrees 02 minutes measured counter clockwise from the last described course (parallel with the Southerly Right of way line of said U.S. Route 20) a distance of 491.44 feet; thence, Northeasterly at an angle of 89 degrees 46 minutes measured counter-clockwise from the last described course a distance of 333.0 feet to a point on the Southerly Right of Way line of said U.S. Route 20; thence, Southeasterly along said Southerly Right of Way line a distance of 289.5 feet to a point; thence, Southwesterly at an angle of 90 degrees measured counter-clockwise from the last described course a distance of 131.0 feet to a point; thence, Southeasterly at an angle of 90.0 degrees measured clockwise from the last described course and parallel with the Southerly Right of Way line of said U.S. Route 20 a distance of 189.83 feet to the center line of Sunset Avenue and the point of beginning.

Excepting therefrom the following described premises to wit:

Commencing at the Southeast corner of said Southeast Quarter of Section 22; thence Northerly on the East line of said Southeast Quarter, said line having bearing of North 1 degree 00 minutes 00 seconds West, a distance of 1021.65 feet to a point in the Center line of a public highway designated F.A Route 517 (Bus. Route 20); said point also being the point of intersection of a public road designated Appleton Road (Sunset Avenue) with FA Route 517 (Bus. Route 20); thence Southwesterly on the Center Line of said Appleton Road (Sunset Avenue), said line having a bearing of South 26 degrees 59 minutes 00 seconds West, a distance of 191.25 feet to a point in the Southerly Corner of the premises acquired by the Illinois Department of Transportation by Warranty Deed recorded April 4, 1984 in Book 1, Page 43 as Document Number 84860 in the Recorder's Office of Boone County, said point also being the Point of Beginning of the hereinafter described parcel of land; thence continuing Southwesterly on the last described course, a distance of 202.27 feet to a point in the Southerly Corner of the premises conveyed (Center line of Davis Drive), said line having a bearing of North 60 degrees 00 minutes 00 seconds West, a distance of 50.07 feet to a point thence Northeasterly on a line having a bearing of North 26 degrees 59 minutes 00 seconds East, a distance of 202.27 feet to a point in the Westerly Corner of the premises

so acquired by the Illinois Department of Transportation; thence Southeasterly on the Southwesterly Line of the premises so acquired, said line having a bearing of South 60 degrees 00 minutes 00 seconds East, a distance of 50.07 feet to the point of beginning; situated in the County of Boone and the State of Illinois. PIN: 05-22-476-008

is hereby approved, subject to the following conditions:

1. The Planned Development shall be developed in substantial conformance with the site plan dated 11/11/24 unless otherwise noted. (Attachment B)
2. A full final site plan shall be submitted to staff (building, public works, fire, planning, etc.) for review and subject to final approval prior to the issuance of building permits.
3. The planned development is granting only the following flexible standards: Sections 150.105(C)(5)(B)(2) In-vehicle Sales and Service for two drive through lanes, 150.105(C)(5)(G)(2)(C) Minimum Paved Surface Setback: decrease from five feet to zero feet along the interior lot line and 150.707(E)(3)(A) increase illumination levels from 0.50 foot-candles to 5.0 foot-candles along the interior lot line

**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.

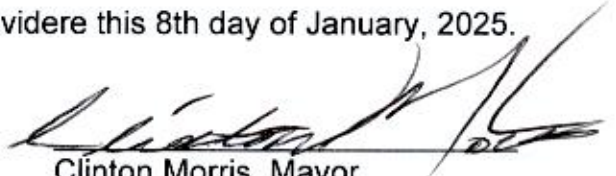
**Section 5.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**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 6th day of January, 2025.

**APPROVED** by the Mayor of the City of Belvidere this 8th day of January, 2025.



Clinton Morris, Mayor

**ATTEST:**



Erica Bluege, City Clerk

Ayes: 10 Nays: 0 Absent: 0

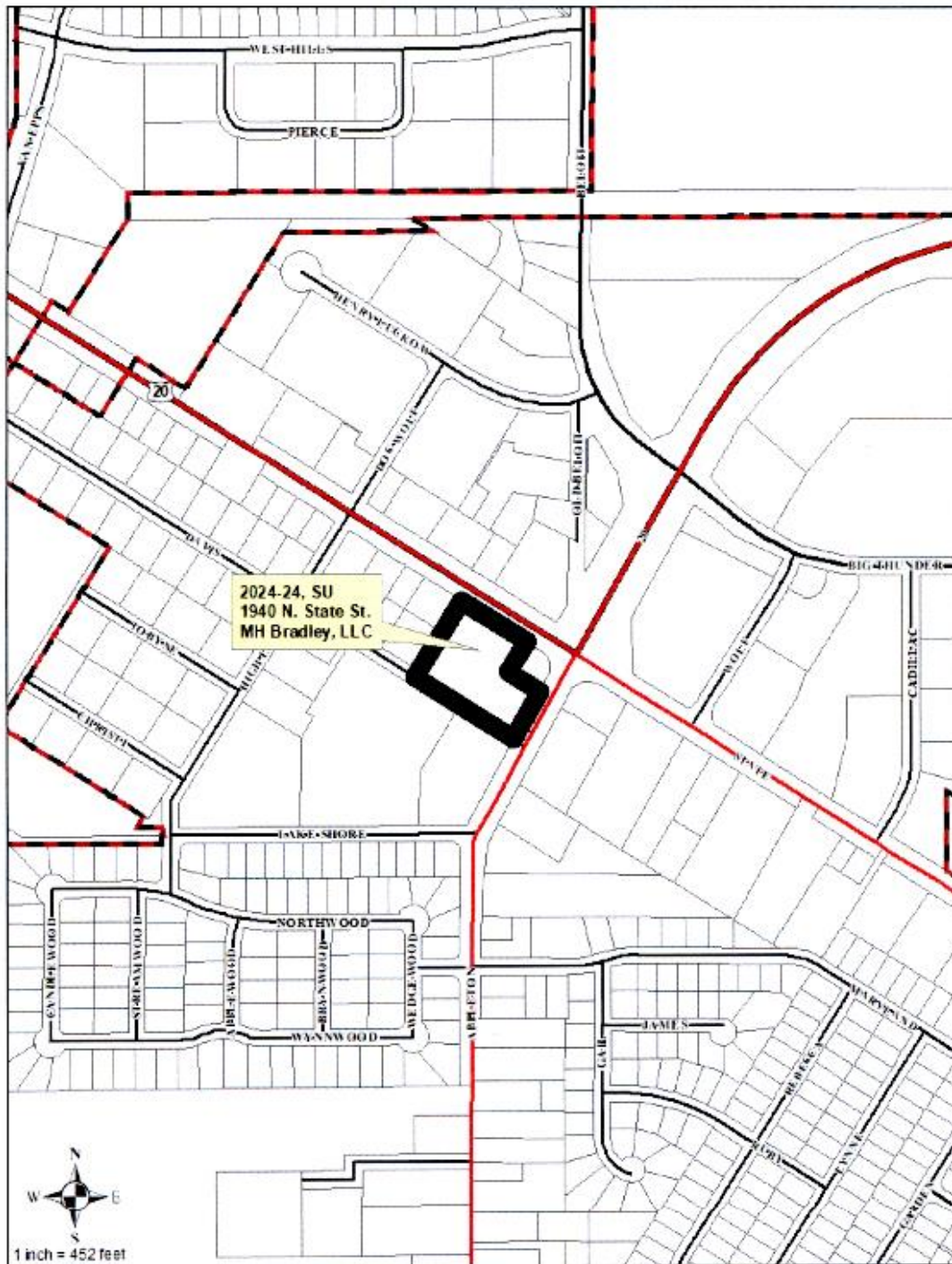
City Council Members Voting Aye: Freeman, Gramkowski, McGee, Mulhall,  
Peterson, Stevens, Albertini, Brereton, Fleury,  
and Frank.

City Council Members Voting Nay: None.

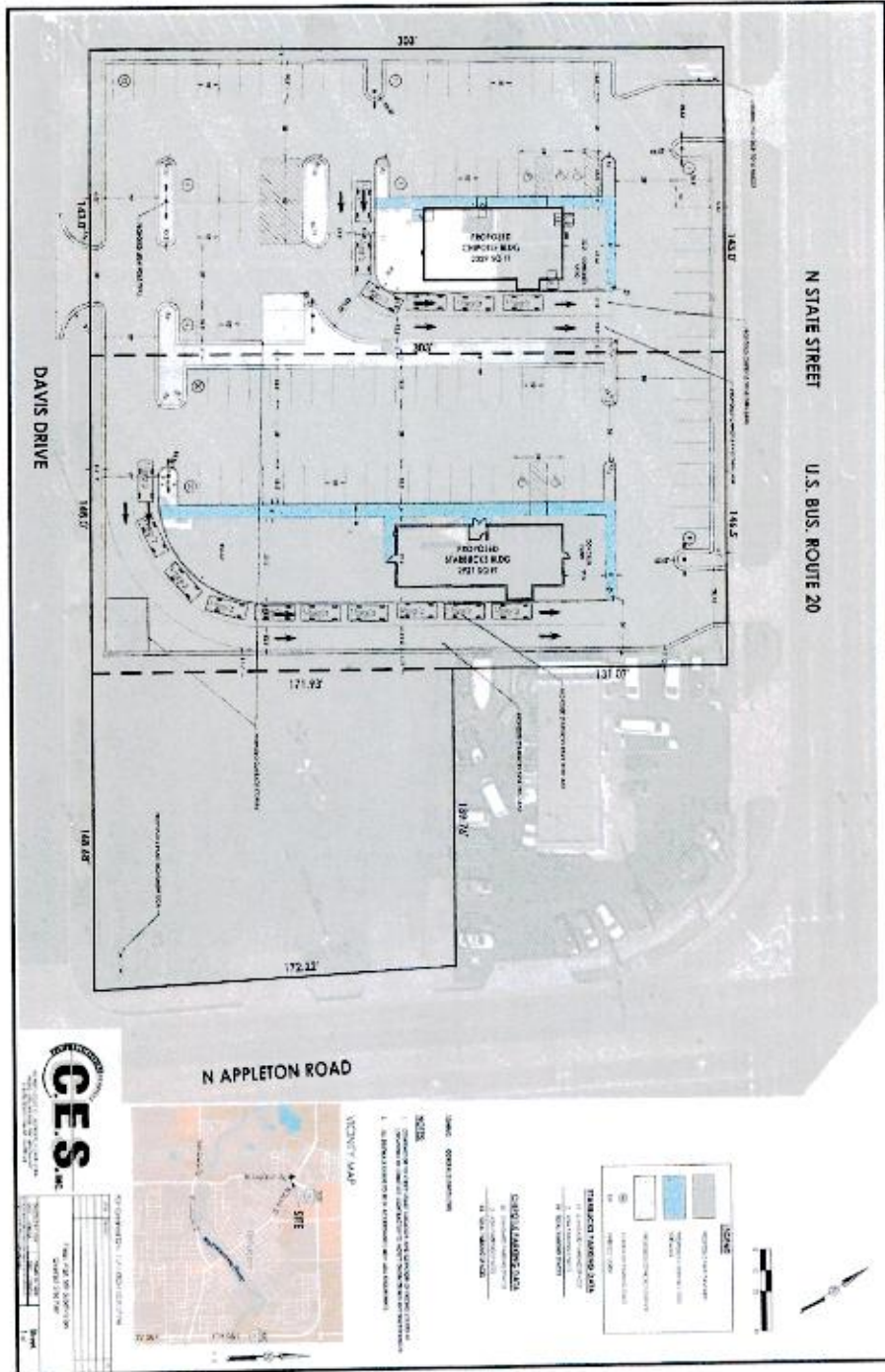
Date Published: January 8, 2025

Sponsor: \_\_\_\_\_

# ATTACHMENT A



# ATTACHMENT B



**AFFIDAVIT**

STATE OF ILLINOIS     )  
  )  
COUNTY OF BOONE     )

Erica Bluege, 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 #713H of the City of Belvidere, Illinois, in pamphlet form on January 8, 2025 and as a convenience for the public; I posted the pamphlet form of Ordinance #713H 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.

*Erica Bluege*

Erica Bluege  
City Clerk

SUBSCRIBED AND SWORN TO BEFORE ME  
this 8<sup>th</sup> day of January, 2025.

*Abigail Vance*  
Notary Public

