

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #478H

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT
(BAR WITH VIDEO GAMING) WITHIN THE GB, GENERAL BUSINESS DISTRICT
(1500 NORTH STATE STREET)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 6TH DAY OF JANUARY 2020.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 7TH DAY OF JANUARY 2020.

Published in Pamphlet Form this 7th day of January 2020.

ORDINANCE NO. 478H

**AN ORDINANCE GRANTING A SPECIAL USE
TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT
(BAR WITH VIDEO GAMING)
WITHIN THE GB, GENERAL BUSINESS DISTRICT
(1500 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, Indrasinh Rathod, 6615 Rolling Hedge Lane, Rockford, IL 61108 on behalf of the property owner, Judy L. Winter, 1409 Walts Way, Belvidere, IL 61008 has petitioned the City for a Special Use to permit indoor commercial entertainment to operate a bar with video gaming at 1500 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, 2019 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 indoor commercial entertainment (bar with video gaming) on the property depicted in Attachment A and legally described as:

Tract "B" Commencing at a point in the center line of the State Road (now U.S. Highway 20), 20.8 chains Southeasterly from the intersection of the center line of said Road with the line between Section 22 and 23, all in Township 44 North, Range 3 East of the Third Principal Meridian; thence South 32 degrees West, 50.0 feet to an iron pin in the Southwesterly right of way line of U.S. Highway 20 for the place of beginning of the following tract; thence Southeasterly along said right of way line, 200.0 feet to an iron pin; thence South 32 degrees West, 282.28 feet to an iron pin; thence Northwesterly 200.0 feet to an iron pipe which is 282.75 feet South 32 degrees West of the place of beginning; thence North 32 degrees East, 282.75 feet to the place of beginning, situated in Boone County, Illinois. (PIN: 05-23-351-012)

is hereby approved, subject to the following conditions:

1. Open alcohol is prohibited outside the premises unless otherwise permitted.
2. Alcohol consumption is only permitted within the video gaming area.
3. The video gaming area must be enclosed and only accessible through a designated entrance.

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.

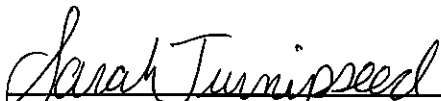
PASSED by the City Council of the City of Belvidere this 6th day of January, 2020.

APPROVED by the Mayor of the City of Belvidere this 7th day of January, 2020.



Michael W. Chamberlain, Mayor

ATTEST:



Sarah Turnipseed, City Clerk

Ayes:7 Nays: 0 Absent: Crawford and Freeman

City Council Members Voting Aye: McGee, Porter, Ratcliffe, Snow, Stevens, Brereton and Frank.

City Council Members Voting Nay: None.

Date Published: January 7, 2020

Sponsor: Snow

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 #478H of the City of Belvidere, Illinois, in pamphlet form on January 7, 2020 and as a convenience for the public; I posted the pamphlet form of Ordinance #478H on the bulletin board in the lobby 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 7th day of January,
2020.


Notary Public

