

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #494H

An Ordinance Granting a Special Use to Allow a Daycare Center (3+ Children) Within the GB, General Business District (435 Southtowne Drive)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 1st DAY OF JUNE 2020.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 2nd DAY OF JUNE 2020.

Published in Pamphlet Form this 2nd day of June 2020.

ORDINANCE NO. 494H

**AN ORDINANCE GRANTING A SPECIAL USE
TO ALLOW A DAYCARE CENTER (3+ CHILDREN)
WITHIN THE GB, GENERAL BUSINESS DISTRICT
(435 Southtowne Drive)**

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, Dean Kelley (Abbott Land and Investment Corporation), 2250 Southwind Boulevard, Bartlett, IL 60103 on behalf of the property owner, Dal Pra Trust 1994 and Southtown Ventures, LLC, 1901 Union Avenue, Belvidere, IL 61008 has petitioned the City for a Special Use to permit a daycare center (3+ children) at 435 Southtowne Drive; 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 May 12, 2020 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 daycare center (3+ children) on the property depicted in Attachment A and legally described as:

A part of the South 25 acres of the east half of the Southeast Quarter of Section 35 Township 44 North, Range 3 East of the Third Principal Meridian described as beginning 631.49 feet north of the southeast corner, west 164.7 feet, north 187.2 feet, west 794 feet, south 357.33 feet, west 366 feet, south 211.05 feet, east 733.42 feet, northeast 226.99 feet, northeast 62.38 feet, northwest 100.57 feet, northeast 173.87 feet, east 200 feet, north 164.55 feet to the point of beginning (except commencing at the southeast corner north 631.49 feet, west 164.7 feet, north 187.2 feet, west 794 feet, south 357.33 feet, south 21 feet); located in Boone County, Illinois; PIN: 05-35-482-017.

is hereby approved, subject to the following condition:

1. The development shall be developed in substantial conformance with the site plan submitted with the application (March 13, 2017) unless otherwise noted. (Attachment B).

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.

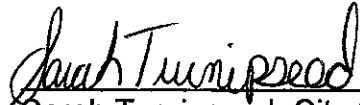
PASSED by the City Council of the City of Belvidere this 1st day of June, 2020.

APPROVED by the Mayor of the City of Belvidere this 2nd day of June, 2020.



Michael W. Chamberlain, Mayor

ATTEST:



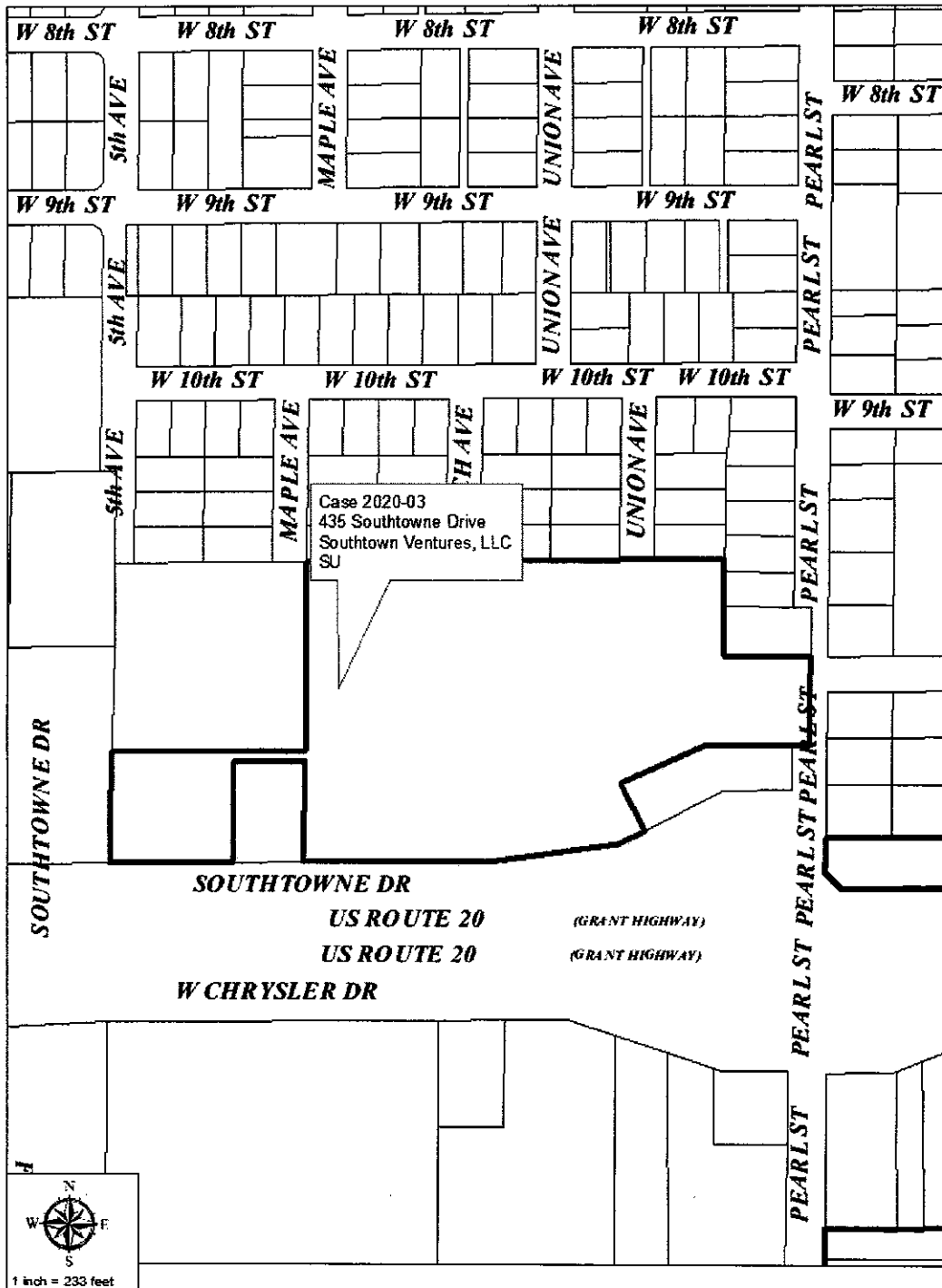
Sarah Turnipseed, City Clerk

Ayes: McGee, Porter, Snow, Stevens, Arevalo, Brereton, Frank and Freeman.
Nays: None.
Absent: Ratcliffe.

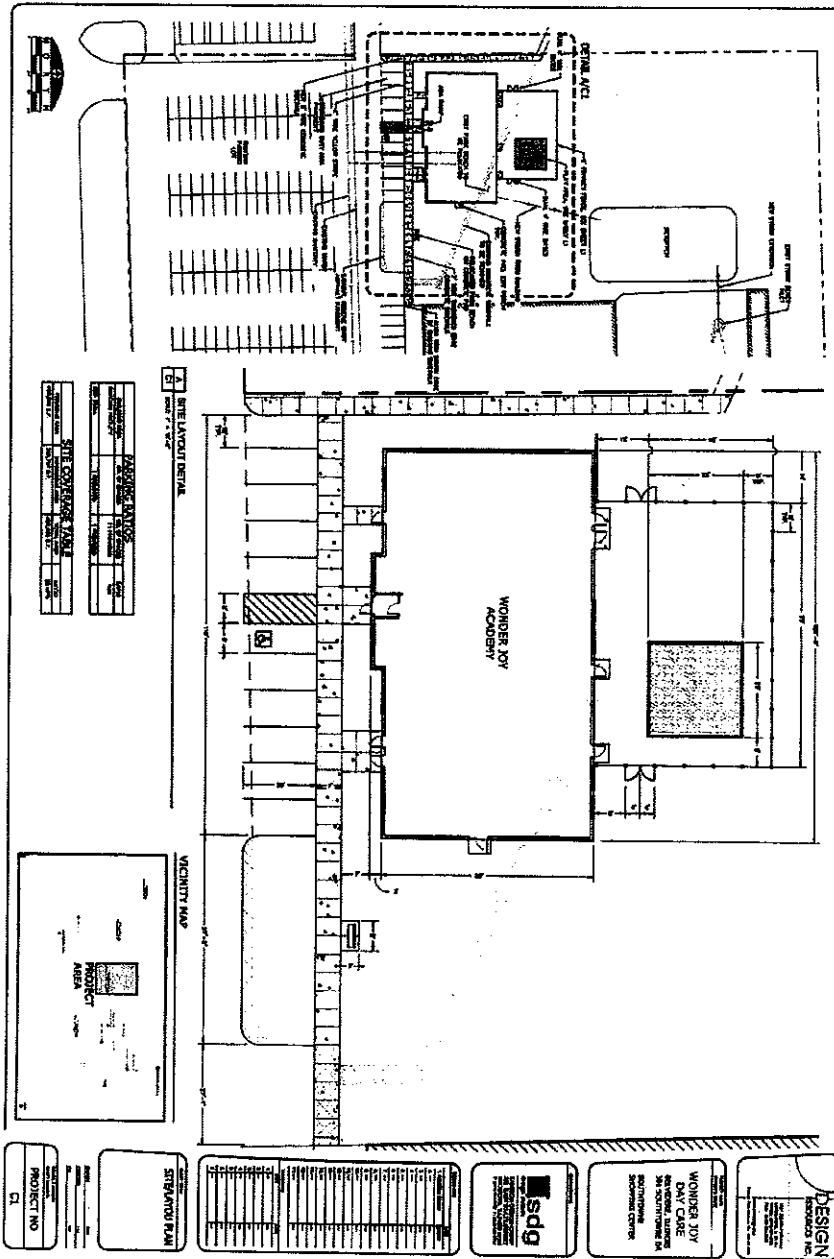
Date Published: June 2, 2020

Sponsor: Ald. Frank

ATTACHMENT A



ATTACHMENT B




AFFIDVAIT

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 #494H of the City of Belvidere, Illinois, in pamphlet form on June 2, 2020, and as a convenience for the public; I posted the pamphlet form of Ordinance #494H in the lobby of Belvidere City Hall at 401 Whitney Blvd., Belvidere, Illinois; said location being readily visible by the public.



Sarah Turnipseed
City Clerk

SUBSCRIBED AND SWORN TO BEFORE ME
this 2nd day of June, 2020.



Notary Public

