

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #516H

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT
(VIDEO GAMING) WITH THE CB, CENTRAL BUSINESS DISTRICT (120 BUCHANAN STREET)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 4TH DAY OF JANUARY 2021.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 5TH DAY OF JANUARY 2021.

Published in Pamphlet Form this 5th day of January 2021.

ORDINANCE NO. 516H

**AN ORDINANCE GRANTING A SPECIAL USE
TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT
(VIDEO GAMING)
WITHIN THE CB, CENTRAL BUSINESS DISTRICT
(120 Buchanan 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 and owner, Russell Caldwell, 8642 US Highway 20, Garden Prairie, IL 61038 is requesting a special use for indoor commercial entertainment to operate video gaming at 120 Buchanan 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 8, 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 CB, Central Business District for indoor commercial entertainment (video gaming) on the property depicted in Attachment A and legally described as:

The Westerly 20 feet of the Easterly 60 feet of Lot Eight (8) of the Assessor's Survey of the Block Eight (8) of Aaron Whitney's Addition to Belvidere, according to the Plat thereof recorded in Book 28 of Deeds on page 421, in Boone County, Illinois; situated in the County of Boone and the State of Illinois. PIN: 05-25-358-020

is hereby approved, subject to the following conditions:

1. Open alcohol is prohibited outside the premises unless otherwise permitted.

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 January, 2021.

APPROVED by the Mayor of the City of Belvidere this 5th day of January, 2021.



Michael W. Chamberlain, Mayor

ATTEST:


Sarah Turnipseed, City Clerk

Ayes: 9 Nays: 0 Absent: 1

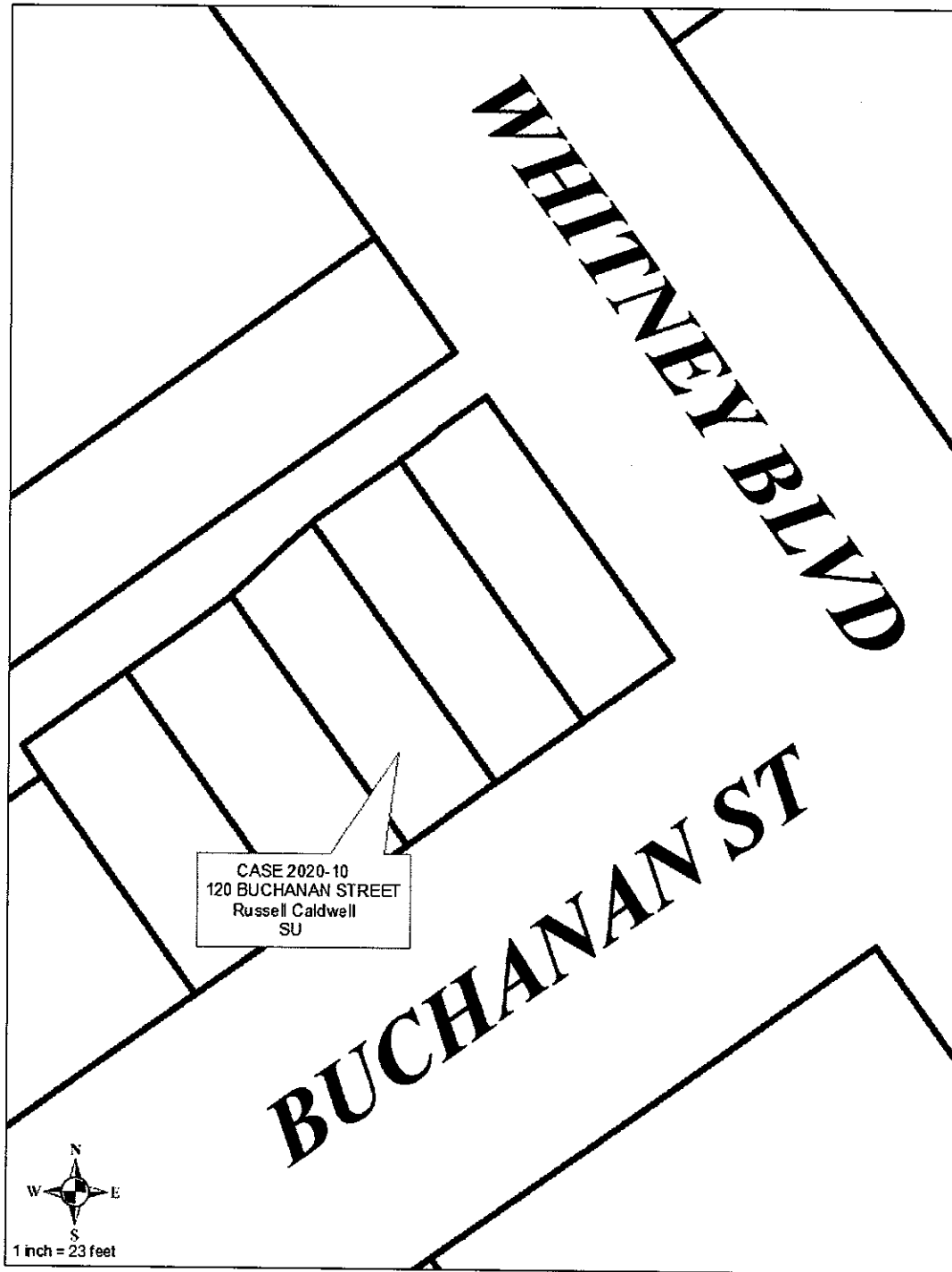
City Council Members Voting Aye: Freeman, McGee, Porter, Ratcliffe, Snow, Stevens, Brereton, Fleury and Frank.

City Council Members Voting Nay: None.

Date Published: January 5, 2021

Sponsor: Ald. Frank.

ATTACHMENT A



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 #516H of the City of Belvidere, Illinois, in pamphlet form on January 5, 2021, and as a convenience for the public; I posted the pamphlet form of Ordinance #516H in the lobby of Belvidere City Hall at 401 Whitney Blvd., Belvidere, Illinois; said location being readily visible by the public.

Sarah Turnipseed
Sarah Turnipseed
City Clerk

SUBSCRIBED AND SWORN TO BEFORE ME
this 5th day of January 2021.

Abigail Meyers

Notary Public

