

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #606H

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW INDOOR SALES OR SERVICE WITHIN THE NO,  
NEIGHBORHOOD OFFICE DISTRICT (1550 PEARL STREET)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 3<sup>RD</sup> DAY OF JANUARY 2023.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 4<sup>TH</sup> DAY OF JANUARY, 2023.

Published in Pamphlet Form this 4<sup>th</sup> day of January 2023.

**ORDINANCE NO. 606H**

**AN ORDINANCE GRANTING A SPECIAL USE  
TO ALLOW INDOOR SALES OR SERVICE  
WITHIN THE NO, NEIGHBORHOOD OFFICE DISTRICT  
(1550 Pearl 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, Ruth Mendez, 531 Pearl Street, Belvidere, IL 61008 on behalf of the property owner, LHC Properties, LLC, 992 Belvidere Road, Belvidere, IL 61008 is requesting a special use to allow indoor sales or service at 1550 Pearl 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 13, 2022 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 NO, Neighborhood Office District to allow for indoor sales or service on the property depicted in Attachment A and legally described as:

Lots Five (5), Seven (7) and Nine (9) in Block Eight (8) as designated upon the Plat of "Highland" situated in Belvidere, according to the Plat thereof recorded in the Recorder's Office of Boone County, Illinois; situated in the County of Boone and the State of Illinois. PIN: 05-36-308-003.

is hereby approved, subject to the following conditions:

1. The hours of operation shall be limited from 6:00am to 11:00pm.
2. A privacy fence or landscaping shall be installed in order to shield vehicular lights from windows of adjacent properties. Required locations of the barrier are depicted on Attachment B.
3. The parking lot shall be re-stripped in substantial compliance with the Belvidere Zoning Ordinance.
4. Parking lot light fixtures shall adhere to residential requirements and not exceed 25 feet in height.

**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.

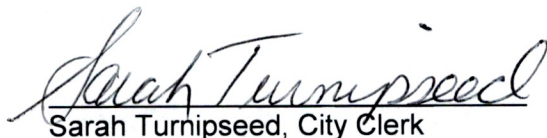
**Section 7.** This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

**PASSED** by the City Council of the City of Belvidere this 3<sup>rd</sup> day of January, 2023.

**APPROVED** by the Mayor of the City of Belvidere this 4<sup>th</sup> day of January, 2023.

  
Clint Morris, Mayor

**ATTEST:**

  
Sarah Turnipseed, City Clerk

**Ayes: 9    Nays: 0    Absent: 1**

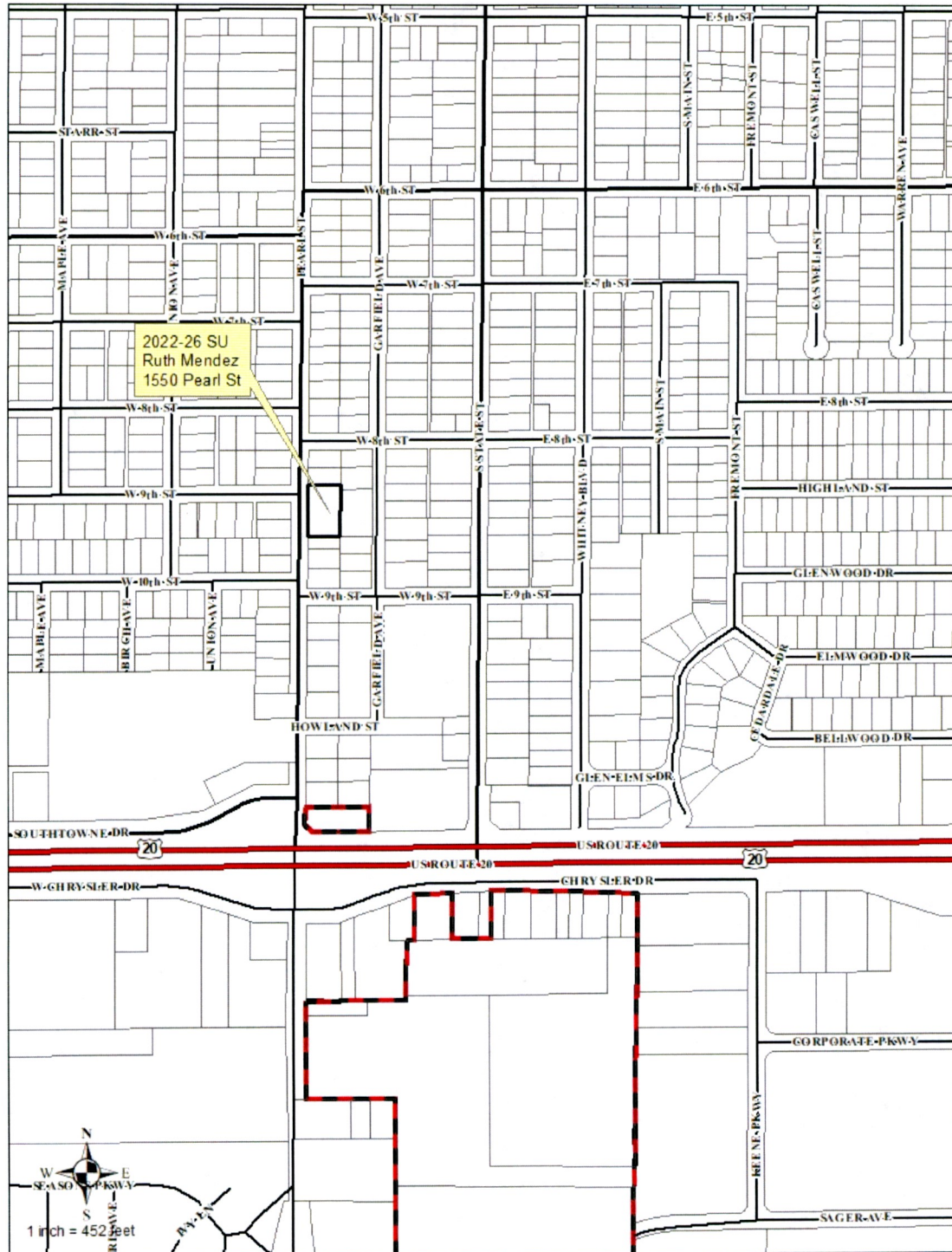
**City Council Members Voting Aye: Fleury, Frank, Freeman, McGee, Mulhall, Porter, Snow, Stevens and Brereton.**

**City Council Members Voting Nay: None.**

**Date Published: January 4, 2023**

**Sponsor: Ald. Snow**

**ATTACHMENT A**



ATTACHMENT B

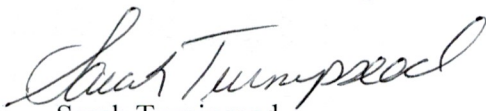


**AFFIDVAIT**

STATE OF ILLINOIS     )  
                                      )  
COUNTY OF BOONE     )

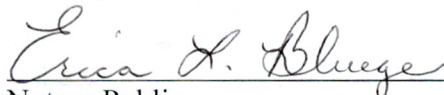
Sarah Turnipseed, first being duly sworn on oath deposes and says as follows:

By authority of the City Council of the City of Belvidere, Illinois, I published Ordinance #606H of the City of Belvidere, Illinois, in pamphlet form on January 4, 2023, and as a convenience for the public; I posted the pamphlet form of Ordinance #606H 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 4<sup>th</sup> day of January, 2023.



Notary Public

