

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #607H

AN ORDINANCE GRANTING A ZONING DISTRICT CHANGE FROM GI, GENERAL INDUSTRIAL DISTRICT TO  
HI, HEAVY INDUSTRIAL DISTRICT  
(SW South Appleton Road and the Railroad Tracks)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 6<sup>TH</sup> DAY OF FEBRUARY 2023.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 13<sup>TH</sup> DAY OF FEBRUARY 2023.

Published in Pamphlet Form this 13<sup>th</sup> day of February 2023.

## **ORDINANCE #607H**

### **AN ORDINANCE GRANTING A ZONING DISTRICT CHANGE FROM GI, GENERAL INDUSTRIAL DISTRICT TO HI, HEAVY INDUSTRIAL DISTRICT (SW South Appleton Road and the Railroad Tracks)**

**WHEREAS**, a written application has been made by the applicant, William Hupperich (Manhard Consulting, Ltd), 1 Overlook Point, Suite 290, Lincolnshire, Illinois 60069 on behalf of the property owner, Dieter W. Kempf (Karl Kempf Trust 052206), 8520 N. Springfield Avenue, Skokie, IL 60076 to obtain a zoning district change from GI, General Industrial District to HI, Heavy Industrial District pursuant to applicable provisions of the Zoning Ordinance (Chapter 150 of the Belvidere Municipal Code) of the City of Belvidere, Illinois; and,

**WHEREAS**, the application for a zoning district change was published in a newspaper of general circulation that is distributed within the City of Belvidere in accordance to Illinois State Statutes; and,

**WHEREAS**, after due notice the Planning and Zoning Commission held a public hearing on January 10, 2023 to consider the zoning map amendment and has transmitted its findings of fact and recommendation on the matter to the City Council; and,

**WHEREAS**, the City Council has considered the Planning and Zoning Commission's findings of fact and recommendation.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELVIDERE, ILLINOIS, AS FOLLOWS:**

**Section 1.** The zoning for the following property legally described as:

PART OF THE EAST HALF OF SECTION 34, TOWNSHIP 44, NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS TO -WIT: BEGINNING AT A POINT WHICH IS 265.0 FEET PERPENDICULARLY DISTANT WEST FROM THE EAST LINE OF SAID SECTION AND 1143.34 FEET SOUTH FROM THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION, THENCE NORTH 00 DEGREES 53' 56" EAST, PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION, 1143.34 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE NORTH 01 DEGREES 00', 18" EAST, PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION, 150.00 FEET; THENCE NORTH 90 DEGREES 00' 00" EAST, PARALLEL WITH THE SOUTH LINE OF SAID SECTION, 100.0 FEET TO A POINT DISTANT 50.0 FEET WESTERLY MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF THE MOST EASTERLY TRACK OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY AS NOW LOCATED; THENCE NORTH 00 DEGREES 59' 49" EAST, PARALLEL WITH THE CENTERLINE OF SAID TRACK, 231.23 FEET; THENCE NORTH 05 DEGREES 06' 13" WEST, 226.62 FEET; THENCE NORTHWESTERLY ALONG A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 725.3 FEET AND WHOSE CENTER LIES TO THE WEST TO POINT DISTANT 207.5 FEET SOUTHERLY MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF THE MAIN TRACK OF THE GALENA AND CHICAGO UNION RAILROAD COMPANY (NOW THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY AS SAID MAIN



TRACT CENTERLINE WAS ORIGINALLY LOCATED AND ESTABLISHED ACROSS SAID SECTION 34 THE CHORD ACROSS THE LAST DESCRIBED CIRCULAR CURVE COURSE BEARS NORTH 34 DEGREES 30' 27" WEST, 712.20 FEET; THENCE SOUTH 84 DEGREES 07' 03" WEST, PARALLEL WITH SAID ORIGINAL MAIN TRACT CENTERLINE 757.85 FEET TO A POINT ON THE EAST LINE OF A TRACT OF LAND CONVEYED TO THE ELECTRIC STONE COMPANY BY DEED RECORDED IN BOOK 65, PAGE 452; THENCE SOUTH 01 REGRESS 00' 18" WEST, ALONG THE EAST LINE OF SAID TRACT, 264.0 FEET TO THE SOUTHEAST CORNER OF SAID TRACT OF LAND; THENCE SOUTH 84 DEGREES 07' 03" WEST, 166.21 FEET; THENCE SOUTH 01 DEGREES 01' 33" WEST 834.79 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE NORTH 89 DEGREES 58' 42" WEST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION, 70.0 FEET; THENCE SOUTH 10 DEGREES 45' 41" WEST, 80.78 FEET; THENCE SOUTH 36 DEGREES 13' 29" EAST, 652.08 FEET; THENCE SOUTH 45 DEGREES 55' 12" EAST, 169.09 FEET; THENCE SOUTH 71 DEGREES 22' 40" EAST, 188.17 FEET; THENCE SOUTH 50 DEGREES 56' 08" EAST, 400.35 FEET; THENCE SOUTH 73 DEGREES 19' 09" EAST, 280.33; THENCE SOUTH 64 DEGREES 31' 47" EAST, 64.65 FEET TO THE POINT OF BEGINNING SITUATED IN THE CITY OF BELVIDERE, COUNTY OF BOONE.

SUBJECT TO A CERTAIN EASEMENT LEGALLY DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 44 NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOONE COUNTY, ILLINOIS BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT WHICH IS 265.0 FEET PERPENDICULARLY DISTANT WEST FROM THE EAST LINE OF SAID SECTION 34 AND DISTANCE 1143.34 FEET SOUTH FROM THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE NORTH 00 DEGREES 53' 56" EAST, PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34; 1143.34 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 34; THENCE NORTH 01 DEGREES 00' 18" EAST, PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34, 150.0 FEET; THENCE NORTH 90 DEGREES 00' 00" EAST, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 34, 100.0 FEET TO A POINT DISTANT 50.0 FEET WESTERLY MEASURED AT RIGHT ANGLES, FROM THE CENTER LINE OF THE MOST EASTERLY TRACK OF THE CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY, AS SAID TRACK IS NOW LOCATED, THENCE NORTH 00 DEGREES 59' 49" EAST, PARALLEL WITH THE CENTER LINE OF SAID TRACK 64.0 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE SOUTH 89 DEGREES 00' 11" EAST, 165.02 FEET; THENCE NORTH 01 DEGREES 00' 18" EAST, 45.00 FEET; THENCE NORTH 89 DEGREES 00' 11" WEST, 165.03 FEET; THENCE SOUTH 00 DEGREES 59' 49" WEST, 45.00 FEET TO THE POINT OF BEGINNING. PIN: 05-34-200-027.

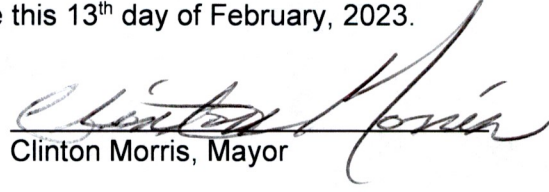
is changed and amended from GI, General Industrial District to the HI, Heavy Industrial District; the Belvidere Official Zoning Map shall be modified to reflect this zoning amendment.

A location map identifying the subject property is herein attached and made a part of this Ordinance (attachment A).

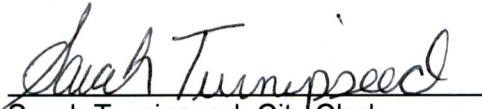
**Section 2.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in the pamphlet form as provided by law.

**PASSED** by the City Council of the City of Belvidere this 6<sup>th</sup> day of February, 2023.

**APPROVED** by the Mayor of the City of Belvidere this 13<sup>th</sup> day of February, 2023.

  
Clinton Morris, Mayor

**ATTEST:**

  
Sarah Turnipseed, City Clerk

Ayes: 8

Nays: 0

Absent: 2

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

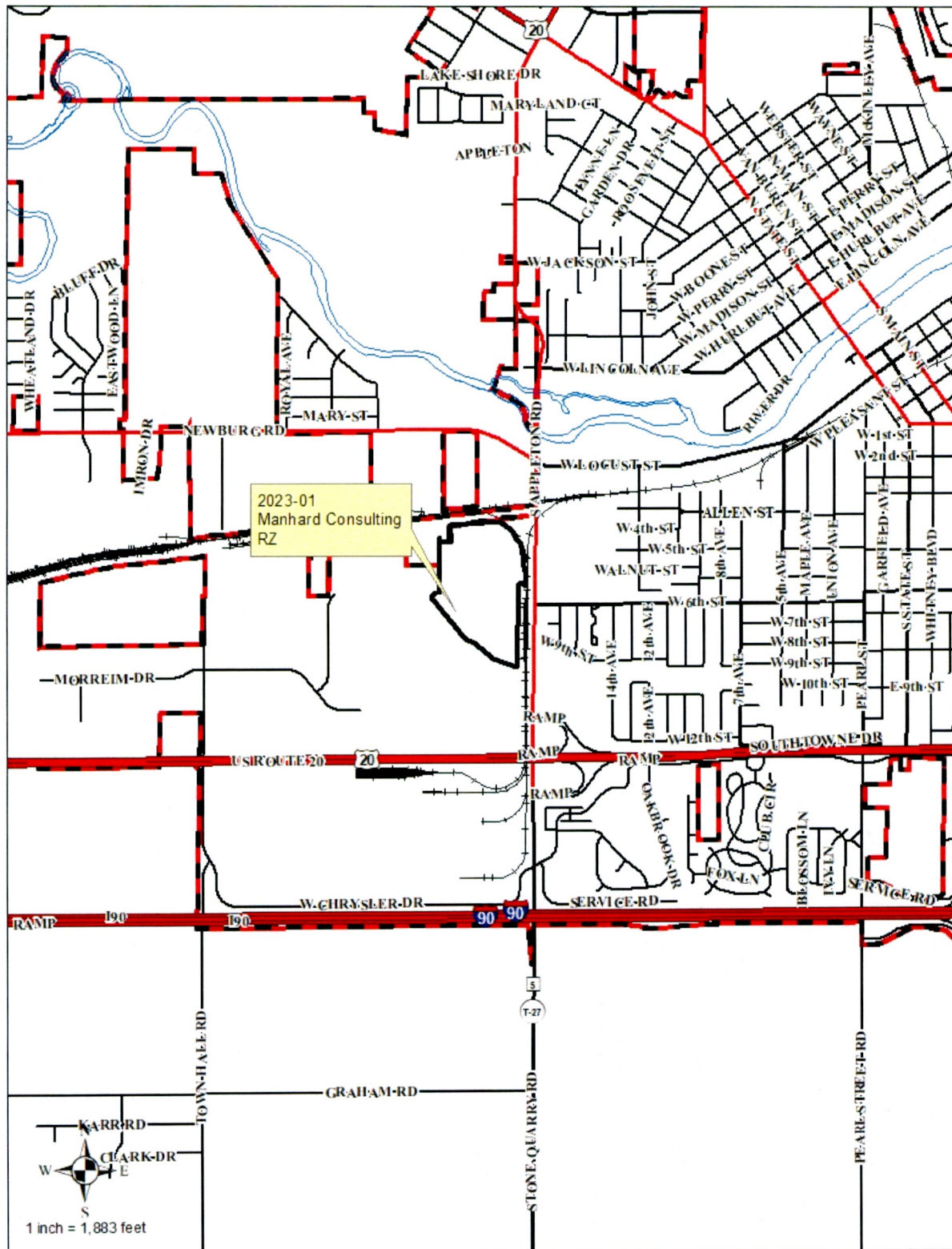
City Council Members Voting Nay: None.

Date Published: February 13, 2023

Sponsor: Ald. Prather



## ATTACHMENT A

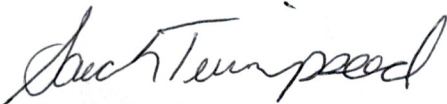


**AFFIDVAIT**

STATE OF ILLINOIS       )  
                                      )  
COUNTY OF BOONE       )

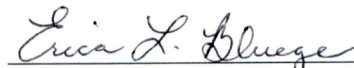
Sarah Turnipseed, first being duly sworn on oath deposes and says as follows:

By authority of the City Council of the City of Belvidere, Illinois, I published Ordinance #607H of the City of Belvidere, Illinois, in pamphlet form on February 13, 2023, and as a convenience for the public; I posted the pamphlet form of Ordinance #607H 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 13<sup>th</sup> day of February, 2023.



Notary Public

