

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #644H

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW ROOF, ABOVE PEAK SIGN WITHIN THE GB,
GENERAL BUSINESS DISTRICT
(1910 NORTH STATE STREET)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 2ND DAY OF OCTOBER 2023.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 5TH DAY OF OCTOBER, 2023.

Published in Pamphlet Form this 5th day of October 2023.

ORDINANCE NO. 644H

**AN ORDINANCE GRANTING A SPECIAL USE
TO ALLOW ROOF, ABOVE PEAK SIGN
WITHIN THE GB, GENERAL BUSINESS DISTRICT
(1910 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, Daniel Castro Small, 1910 North State Street, Belvidere, IL 61008 on behalf of the property owner, Panama Enterprises, Inc. is requesting a special use to permit a Roof, above peak sign; 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 September 12, 2023 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 Roof, above peak sign on the property depicted in Attachment A and legally described as:

A part of Section 22, Township 44 North, Range 3 East of the Third Principal Meridian described as follows: Beginning at the point of intersection of the section line between Section 22 and 23 and the center line of a public highway known as U.S. Route 20, which point is also a point of the Northerly extension of the center line of a public highway known as Sunset Avenue; thence Southwesterly along the said extension of the center line of Sunset Avenue a distance of 60.08 feet to a point which is the point of beginning of the property herein described; thence

continuing Southwesterly along the center line of said Sunset Avenue a distance of 131.17 feet; thence Northwesterly at an angle of 87 degrees-02' measured counter clockwise from the last described course (parallel with the Southerly right-of-way line of said U.S. Route 20) a distance of 189.83 feet; thence Northeasterly at right angles to the last described course a distance of 131.0 feet to a point on the Southerly right-of-way line of said U.S. Route 20; thence Southeasterly along the said Southerly right-of-way line and the Southeasterly extension of said right-of-way line a distance of 183.04 feet to the point of beginning, (EXCEPTING THEREFROM: Premises deed to People of the State of Illinois recorded April 4, 1984, as Document No. 84-860); situated in the City of Belvidere, County of Boone and State of Illinois. PIN: 05-22-476-009.

Is hereby approved, subject to the following conditions:

1. Substantial compliance with the sign elevation submitted. (Attachment B)
2. Building plans including any structural changes such as electric, HVAC and plumbing that show the building's ability to safely mount the vehicle/sign onto the roof will need to be submitted by a licensed design professional for review and approval.

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.

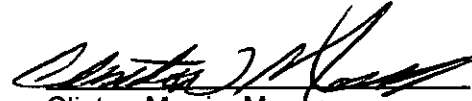
Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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.

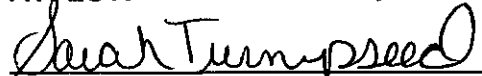
Section 7. This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Belvidere this 2nd day of October, 2023.

APPROVED by the Mayor of the City of Belvidere this 5th day of October, 2023.


Clinton Morris, Mayor

ATTEST:


Sarah Turnipseed, City Clerk

Ayes: 9 Nays: 0 Absent: 1

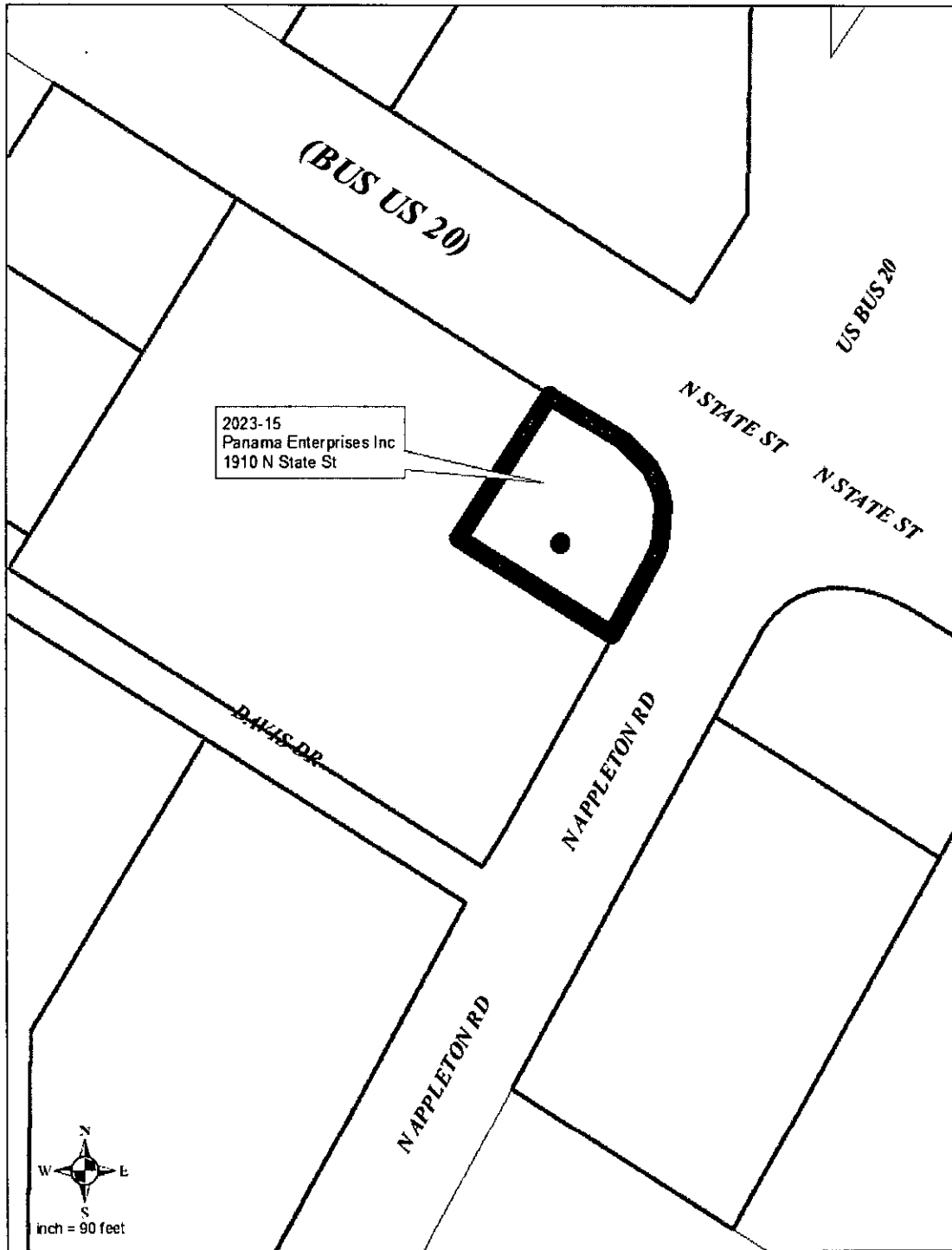
City Council Members Voting Aye: McGee, Mulhall, Snow, Albertini, Brereton, Fleury, Frank, Freeman and Gramkowski.

City Council Members Voting Nay: None.

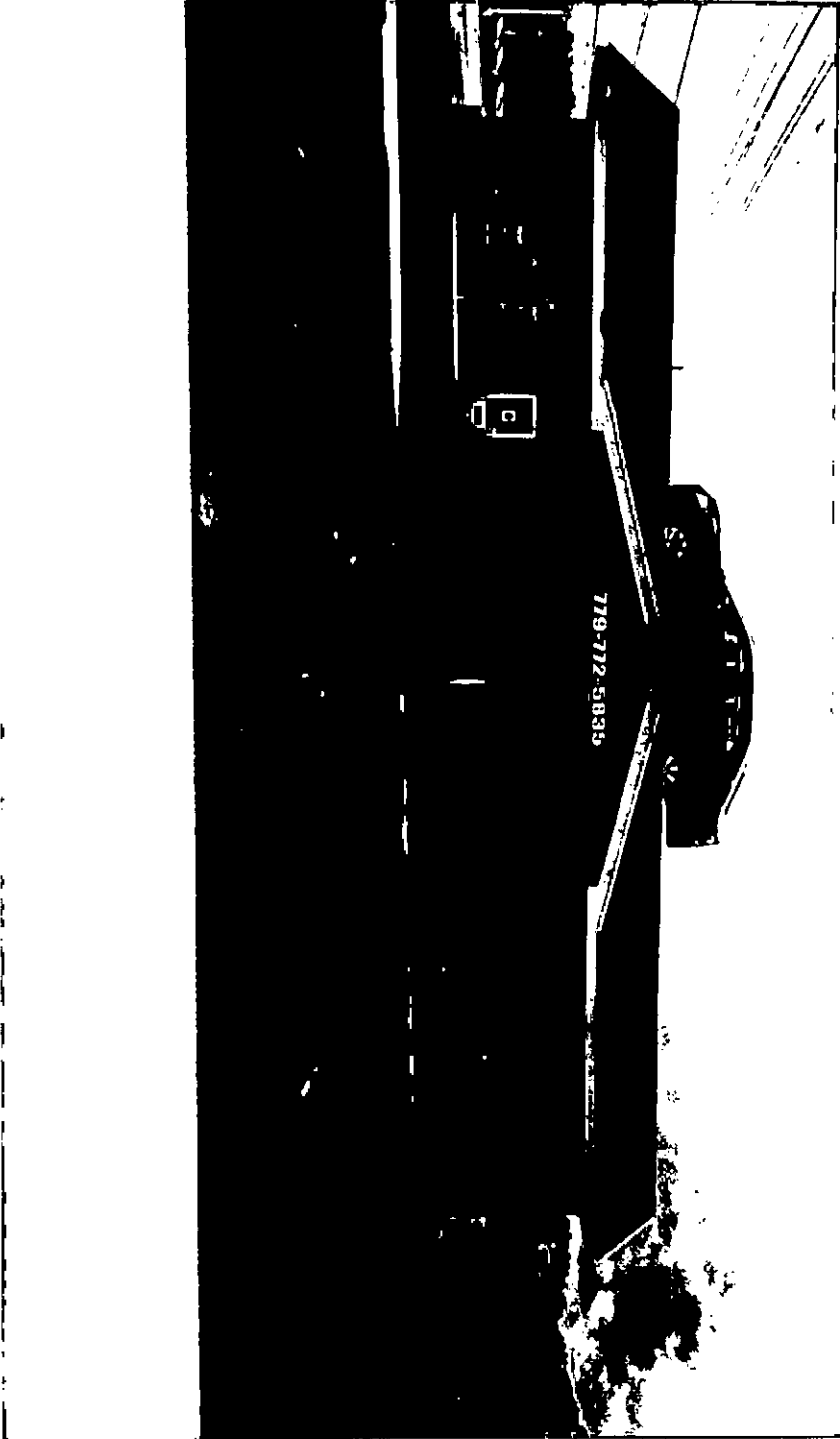
Date Published: October 5, 2023

Sponsor: Ald. Snow

ATTACHMENT A



ATTACHMENT B

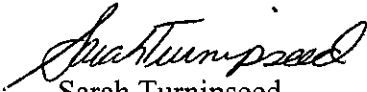


AFFIDAVIT


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 #644H of the City of Belvidere, Illinois, in pamphlet form on October 5, 2023, and as a convenience for the public; I posted the pamphlet form of Ordinance #644H on the bulletin board in the lobby of Belvidere City Hall 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 5th day of Oct., 2023.



Notary Public

