

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #722H

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT WITHIN
THE CB, CENTRAL BUSINESS DISTRICT (105 BUCHANAN STREET)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 5th DAY OF MAY 2025.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 7th DAY OF MAY 2025.

Published in Pamphlet Form this 7th day of May 2025.

ORDINANCE NO. 722H

**AN ORDINANCE GRANTING A SPECIAL USE
TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT
WITHIN THE CB, CENTRAL BUSINESS DISTRICT
(105 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, Moscato's Pizzeria, Inc, 1409 Conlin Drive, Belvidere, IL 61008 on behalf of the property owners, Giuseppe and Rosalia Moscato, at the same address is requesting a special use to permit indoor commercial entertainment at 105 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 April 8, 2025 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 to allow for indoor commercial entertainment on the property depicted in Attachment A and legally described as:

Lot Two (2) and alley lying West of and adjacent to Lot Two (2), the West Half (1/2) of Lot Three (3) and all of Lots Twenty one (21) and Twenty-two (22) of the Assessor's Survey of Block Seven (7) in Aaron Whitney's Addition to Belvidere as platted and recorded in the Recorder's office of Boone County, Illinois, in Book 28 of Deeds, page 420; situated in the County of Boone and State of Illinois. PIN: 05-25-360-002.

is hereby approved, subject to the following conditions:

1. Open alcohol is prohibited outside the premises unless otherwise permitted.
2. Indoor commercial entertainment land uses are only permitted in the tenant space commonly known as 105 Buchanan Street.

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.

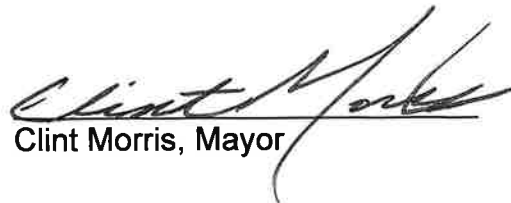
Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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 5th day of May, 2025.

APPROVED by the Mayor of the City of Belvidere this 7th day of May, 2025.


Clint Morris, Mayor

ATTEST:

ATTEST:


Erica Bluege, City Clerk

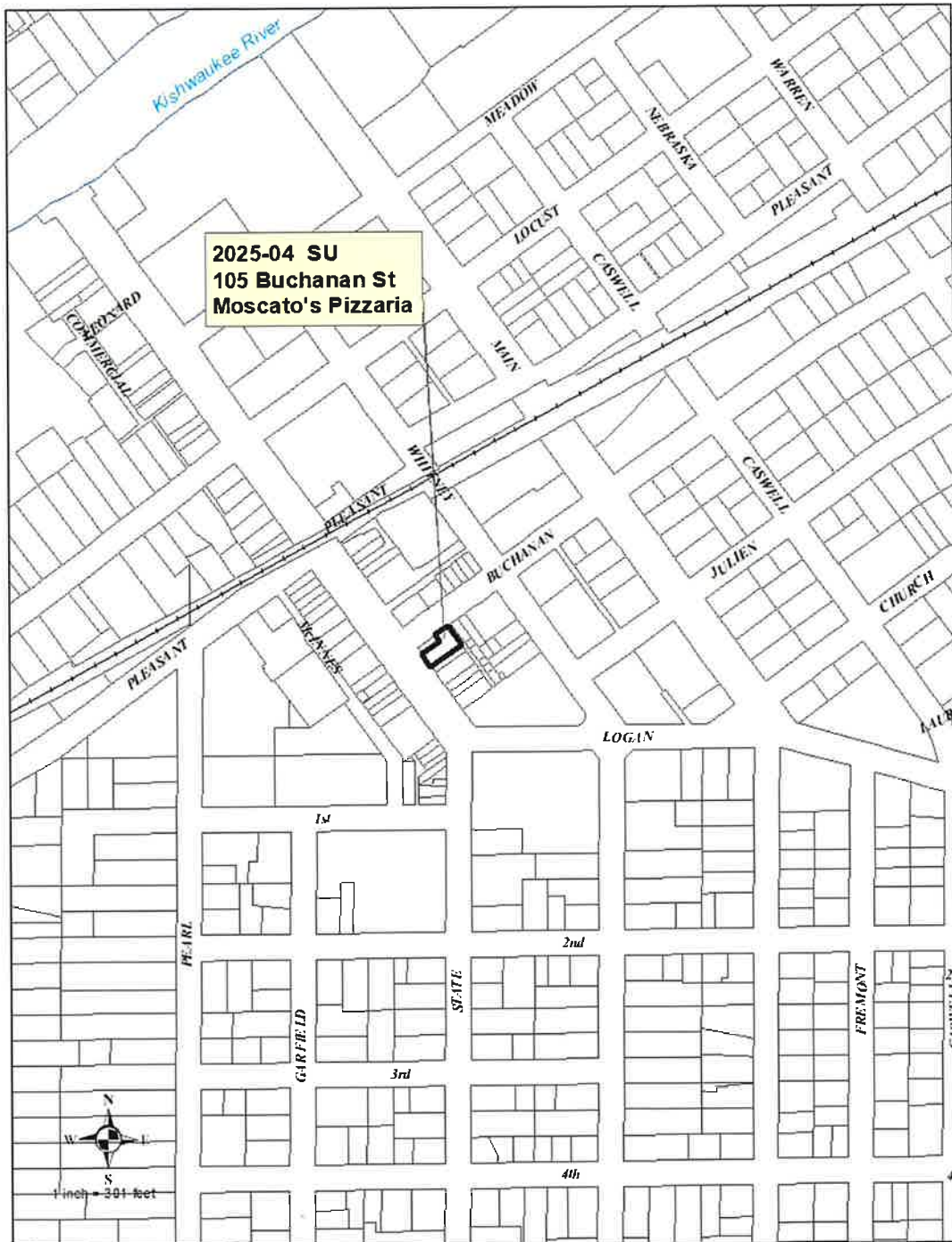
Ayes: 10 Nays: 0 Absent: 0

City Council Members Voting Aye: Brereton, Fleury, Frank, Gramkowski,
Hoiness, McGee, Montalbano, Peterson,
Stevens and Albertini.

City Council Members Voting Nay: None

Date Published: May 7, 2025

ATTACHMENT A



AFFIDAVIT

STATE OF ILLINOIS)
)
COUNTY OF BOONE)

Erica Bluege, 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 #722H of the City of Belvidere, Illinois, in pamphlet form on May 7, 2025 and as a convenience for the public; I posted the pamphlet form of Ordinance #722H 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.

Erica Bluege

Erica Bluege
City Clerk

SUBSCRIBED AND SWORN TO BEFORE ME
this 7th day of May, 2025.

Abigail Vance

Notary Public

