

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #525H

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT (VIDEO GAMING) WITHIN THE GB, GENERAL BUSINESS DISTRICT (1474 NORTH STATE STREET)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 1ST DAY OF MARCH 2021.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 2ND DAY OF MARCH, 2021.

Published in Pamphlet Form this 2nd day of March 2021.

ORDINANCE NO. 525H

**AN ORDINANCE GRANTING A SPECIAL USE
TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT
(VIDEO GAMING)
WITHIN THE GB, GENERAL BUSINESS DISTRICT
(1474 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, Mario Pompeo, 4014 Tatum Road, Rockford, IL 61114 on behalf of the owners Ed and Judy Winter, 1409 Walts Way, Belvidere, IL 61008 is requesting a special use to permit indoor commercial entertainment to operate video gaming at 1474 North State 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 February 9, 2021 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 indoor commercial entertainment (video gaming) on the property depicted in Attachment A and legally described as:

Part Lot 9 of Assessor's Survey of Northwest Quarter of Section 26 and Southwest Quarter of Section 23, Township 44 North, Range 3, East of the Third Principal Meridian, according to the Plat recorded December 2, 1870 of Book 33 of Deeds page 633 described as follows: Beginning at a point in the center line of the State Road, 20.80 chains, South 58 degrees East from the intersection of the center line of said Road with the line between Section 22 and 23, all in Township 44 North, Range 3 East of the Third Principal Meridian; thence South 32 degrees West 5.02 chains to an iron stake; thence Southeasterly and parallel with the centerline of said State Road, 6.21 ½ chains to a stake; thence North 32 degrees East, 5.02 chains to a point in the centerline of said State Road; thence North 58 degrees West, along the centerline of said Road, 6.22 chains to the place of beginning in Boone County, Illinois, (excepting, however, that part of said premises as conveyed to Union National Bank and Trust Company of Joliet, Illinois, as Trustee, by Deed Dated December 11, 1964, filed December 11, 1964 and recorded in the Recorder's Office of Boone County, Illinois, as Document No. 2304) (Also excepting therefrom a strip of land 10.5 feet of even width along the entire East side thereof) in Boone County, Illinois PIN: 05-26-126-001

is hereby approved, subject to the following conditions:

1. Open alcohol is prohibited outside the premises unless otherwise permitted.
2. The video gaming shall be in substantial compliance with the site plan submitted. (Attachment B)
3. The special use is only for the tenant space commonly known as 1474 North State 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.

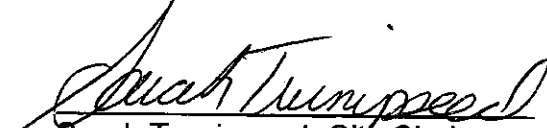
PASSED by the City Council of the City of Belvidere this 1st day of March, 2021.

APPROVED by the Mayor of the City of Belvidere this 2nd day of March, 2021.



Michael W. Chamberlain, Mayor

ATTEST:



Sarah Turnipseed, City Clerk

Ayes:10 Nays: 0 Absent: 0

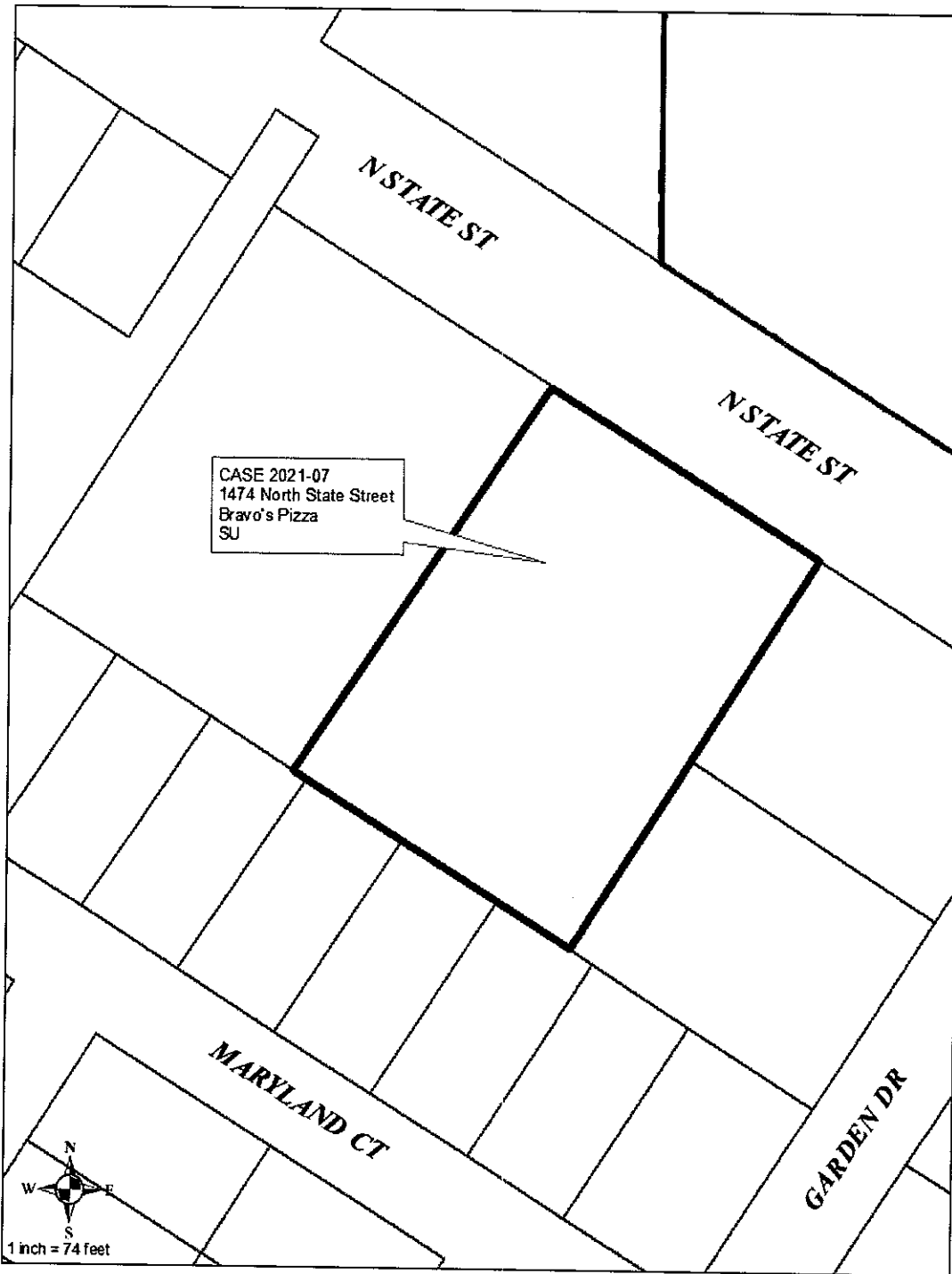
City Council Members Voting Aye: Arevalo, Brereton, Fleury, Frank, Freeman, McGee, Porter, Ratcliffe, Snow and Stevens.

City Council Members Voting Nay: None.

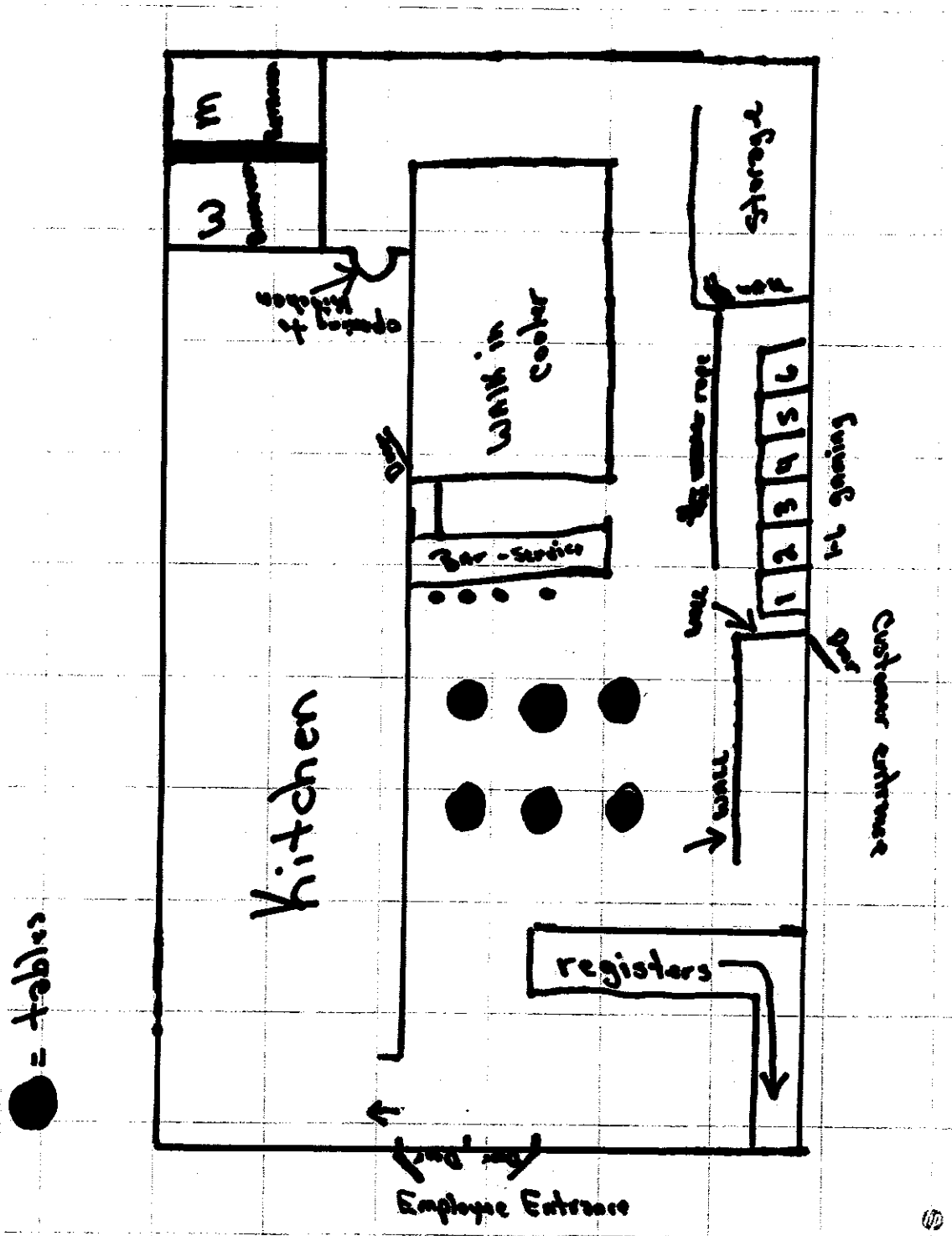
Date Published: March 2, 2021

Sponsor: Ald. Snow

ATTACHMENT A



ATTACHMENT B

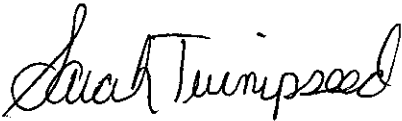


AFFIDVAIT

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 #525H of the City of Belvidere, Illinois, in pamphlet form on March 2, 2021, and as a convenience for the public; I posted the pamphlet form of Ordinance #525H 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 2nd day of March 2021.



Notary Public