

VILLAGE OF BIG ROCK

ORDINANCE NO. 2015- _____

**AN ORDINANCE APPROVING AN AMENDED SPECIAL USE PERMIT
FOR PROPERTY AT THE NW CORNER OF RHODES AVENUE
AND SECOND STREET TO ALLOW CONTINUED WAREHOUSING/STORAGE
IN THE B-3 DISTRICT**

**ADOPTED BY THE BOARD OF TRUSTEES
OF THE VILLAGE OF BIG ROCK
THIS 28th DAY OF APRIL, 2015**

Published in pamphlet form by the authority of the Board of Trustees of the
Village of Big Rock, Kane County, Illinois
this 28th day of April, 2015

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FOR PROPERTY AT THE NW CORNER OF RHODES AVENUE AND
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DISTRICT

WHEREAS, the Village of Big Rock is a municipal corporation duly organized and operating pursuant to the laws of the State of Illinois; and

WHEREAS, Harry Schoger (“Applicant”) is the owner of real property located at the NW corner of Rhodes Avenue and Second Street, Big Rock, Illinois (the “Subject Property”), which is legally described in Exhibit “A” attached hereto; and

WHEREAS, the Subject Property is zoned B-3 Gateway Commercial/Office District and is currently improved with a grain storage building and related buildings; and

WHEREAS, the Big Rock Zoning Ordinance allows warehouse/storage use as a special use for properties within the B-3 District; and

WHEREAS, on December 3, 2007, the Applicant obtained special use permit from the Village to allow a warehouse/storage use upon the Subject Property utilizing the existing buildings upon the Subject Property and subject to certain special conditions; and

WHEREAS, one of the special conditions to the special use permit stipulated that the special use would terminate in the event the Subject Property is connected or has the ability to connect to adjacent sanitary and storm sewer facilities; and

WHEREAS, the Subject Property has recently connected to the Village sanitary and storm sewer facilities, and in lieu of terminating this special use, the Applicant desires to have the Village approve an amended special use permit to allow this storage/warehouse use to continue upon the Subject Property; and

WHEREAS, the Village of Big Rock has reached an agreement with the owner to allow the Village to store road salt in an outdoor storage bin on the Subject Property, and desires to have this continued special use permit to allow this outdoor salt storage; and

WHEREAS, the Village of Big Rock Plan Commission conducted a public hearing after due notice and voted to recommend this amended special use request pursuant to its written findings of fact; and

WHEREAS, the Village of Big Rock Board of Trustees adopts said findings of fact and desires to approve this amended special use permit for the Subject Property, finding no adverse or unique impacts upon adjacent properties.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Big Rock, Kane County, Illinois, as follows:

Section 1: The above-stated Recitals are hereby restated and incorporated into this Section 1 as though fully set forth herein.

Section 2: Applicant's request for an amended special use permit to allow the continued warehousing/storage upon the Subject Property, including the outdoor storage of road salt by the Village, is hereby approved, subject to compliance with all special conditions for this special use set forth in the Zoning Ordinance, and subject to the following additional special conditions:

- A. Applicant or his successors in interest shall not install or construct additional or new buildings or structures upon the Subject Property.
- B. No parking of vehicles is allowed on the eastern portion of the Subject Property adjacent to Rhodes Avenue.
- C. No pole signs or free-standing signs shall be allowed on the Subject Property.
- D. All proposed signs must have the prior approval of the Village of Big Rock Board of Trustees.
- E. Applicant or his successors in interest shall remove the portions of the existing buildings and structures upon the Subject Property indicated in the photographs submitted to the Plan Commission prior to the commencement of the warehousing/storage use.

Section 3: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict.

Section 4: This ordinance shall be in full force and effect after its passage, approval and recording as provided by law.

PRESENTED to the Board of Trustees of the Village of Big Rock, Kane County, Illinois on this 28th day of April, 2015.

Trustee Hanninen ____ Trustee Metzger ____ Trustee Lynch ____

Trustee McCannon ____ Trustee Walsh ____ Trustee Shimkus ____

PASSED by the Board of Trustees of the Village of Big Rock, Kane County, Illinois, this 28th day of April, 2015.

SIGNED by the President of the Board of Trustees of the Village of Big Rock, Kane
County, Illinois, this 28th day of April, 2015.

Dean Hummell, President
Village of Big Rock, Illinois

ATTEST:

Tim May, Village Clerk
Village of Big Rock, Illinois

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

CLERK’S CERTIFICATE

I, Tim May, certify that I am the Village Clerk of the Village of Big Rock, Kane County, Illinois, and as such officer I am the keeper of the records, files and proceedings of the corporate authorities of said municipality.

I further certify that:

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was adopted by the President and Board of Trustees of the Village of Big Rock at a meeting held on April 28, 2015 and approved by the Village President on April 28, 2015. I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board complied with all the requirements of the Illinois Open Meeting Act.

I do further certify that the ordinance, of which the attached is a true and correct copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of same.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and the seal of the municipality this 28th day of April, 2015.

(SEAL)

Tim May, Village Clerk
Village of Big Rock, Illinois

EXHIBIT "A"

LEGAL DESCRIPTION

LOTS 1, 2, 3, 4, 5 AND 6 IN BLOCK 6 OF THE ORIGINAL TOWN
OF BIG ROCK, KANE COUNTY, ILLINOIS