

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 16-23

**AN ORDINANCE APPROVING A SPECIAL USE TO PERMIT A TAVERN IN A B-1
DISTRICT AT 104 E. MULBERRY STREET IN THE VILLAGE OF CHATHAM**

THOMAS S. GRAY, Village President
PAT SCHAD, Village Clerk

MARK CLAYTON
DAVID KIMSEY
NINA LINDHORST
MATT MAU
JOE SCHATTEMAN
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Chatham
on 5/24, 2016

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62705

ORDINANCE NO. 16- 23

AN ORDINANCE APPROVING A SPECIAL USE TO PERMIT A TAVERN IN A B-1 DISTRICT AT 104 E. MULBERRY STREET IN THE VILLAGE OF CHATHAM

WHEREAS, the Village of Chatham (“Village”), Sangamon County, State of Illinois, is a duly organized and existing municipality operating under and pursuant to the Illinois Municipal Code; and

WHEREAS, an application for a special use permit was filed by Price Street Partners, Inc., by Dan Sperry, to allow a tavern as a special use in a B-2 district at 104 E. Mulberry Street in the Village of Chatham; and

WHEREAS, Section 158.116 of the Village’s Zoning Code permit the issuance of special use permits;

WHEREAS, a public hearing was noticed and duly held on May 19, 2016, before the Planning Commission (“Commission”) on the issuance of the special use permit; and

WHEREAS, the notice of the public hearing was published in the Chatham Clarion; and

WHEREAS, at the hearing on May 19, 2016, the Commission unanimously recommended approval of the special use permit; and

WHEREAS, the Village Board of Trustees and the Mayor of the Village of Chatham believe it is in the best interests of the Village to grant the special use permit as set forth in this Ordinance.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Chatham, Sangamon County, Illinois, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby

incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Findings of Fact. The Village Board adopts the findings of fact of the Commission, including that the special use: (1) is proposed to be operated, designed, and located so that the public health, safety and welfare will be protected; and (2) will not cause substantial injury to the value of other property in the vicinity in which it is located.

Section 3. Description of the Property. The Property is legally described as set forth on Exhibit A.

Section 4. Public Hearing. A public hearing was advertised in the Chatham Clarion and held by the Planning Commission on May 19, 2016, at which time the Planning Commission unanimously recommended approval of the special use permit.

Section 5. Issuance of Special Use Permit. A special use permit is hereby granted, as requested in the application, to permit Price Street Partners, Inc., through Dan Sperry, to have a tavern on the premises identified in Section 3 above.

Section 6. Severability. In the event a court of competent jurisdiction finds this Ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this Ordinance and the application thereof to the greatest extent permitted by law.

Section 7. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this Ordinance.

Section 8. Effectiveness. This Ordinance shall be in full force and effect from

and after passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this 24 day of MAY, 2016, at
Chatham, Sangamon County, Illinois.

	YES	NO	ABSENT	PRESENT
MARK CLAYTON			✓	
DAVID KIMSEY	✓			
NINA LINDHORST			✓	
MATT MAU	✓			
JOE SCHATTEMAN	✓			
<u>TERRY FOUNTAIN</u>	✓			
THOMAS S. GRAY				
TOTAL	<u>4</u>		<u>2</u>	

APPROVED by the President of the Village of Chatham, Illinois this 24 day of
may, 2016.

Thomas S. Gray
Thomas S. Gray, Village President

Attest:

Pat Schad
Pat Schad, Village Clerk

EXHIBIT A
LEGAL DESCRIPTION