

**TOWN OF CORTLAND
DEKALB COUNTY, ILLINOIS**

TOWN OF CORTLAND
ORDINANCE NO. 2024-__

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO THE TOWN OF CORTLAND,
FOR GOVERNMENT OFFICES AND BUILDINGS ON A 6.5 ACRE LOT OF LAND
LOCATED AT 50 WEST MAPLE AVENUE, PIN 09-29-176-003, IN THE TOWN OF
CORTLAND, DEKALB COUNTY, ILLINOIS

**ADOPTED BY THE
MAYOR AND BOARD OF TRUSTEES
OF THE TOWN OF CORTLAND**

This ____ day of _____ 2024

Published in pamphlet form by the authority of the President and Board of Trustees of the Town
of Cortland, DeKalb County, Illinois, this ____ day of ____ 2024

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CORTLAND, DEKALB COUNTY, ILLINOIS

WHEREAS, a petition has been filed by the Town of Cortland, for a 6.5-acre lot of land located at 50 West Maple Avenue, PIN 09-29-176-003, Cortland, Illinois, seeking a Special Use Permit to allow for the renovation of an existing building as government offices and buildings on that property; and

WHEREAS, the petition of the Town of Cortland for said special use permit was made in accordance with the provisions of the zoning chapter of the Town Code; and

WHEREAS, public notice of a public hearing to consider the requested Special Use Permit application was published in the *Daily Chronicle* on June 22, 2024, and proper notice was sent by mail to proximate property owners in accordance with Sec. 9-9-2.B of the Town Code; and

WHEREAS, on July 18, 2024, the Planning Commission held a public hearing at which time the Petitioner and other members of the public offered testimony regarding the requested Special Use Permit; and

WHEREAS, the Planning Commission has tendered an updated Finding of Fact and Recommendation to the Cortland Board of Trustees, and recommends approval of the proposed special use subject to conditions, by a vote of 5 aye, 0 nay, and 2 absent; and

WHEREAS, in accordance with Section 9-10-6 of the Town Code, the Board of Trustees hereby accepts the report and Finding of Fact submitted by the Planning Commission and determines that all requirements for the special use have been met; specifically finding that the evidence presented establishes the following:

1. The proposed structure or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community;
2. The proposed structure or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare;
3. The proposed structure or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations; and

WHEREAS, the Board of Trustees adopts and incorporates the contents of the

Recommendation Letter and Findings of Fact to the Town of Cortland Board of Trustees PC 24-03 attached hereto as Exhibit “A,”.

NOW THEREFORE BE IT ORDAINED by the Board of Trustees of the Town of Cortland, Illinois, as follows:

Section 1. That the Special Use Permit requested by Petitioner shall accordingly be granted to permit renovation of an existing building on the subject site for use as government offices and buildings by the Town of Cortland on 6.5 acres of land located upon parcel denoted as PIN 09-29-176-003, 50 West Maple Avenue, further incorporating in entirety the Recommendation Letter and Finding of Fact to the Town of Cortland Board of Trustees PC 24-03 attached as Exhibit “A” as findings of the Board of Trustees in this Section 1.

Section 2. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Effective Date. This Ordinance shall be in full force and effect after its passage and publication as provided by law.

PASSED BY THE BOARD OF TRUSTEES of the Town of Cortland, Illinois, at a regular meeting thereof held on the ____ day of ____ 2024 and approved by me as Mayor on the same day.

AYE:
NAY:
ABSENT:

Mark Pietrowski
Mayor

ATTEST:

Cheryl Aldis
Town Clerk

**RECOMMENDATION LETTER AND FINDINGS OF FACT
TO THE TOWN OF CORTLAND BOARD OF TRUSTEES
PC 24-03**

To: Cortland Board of Trustees
From: Cortland Planning Commission
Date: July 19, 2024
Subject: PC 24-03: Request for a Special Use Permit (SUP) – 50 W. Maple Ave, PIN 09-29-176-003
Cortland IL 60112
Public Hearing scheduled for July 18, 2024, 7:00 PM
**Applicant/
Owner:** Brandy Williams
Town of Cortland
59 S. Somonauk Road, PO Box 519
Cortland, IL 60112

The Cortland Planning Commission conducted a Public Hearing on July 18, 2024, at 7:00 p.m. at the Cortland Town Hall, 59 S Somonauk Road, Cortland, Illinois. The purpose of the Public Hearing involved consideration of the request by Town of Cortland, as applicant, for request of a Special Use Permit in accordance with Title 9, Chapter 10, Section 6B of the Cortland Town Code regarding the property located at 50 W. Maple Avenue, Cortland, Illinois PIN 09-29-176-003. The 6.5-acre site is currently zoned R-1 Single Family Residence. The applicant is requesting a Special Use Permit on the subject property to construct, operate, and maintain a government building as set forth in Title 9, Chapter 4, of the Cortland Town Code.

The Planning Commission reviewed and considered the material and information presented at the public hearing. The Standards and Conditions set forth in Title 9, Chapter 10 were evaluated and read into the record by Clerk Aldis. A motion was made and seconded to accept the Standards and Condition. The motion passed. A second motion was made and seconded to recommend that the Town Board conditionally approve the request for a Special Use Permit. The motion passed.

The recommendation of approval with condition of the proposed special use is being forwarded to the Town Board for consideration at its July 22, 2024, meeting.

Respectfully Submitted,



Mark Hedrick, Chairman
CORTLAND PLANNING COMMISSION

REPORT OF FINDINGS

In accordance with 9-10-6. – Procedures, C. Report of Hearing; Within thirty (30) days following the hearing, the Planning Commission shall transmit to the town board a written report giving its findings as to compliance of the proposed special use with the standards governing special uses and giving its recommendation for action to be taken by the town board.

9-10-3. – Standards

A special use permit shall be granted only if evidence is presented to establish that:

A. The proposed structure or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community;

The Planning Commission concluded the proposed use at the particular location requested is desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community by renovating a vacant building.

B. The proposed structure or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare;

The Planning Commission concluded the proposed use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare. The proposed use does not require significant infrastructure as the use is similar to the originally intended use, an elementary school.

C. The proposed structure or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.

The Planning Commission concluded this standard would be met.

D. Such other standards and criteria as are established by the ordinance for a particular special use as set forth in section 9-10-4 of this chapter and as applied to planned developments as set forth in chapter 7 of this title (Ord. 2008-03, 1-28-2008)

The Planning Commission deemed this standard not applicable.

9-10-5. – Conditions

The plan commission may recommend, and the town board may impose such conditions or restrictions upon the location, construction, design and operation of a special use including, but not limited to, provisions for off street parking spaces and the duration of such permit, as they shall respectively find necessary or appropriate to secure compliance with the purpose and intent of this title and other standards set forth herein. (Ord. 2008-03, 1-28-2008)

The Planning Commission recommends the following condition be considered. If fencing is required or desired it is recommended that fence be allowed only in the rear yard to the extent required.