ORDINANCE NO. 2021-02

AN ORDINANCE OF THE VILLAGE OF POPLAR GROVE AUTHORIZING A TWELVE-MONTH EXTENSION OF THE SPECIAL USE PERMIT FOR INDOOR ENTERTAINMENT SALES/SERVICE WITHIN THE GB, GENERAL BUSINESS DISTRICT (13525 ILLINOIS ROUTE 76) PREVIOUSLY APPROVED BY ORDINANCE 2020-11

WHEREAS, the Village of Poplar Grove has adopted Title 8, Zoning in accordance with the provisions of Illinois Complied Statutes, to regulate the use of land and specify the minimum requirements for improvements on land in the Village of Poplar Grove; 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 and are reviewed on a case by case basis, and are permitted only by the Poplar Grove Village Board; and

WHEREAS, the applicant, Dixal Lotwala d/b/a Countryside Liquor, 13525 Illinois Route 76 on behalf of the property owner, Harris Farms- Oak Lawn LTD., 13537 Illinois Route 76, Poplar Grove, IL 61065 has petitioned the Village for a special use for indoor entertainment sales/service (video gaming) at 13525 Illinois Route 76; and

WHEREAS, after due notice by publication pursuant to the Illinois State Statutes, the Village of Poplar Grove Planning and Zoning Commission held a public hearing on March 25, 2020 concerning the proposed special use; and

WHEREAS, the Village of Poplar Grove Planning and Zoning Commission having examined said 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 Village considered the findings of fact and concurred with the recommendation of the Planning and Zoning Commission; and

WHEREAS, the corporate authorities by passage of Ordinance 2020-11 did approve the special use permit request; and

WHEREAS, pursuant to the Village of Poplar Grove Zoning Code, special uses if not commenced within twelve months following approval are invalid unless an extension is approved by the Village Board; and

WHEREAS, the applicant, Dixal Lotwala d/b/a Countryside Liquor, on behalf of the property owner, Harris Farms- Oak Lawn LTD, now requests a twelve-month extension of the

original special use permit approval under the same terms and conditions of the original approval; and

WHEREAS, the corporate authorities desire to approve the request of a twelve-month extension of the original special use permit approval under the same terms and conditions of the original approval.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF THE VILLAGE OF POPLAR GROVE, BOONE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. That a special use in the GB, General Business District for indoor entertainment sales/service (video gaming) at the property legally described in Ordinance 2020-11 is hereby granted a twelve-month extension which extension will expire on April 15, 2022 subject to the following conditions:

A. The special use shall be developed in substantial conformance with the narrative submitted with the application. (Attachment A to Ordinance 2020-11)

B. Compliance with all other applicable codes and ordinance.

Section 2. That acceptance of benefits of this special use shall be deemed acceptance to the terms and conditions contained herein.

Section 3. The premises shall be used in accordance with the Village of Poplar Grove Zoning Code and shall not be used except as expressly authorized by the special use.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Section 5. Except as amended in this Ordinance, all other provisions and terms of Village Code of Ordinances shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

PASSED this ____ day of _____, 2021.

AYES: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

_____
President of the Board of Trustees
Of the Village of Poplar Grove

ATTEST:

_____
Village Clerk