

ORDINANCE NO. 2023-24

AN ORDINANCE GRANTING A SPECIAL USE PERMIT UNDER CHAPTER 82 SECTION 82-233(b) CN-COMMERCIAL NEIGHBORHOOD DISTRICT TO ALLOW AN AUTOMOBILE SERVICE STATION TO SOLELY PROVIDE A CAR DETAILING SERVICE INDOORS AT THE PROPERTY COMMONLY KNOWN AS 702 E. STATE STREET, CHERRY VALLEY, ILLINOIS (PIN: 16-01-254-008)

WHEREAS, the Village of Cherry Valley, Illinois has received a request to conduct an automobile service station to solely provide a car detailing service inside on property that is currently zoned under Chapter 82 Section 82-233(b) CN – Commercial Neighborhood District of the Code of Ordinances for the Village of Cherry Valley, Illinois; and,

WHEREAS, to allow for the use requested on said property that is zoned under Chapter 82 Section 82-233 CN – Commercial Neighborhood District of the Code of Ordinances for the Village of Cherry Valley, Illinois, it is necessary to issue a special use permit under Chapter 82 Section 82-233(b); and,

WHEREAS, on October 18, 2023 the Planning and Zoning Commission for the Village of Cherry Valley, Illinois, did hear the request for the issuance of the special use permit to allow a portion of the property to be used as an automobile service station to solely provide a car detailing service indoors; and,

WHEREAS, the Planning and Zoning Commission for the Village of Cherry Valley, Illinois, did convene on October 18, 2023 and did make the necessary findings (Exhibit A) to recommend the issuance of the special use permit requested with the following conditions:

- 1) The car detailing would occur only inside the building;
- 2) Hours of operation would be Monday through Saturday 8:00 AM to 7:00 PM.; Sunday 10:00 AM to 4:00 PM.; and,
- 3) No more than six (6) vehicles, including the employee's vehicles, would be allowed on the premises at one time.
- 4) No overnight parking would be allowed for the car detailing service.
- 5) No off street parking at any time would be allowed for the car detailing service.

WHEREAS, the Planning and Zoning Commission on October 18, 2023, unanimously recommended the issuance of the special use permit with conditions under Chapter 82, Section 82-233 (b) CN – Commercial Neighborhood District, for a portion of the property commonly described as 702 E. State Street, Cherry Valley, Illinois (PIN: 16-01-254-008) on the property on attached Exhibit B.

NOW, WHEREFORE, be it ordained by the President and Board of Trustees for the Village of Cherry Valley, Illinois, as follows:

SECTION 1: A special use permit under Chapter 82 Section 82-233(b) CN – Commercial Neighborhood District under the Code of Ordinances for the Village of Cherry

Valley, Illinois, to allow a portion of the premises to be used as an automobile service station to solely provide a car detailing service at the property commonly known as 702 E. State Street, Cherry Valley, Illinois the location of which is indicated on the attached map which is attached as Exhibit B (PIN: 16-01-254-008) with the following conditions:

- 1) The car detailing would occur only inside the building;
- 2) Hours of operation would be Monday through Saturday 8:00 AM to 7:00 PM; Sunday 10:00 AM to 4:00 PM.; and,
- 3) No more than six (6) vehicles, including the employee's vehicles, would be allowed on the premises at one time.
- 4) No overnight parking would be allowed for the car detailing service.
- 5) No off street parking at any time would be allowed for the car detailing service.

SECTION 2: This Ordinance shall be in full force and effect from and after its approval, passage and publication in pamphlet form.

PASSED UPON MOTION BY: NANCY BELT

SECONDED BY: CARL WEDIG

BY ROLL CALL VOTE THIS 7TH DAY OF NOVEMBER, 2023

AS FOLLOWS:

VOTING "AYE": NANCY BELT, JEFF FUSTIN, SALLY HOLLEMBEAK,
MIKE NEVILLE, BRANDI PEARSE, CARL WEDIG

VOTING "NAY": NONE

ABSENT, ABSTAIN, OTHER NONE

ATTEST:

APPROVED NOVEMBER 7, 2023



KATHY TRIMBLE
VILLAGE CLERK



JEFFREY B. FUSTIN
VILLAGE PRESIDENT PRO-TEM

FINDING OF FACTS: SPECIAL USE PERMIT FOR 702 EAST STATE STREET, CHERRY VALLEY, ILLINOIS (PIN 16-01-254-008)

EXHIBIT A

- a) The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
6-AYE 0-NAY 1-ABSENT

- b) The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood;
6-AYE 0-NAY 1-ABSENT

- c) The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district;
6-AYE 0-NAY 1-ABSENT

- d) Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided;
6-AYE 0-NAY 1-ABSENT

- e) Adequate measures have been, or will be taken, to provide ingress or egress so designed as to minimize traffic congestion in the public streets; and
6-AYE 0-NAY 1-ABSENT

- f) The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located.
6-AYE 0-NAY 1-ABSENT

The commissioners reviewed each of the Findings of Facts and concluded that the applicant has met all of the required findings for the variance.



EXHIBIT B

