

**ORDINANCE NO. 07-03**

**AN ORDINANCE REZONING CERTAIN PROPERTY  
IN THE VILLAGE OF SOMONAUK,  
DEKALB AND LASALLE COUNTIES, ILLINOIS  
(Somonauk Public Library District)**

**WHEREAS**, the owner of the property described in Exhibit “A” attached hereto (the “Subject Property”) has requested that it be rezoned from A-1 (Agriculture District) to B-2 (Community Business District); and

**WHEREAS**, the Planning and Zoning Commission of the Village of Somonauk conducted a public hearing on February, 21, 2007, after proper publication and notice, on such request as required by law and has submitted its findings of fact to the President and Village Board; and

**WHEREAS**, the Planning and Zoning Commission has recommended the rezoning as hereafter set forth; and

**WHEREAS**, it is hereby found and determined by the President and Village Board of the Village of Somonauk:

- A. The rezoning will not be detrimental to or endanger the public health, safety, and general welfare; and
- B. The rezoning will not be injurious to the use and enjoyment of the property in the immediate area already permitted, nor substantially diminish or impair property values within the neighborhood; and
- C. The rezoning will not impede the normal and orderly development and improvement of the adjacent property for the uses permitted in the District; and

**WHEREAS**, the President and Village Board, after due and careful consideration, have concluded that the rezoning for the “Subject Property” under the terms and conditions herein set forth, will enable the Village to control the development of the area and will serve the best interests of the Village.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF THE VILLAGE OF SOMONAUK, DEKALB AND LASALLE COUNTIES, ILLINOIS:**

**SECTION 1: INCORPORATION OF PREAMBLE AND EXHIBITS**

The Preamble and all exhibits are incorporated herein as if fully set forth in this Section 1.

## **SECTION 2: REZONING**

The “Subject Property” as described in Exhibit “A” be and is hereby rezoned from A-1 (Agriculture District) to B-2 (Community Business District), subject to a Special Use Permit being granted for a public library and becoming effective.

## **SECTION 3: SUCCESSORS**

This Ordinance shall be binding upon and in force and effect with regard to any successors in interest to the owner. Any such successor shall benefit from and be obligated to comply with all terms, requirements, limitations, and conditions set forth in this Ordinance as to any portion of the “Subject Property” owned by it or in which it has any interest.

## **SECTION 4: SEVERABILITY**

This Ordinance and every provision thereof, shall be considered severable. In the event that any court of competent jurisdiction may find and declare any word, phrase, clause, sentence, paragraph, provision or section or part of a word, phrase, clause, sentence, paragraph, provision or section of this Ordinance is void or unconstitutional, the remaining words, phrases clauses, sentences, paragraphs, provisions or sections not ruled void or unconstitutional shall continue in full force and effect.

## **SECTION 5: REPEALER**

All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance shall be, and the same are hereby repealed.

## **SECTION 6: EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 14th day of March, 2007 with 4 members voting aye, 0 members voting nay, the President not voting, with 0 members abstaining or passing, and said vote being:

DANIEL STAHL	<u>Aye</u>	ROBERT HANSON	Absent
MERLIN MILLIGAN	<u>Aye</u>	REBECCA MORPHEY	<u>Aye</u>
AARON GRANDGEORGE	<u>Aye</u>	DENNIS FERGUSON	<u>Aye</u>

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VILLAGE CLERK

APPROVED this 14th day of March, 2007.

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VILLAGE PRESIDENT

(SEAL)  
ATTEST:

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VILLAGE CLERK

**Effective without signature pursuant to section 31-40-45 of the Illinois Municipal Code.**

**EXHIBIT A**

**Legal Description**