

ORDINANCE 2004 - 33

**AN ORDINANCE AMENDING TITLE 17, ZONING
RELATING TO MEETINGS AND FINDINGS OF FACT
BY THE ZONING BOARD OF APPEALS**

WHEREAS, the Illinois Municipal Code permits the City of Byron to regulate zoning within the City boundaries; and

WHEREAS, there has been a recommendation to clarify the meeting dates and Findings of Fact relating to the Zoning Board of Appeals;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BYRON, OGLE COUNTY, ILLINOIS, as follows:

SECTION 1: Title 17, Zoning, Section 17.48.010 shall be amended by deleting the last sentence of Section 17.48.010 and replacing with the following sentence:

The Board shall meet on the second Thursday of each month, provided that there is business to be addressed by the Board.

SECTION 2: Title 17, Zoning, Section 17.48.020 C shall be amended by adding subsections 4 through 7 to read as follows:

Question 4 – The proposed variance will not be unreasonably detrimental to the value of the surrounding properties in the neighborhood in which it is located;

Question 5 – That the proposed variance complies with all provisions of the applicable district regulations;

Question 6 – That adequate utilities, ingress/egress to the site, access roads, drainage and other such necessary facilities have been or will be provided;

Question 7 – That the proposed use can be operated in a manner that is not detrimental to the permitted development and uses in the Zoning District; can be developed and operated in a matter that is visually compatible with the permitted uses in the surrounding area; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of the City of Byron.

SECTION 3: Section 17.48.020 C shall be amended by inserting subsections 4-7 above following the first sentence in subsection 3. The remainder of 17.48.020 C shall follow the above subsections and be delineated as a separate paragraph.

SECTION 4: All ordinances or resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage as provided by law.

Passed and Approved this 28th day of February 2005.



Chris Millard, Mayor Pro Tem
City of Byron

ATTEST:



Betsy A. Faudree, City Clerk

Ayes: McGhee, Bennett, Nason, Zeibert, Millard.

Nays: None.

Absent: None.

Abstention: None.