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City Clerk
116 E. Market Street
Troy, Illinois 62294



Ordinance No. 2012 - 15

An Ordinance Concerning Ordinance No. 2004-21 of the Troy Municipal Zoning Code (also known as the Troy Zoning Code) for the Purpose of Granting a Special Use of a Specific Parcel (Operation of a seasonal Tropical Sno at 440 Edwardsville Road)

ADOPTED BY THE CITY COUNCIL

OF THE CITY OF TROY, ILLINOIS

THIS TWENTIETH DAY OF AUGUST, 2012

WHEREAS, the City of Troy, County of Madison, State of Illinois, presently has in force the Troy Zoning Code, which is contained in the Troy Municipal Code as Ordinance No. 2004-21 adopted August 2, 2004, and as amended from time to time; and

WHEREAS, Matthew Wagner, as petitioner, is requesting a special use permit for a specific parcel currently zoned C-2 General Commercial within the corporate limits (as more particularly described below); and

WHEREAS, notice of such petition and hearing has been given as required by law; and

WHEREAS, a hearing on such petition was held by the Planning Commission on August 9, 2012, and no citizens objected to the petition; and

WHEREAS, the Planning Commission considered the testimony and exhibits offered on behalf of the application and the standards for issuance as described in Section 8-2.4 of the City of Troy Zoning Ordinance; and

WHEREAS, in accordance with Section 8-2.5 of the City of Troy Zoning Ordinance, the Planning Commission has submitted their recommendation, including findings of fact, to the City Council that such petition for special use be granted with the stipulations, if any, as stated in Recommendation No. 2012-05PC and

WHEREAS, the City Council finds that the requested special use is in the best interest of the City of Troy, Illinois.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TROY, MADISON COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1: That the applicant be granted a special use permit to place a temporary building housing a seasonal Tropical Sno business on the parking lot at 440 Edwardsville Road with a permanent parcel identification number 09-1-22-09-05-101-001 and with the exact location of the building to be approved by the Code Enforcement Official.

SECTION 2: The special use permit is not transferable to successive owners of the property; is not transferable to any other person; and is not transferable to any other property.

SECTION 3: That all other provisions of said Ordinance 2004-21 shall remain unchanged and in full force and effect except as specifically amended by this ordinance.


SECTION 4: This Ordinance shall be effective upon its passage, signing, and publication as required by law.

PASSED by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this twentieth day of August, 2012.

Aldermen:

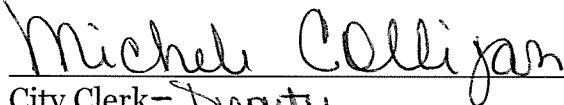
Adomite _____	Jackson <u>Nay</u>	<u>Total:</u>
Evans <u>Aye</u>	Lanahan <u>Aye</u>	<u>4</u> Ayes
Hendrickson <u>Nay</u>	Metcalf <u>Aye</u>	<u>2</u> Nays
Italiano <u>Absent</u>	Partney <u>Aye</u>	

APPROVED BY:



Tom Caraker, Sr.,
Mayor, City of Troy, Illinois

ATTEST:



City Clerk - Deputy

(SEAL)