



RESOLUTION No. 2016-008

RESOLUTION AUTHORIZING A DEVIATION TO SECTION 12(A) OF THE VILLAGE'S ZONING ORDINANCE (LIGHT POLE DEVIATION FOR AMERICAN CRYSTAL SUGAR COMPANY – 1601 COMMERCE DRIVE, MONTGOMERY, IL 60538)

WHEREAS, the Village of Montgomery (“Village”) is a non-home rule municipality, created in accordance with Section 7 the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, the Illinois Municipal Code [65 ILCS 5/11 *et. seq.*] recognizes a municipality’s authority to establish certain zoning regulations; and,

WHEREAS, Section 12A.03(K)(2) of the Village of Montgomery’s Zoning Ordinance (“Zoning Ordinance”) explicitly recognizes that “because of the wide variety of the types of developments and the relationships between them, some flexibility in applying standards set forth in Sections 12A.02 and 12A.03 are appropriate as long as the intent of the specified requirements are met;” and,

WHEREAS, American Crystal Sugar Company [1601 Commerce Drive, Montgomery, IL 60538] is seeking a deviation from Section 12A.03(J) with regard to the maximum height requirement for light fixtures, in that it would like to be allowed to install exterior light fixtures on poles in the parking lots and located on buildings at a maximum height of thirty (30) feet; and,

WHEREAS, the Planning Commission has reviewed this matter, found that the intent of the specified requirements as are set forth in the Village’s Zoning Ordinance are met, and recommended that such deviation be granted for said property; and,

WHEREAS, the Village Board has accepted the Planning Commission's recommendation and seeks to allow such deviation.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

Section One: American Crystal Sugar Company [1601 Commerce Drive, Montgomery, IL 60538] shall be granted a deviation from Section 12A.03(j) of the Village's Zoning Ordinance in that it shall be allowed to install exterior light fixtures on poles in the parking lots and on buildings at a maximum height of thirty (30) feet.

PASSED by the Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, this 8th day of August, 2016.

M.T. Brolley

Matthew Brolley,
President of the Board of Trustees of the
Village of Montgomery



ATTEST:

Tiffany Francis

Tiffany Francis,
Clerk of the Village of Montgomery

	Aye	Nay	Absent	Abstain
Trustee Pete Heinz	✓	---	---	---
Trustee Denny Lee	✓	---	---	---
Trustee Stan Bond	✓	---	---	---
Trustee Theresa Sperling	✓	---	---	---
Trustee Steve Jungermann	✓	---	---	---
Trustee Doug Marecek	✓	---	---	---
Village President Matthew Brolley	<i>No vote cast</i>			