

ORDINANCE NO. 1455

A SECOND ORDINANCE GRANTING
A SPECIAL USE PERMIT TO TABITHA BENNETT
TO OPERATE A BAKERY
IN THE "MH-1" MANUFACTURED HOME RESIDENTIAL DISTRICT
AT 802 PLUM STREET

WHEREAS, the City Council adopted Ordinance Number 1435 ("An Ordinance Granting a Special Use Permit to Tabitha Bennett to Operate a Bakery in the 'MH-1' Manufactured Home Residential District at 802 Plum Street") on October 8, 2018;

WHEREAS, after the adoption of Ordinance Number 1435 ("An Ordinance Granting a Special Use Permit to Tabitha Bennett to Operate a Bakery in the 'MH-1' Manufactured Home Residential District at 802 Plum Street"), the City Council became aware that – in view of the requirements of Section 36-43 of the Lebanon City Code – the granting of the special use permit to Tabitha Bennett had been premature because Section 36-174 (defining the special uses permitted in the 'MH-1' Manufactured Home Residential District) of the Lebanon City Code had not yet been amended to include a bakery as a permitted special use;

WHEREAS, the City Council adopted Ordinance Number 1450 ("Amending Section 36-174 of the Lebanon City Code to Designate Bakeries as an Additional Special Use Allowed in the MH-1 Manufactured Home Residential District ") on April 8, 2019;

WHEREAS, the Plan Commission, after holding another hearing on this matter, again recommended to the City Council the granting of a special use permit to Tabitha Bennett to operate – as a special use within the 'MH-1' Manufactured Home Residential District – a bakery at 802 Plum Street;

WHEREAS, the City Council has made the findings of fact, and the statement of its reasons for granting the Petition for Special Use Permit in question, in a separate resolution numbered as 4-2019;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEBANON, AS FOLLOWS:

Section 1. Tabitha Bennett, 802 Plum Street, Lebanon, Illinois 62254, is hereby granted a Special Use Permit in an "MH-1" Manufactured Home Residential District, as defined in Division 4 (Sections 36-153 through 36-174) of Article II of Chapter 36 of the *Lebanon City Code*, to operate a bakery in the residence in the "MH-1" Manufactured Home Residential District, at 802 Plum Street, Lebanon, Illinois, upon the conditions set forth in Section 2 below.

Section 2. The Special Use Permit is granted with four conditions: namely,

- (a) There shall be no signage or alteration of the dwelling;

- (b) All bakery goods produced will be taken off the location to be delivered or sold elsewhere;
- (c) No patrons of the business shall stop by the dwelling, and, so, no parking requirements are imposed; and,
- (d) Tabitha Bennett – who has all the necessary food certifications required by the State of Illinois – shall maintain those food certifications;

Section 3. This ordinance shall be known as Ordinance No. 1455 .

Section 4. This ordinance shall be in full force and effect from and after its passage and approval in accordance with law.

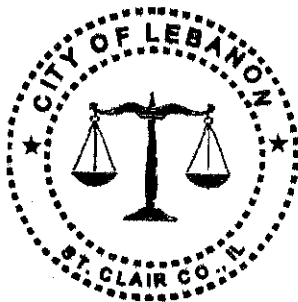
Passed by the City Council of the City of Lebanon, Illinois, and deposited and filed in the office of the City Clerk on the 28th day of May, 2019, the roll call vote being taken by ayes and noes and entered upon the legislative record as follows:

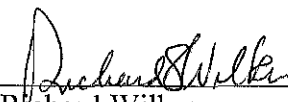
Ayes: 7 Aldermen Diliberto, Fero, Gale, Jenkins, Witty, Wright, Zurliene

Noes: 0

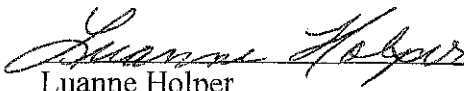
Absent: 1

APPROVED:




Richard Wilken
Mayor
City of Lebanon, Illinois

ATTEST:


Luanne Holper
City Clerk
City of Lebanon, Illinois