

VILLAGE OF DUPO, ILLINOIS

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ORDINANCE NO. 23-16

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE VILLAGE OF DUPO, ILLINOIS  
APPROVING THE REZONING OF 1802, 1806 & 1810 S. MAIN STREET, DUPO, IL**

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ADOPTED BY THE  
VILLAGE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF DUPO, ILLINOIS  
THIS 5<sup>TH</sup> DAY OF SEPTEMBER 2023

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Published in pamphlet form by  
authority of the Village Board  
of Trustees of the Village of  
Dupo, St. Clair County, Illinois,  
this 5<sup>TH</sup> day of September 2023.

ORDINANCE NO. 23-16

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE VILLAGE OF DUPO, ILLINOIS  
APPROVING THE REZONING OF 1802, 1806 & 1810 S. MAIN STREET, DUPO, IL**

**WHEREAS**, the Village of Dupo, St. Clair County, Illinois, is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

**WHEREAS**, a duly noticed public meeting was held in the Village of Dupo, Illinois at the Dupo Village Hall, 107 N. Second Street, on September 5, 2023, at 7:00 p.m., before the Village Board of Dupo; and

**WHEREAS**, pursuant 40-10-34 of the Village's Zoning Code, the Village Board shall act on every proposed amendment at their next regularly scheduled meeting following submission of the advisory report of the Zoning Board of Appeals; and

**WHEREAS**, the Village's Zoning Board of Appeals held a public hearing on August 22, 2023 at 7:00 p.m., in which the following matter was considered: A request to re-zone from a Single Family Residential ("SR-1") Zoning District to Neighborhood Business ("B-1") Zoning District properties commonly known as 1802 S. Main Street, Dupo, Illinois 62239 (PPN: 06-33.0-200-004), 1806 S. Main Street, Dupo, Illinois 62239 (PPN: 06-33.0-200-005), and 1810 S. Main Street, Dupo, Illinois 62239 (PPN: 06-33.0-200-006); and

**WHEREAS**, the request for rezoning was submitted by Applicants Daniel Schult and Ryn Bauer, and owners Kenneth Van Meter and Richard Musick; and

**WHEREAS**, the Village's Zoning Board of Appeals after hearing and considering the evidence and testimony presented at the hearing on August 22, 2023, voted to recommend the rezoning of the parcels in question for those reasons contained in its Advisory Report, attached hereto and incorporated herein, as **Exhibit "A"**; and

**WHEREAS**, the Corporate Authorities of the Village of Dupo, Illinois hereby concurs with the Zoning Board of Appeals recommendation contained in **Exhibit "A"** and approves of the rezoning of the aforementioned parcels.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Board of Trustees of the Village of Dupo, St. Clair County, Illinois, as follows:

1. That the recitals set forth above in the preamble of this Ordinance are hereby incorporated into this Ordinance as the findings and

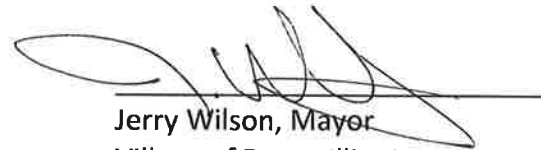
recommendations of the Village Board of Trustees of the Village of Dupu, Illinois.

2. That the Village of Dupu, Illinois concurs with the Zoning Board of Appeals recommendation contained in **Exhibit "A"** and approves of the rezoning of 1802 S. Main Street, Dupu, Illinois 62239 (PPN: 06-33.0-200-004), 1806 S. Main Street, Dupu, Illinois 62239 (PPN: 06-33.0-200-005), and 1810 S. Main Street, Dupu, Illinois 62239 (PPN: 06-33.0-200-006) to a Neighborhood Business ("B-1") Zoning District designation.

**PASSED** this 5<sup>th</sup> day of September 2023 by the Village Mayor and the Village Board of Trustees of the Village of Dupu, St. Clair County, Illinois, and deposited and filed in the office of the Village Clerk in said Village on that date.

<u>Trustees</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Joe Basinski	X	—	—	—
Ron Dell	X	—	—	—
Kerry Foster	X	—	—	—
Dawn Keys	X	—	—	—
Ken Phillips	X	—	—	—
Tammy Taylor	—	—	X	—

**APPROVED AND PASSED** by the Mayor of the Village of Dupu, Illinois this 5<sup>th</sup> day September 2023.

  
Jerry Wilson, Mayor  
Village of Dupu, Illinois

ATTEST:

  
MARK NADLER, VILLAGE CLERK

{SEAL}

# EXHIBIT A

## VILLAGE OF DUPO, ILLINOIS ZONING BOARD OF APPEALS

### Advisory Report

August 22, 2023

**RE: 2023-01-ZA- Applicants Daniel Schult and Ryan Bauer, 1122 N. Metter Ave., Columbia, Illinois 62236 and Owners Kenneth Van Meter, 1810 S. Main Street, Dupo,**

A duly noticed hearing of the Zoning Board of Appeals of the Village of Dupo, Illinois was held on August 22, 2023, at 7:00 p.m., at the Dupo Village Hall, 107 N. Second Street, Dupo, Illinois to consider the above referenced matter.

The Zoning Board of Appeals after hearing testimony and receiving and considering Applicants' request for a re-zoning, finds as follows:

The Applicants desire to re-zone from a Single Family Residential ("SR-1") Zoning District to Neighborhood Business ("B-1") Zoning District, for the continued use of the

request.

The Zoning Board of Appeals finds as follows:

- (a) The property has been utilized for business purposes for 24 plus years despite being a Single Family Residential ("SR-1") Zoning District and the re-zoning would ensure it could continue to be used for that purpose; and
- (b) The properties to the north and west, with some unincorporated property to the north being utilized for quarry purposes, are utilized for business purposes. There are no residential properties that are in close proximity that would be

# EXHIBIT A

- affected by a zoning change, therefore, the re-zoning would have no impact on the nearby properties' value or use; and
- (c) The property was never agricultural and has been used for business purposes for 24 plus years, it is well suited for that purpose; and
  - (d) A large majority of the nearby properties are all utilized for business purposes, the re-zoning will allow this property to match the area, it is well suited for a business purpose; and
  - (e) The properties in question should be zoned for business purposes since that is the predominant and current usage.

The request for re-zoning of the properties from a Single Family Residential ("SR-1") Zoning District to Neighborhood Business ("B-1") Zoning District for the continued use of the properties for commercial business purposes is hereby approved.

A motion to grant the request was made by P. Hamilton and seconded by V. Foster. The following vote was taken: A. Moallankamp—Aye; V. Foster—Aye; R. Groves—Aye; B. Small—Aye; and D. Dixon—Aye.

Motion passed; the re-zoning is granted.

Village of Dupon, IL Zoning Board of Appeals

  
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Don Dixon, Chairman  
Zoning Board of Appeals