



Incorporated in 1869

Village of Rochester

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 16-06

**AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FOR PROPERTY
LOCATED IN THE VILLAGE OF ROCHESTER**

DAVID L. ARMSTRONG, Village President
LYNN LANGDON, Village Clerk

MARIBETH EANDI
HAROLD HENDRICKSON
JOE HILL
WAYNE LIKEN
STACIA MUNROE
DOUG ZOBRIST
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of
Rochester

on March 14, 2016

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62701

ORDINANCE NO. 16-06

**AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FOR
PROPERTY LOCATED IN THE VILLAGE OF ROCHESTER**

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-13-14, allows for the amendment of the Village's Zoning Code and its districts; and

WHEREAS, on January 27, 2016, the Planning and Zoning Commission held a hearing on a proposed change to the zoning district for the properties described in Exhibit A ("Properties")

WHEREAS, notice of the public hearing was published in the Rochester Times Newspaper on January 7, 2016; and

WHEREAS, on February 24, 2016, the Planning and Zoning Commission voted to recommend approval of the proposed amendment to the Zoning District; and

WHEREAS, the President and the Board of Trustees of the Village of Rochester, Illinois, desire to amend the Village of Rochester Zoning Code to change a zoning classification as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ROCHESTER, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Recitals. The above recitals are incorporated herein by this reference as if specifically stated in full.

Section 2. Findings of Fact. Regarding the change in classification of the Property, the Board of Trustees find as follows:

- A. The use is consistent with the uses of the other properties within the area.
- B. The use trends the recent and existing uses of land development in the general area;
- C. Failing to update the zoning would render the property less desirable or inappropriate.
- D. There is limited availability of areas with such zoning.

- E. The re-classification will serve the public interest and does not solely benefit the property of the applicant alone as the use is important for the neighborhood.
- F. The classification is not inconsistent with the objectives of the Comprehensive Plan.

Section 3. Description of the Property. The Property is currently zoned AG. The property is further described as set forth in Exhibit A.

Section 4. Public Hearing. A public hearing was advertised on January 7, 2016, in the Rochester Times Newspaper and held by the Planning and Zoning Commission on January 27, 2016, and was continued until February 24, 2016, at which time the Planning and Zoning Commission recommended approval of the zoning change.

Section 5. New Zoning Classification. The new zoning classification requested in the application for zoning amendment recommended at the February 24, 2016, Planning and Zoning Commission meeting, is hereby granted as described in Exhibit A.

Section 6. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 7. Repeal & Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Rochester prior to the effective date of this ordinance.

Section 8. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this 14 day of March, 2016, at Rochester, Sangamon County, Illinois.

	YES	NO	ABSENT	PRESENT
MARIBETH EANDI		X		
HAROLD HENDRICKSON	X			
JOE HILL		X		
WAYNE LIKEN		X		
STACIA MUNROE	X			
DOUG ZOBRIST	X			
DAVID ARMSTRONG	X			
TOTAL	4	3	0	0

APPROVED by the President of the Village of Rochester, Illinois this 14 day of March, 2016.


 DAVID L. ARMSTRONG, Village President

Attest:

 LYNN LANGDON, Village Clerk

EXHIBIT A
LEGAL DESCRIPTION

The Request for Zoning Amendment filed with the Village of Rochester seeks to change the following property from AG to R1:

To be known as Oak Mill Estates Third Addition Lots 33, 34, 35, 36, 37, 38, 39, 40, legally described as:

Part of the Northwest Quarter of Section 15, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Beginning at the Southeast corner of Lot 16 in Oak Mill Estates First Addition, Rochester, Illinois recorded June 22, 2005 as Document No. 2005R25087; thence South 00 degrees 02 minutes 25 seconds West, a distance of 114.05 feet; thence South 00 degrees 00 minutes 51 seconds East, a distance of 245.50 feet; thence South 89 degrees 59 minutes and 09 seconds West, a distance of 144.01 feet; thence North 71 degrees 27 minutes 42 seconds West, a distance of 61.61 feet; thence South 90 degrees 00 minutes 00 seconds West, a distance of 137.42 feet to a point on the East line of Lot 44 in said Oak Mill Estates First Addition; thence North 00 degrees 00 minutes 00 seconds West on said East line, a distance of 340.00 feet to the Southwest corner of Lot 32 in said Oak Mill Estates First Addition; thence North 90 degrees 00 minutes 00 seconds East on the South line of said Lot 32, a distance of 339.86 feet to the point of beginning. Containing 2.73 acres, more or less.

Also:

To be known as Lot 13 in Oak Mill Estates Third Addition and legally described as:

Part of the Northwest Quarter of Section 15, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, More particularly described as follows:

Commencing at the Southeast corner of Lot 16 in Oak Mill Estates First Addition, Rochester, Illinois; thence South 00 degrees 02 minutes 25 seconds West, a distance of 114.05 feet; thence South 00 degrees 00 minutes 51 seconds East, a distance of 545.50 feet; thence South 89 degrees 59 minutes 09 seconds West, a distance of 120.00 feet to the point of beginning.

From said point of beginning; thence South 00 degrees 00 minutes 51 seconds East, a distance of 140.00 feet; thence South 89 degrees 59 minutes 09 seconds West, a distance of 50.00 feet to the beginning of a curve concave to the Northeast having a radius of 50.00 feet; thence Northwesterly on said curve right, a chord bearing of North 45 degrees 00 minutes 51 seconds West, a chord distance of 70.71 feet to the end of said curve; thence North 00 degrees 00 minutes 51 seconds West, a distance of 68.24 feet to

the beginning of a curve concave to the East having a radius of 270.00 feet; thence Northeasterly on said curve right, a chord bearing of North 02 degrees 17 minutes 51 seconds East, a chord distance of 21.78 to the end of said curve; thence North 89 degrees 59 minutes 09 seconds East, a distance of 99.12 feet to the point of beginning. Continuing 0.31 acres, more or less.

The Request For Zoning Amendment filed with the Village of Rochester also seeks to change the zoning designation for the following property from AG to R2:

To be known as Oak Mill Estates Third Addition Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 and legally described as:

Part of the Northwest Quarter of Section 15, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Commencing at the Southeast corner of Lot 16 in Oak Mill Estates First Addition, Rochester, Illinois; recorded June 22, 2005 as Document No. 2005R25087; thence South 00 degrees 02 minutes 25 seconds West, a distance of 114.05 feet; thence South 00 degrees 00 minutes 51 seconds East, a distance of 245.50 feet to the point of beginning.

From said point of beginning; continuing South 00 degrees 00 minutes 51 seconds East, a distance of 663.55 feet; thence South 87 degrees 32 minutes 16 seconds West, a distance of 425.46 feet; thence North 00 degrees 32 minutes 16 seconds West, a distance of 695.01 feet to a point on the South line of Lot 45 in said Oak Mill Estates First Addition; thence South 86 degrees 34 minutes 04 seconds East on said South line, a distance of 91.75 feet to the Southeast corner of Lot 44 in said Oak Mill Estates First Addition; thence North 00 degrees 00 minutes 00 seconds East on the East line of said Lot 44, a distance of 11.90 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 137.42 feet; thence South 71 degrees 27 minutes 42 seconds East, a distance of 61.61 feet; thence North 89 degrees 59 minutes 09 seconds East, a distance of 144.01 feet to the point of beginning.

Except:

Part of the Northwest Quarter of Section 15, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Commencing at the Southeast corner of Lot 16 in Oak Mill Estates First Addition, Rochester, Illinois; thence South 00 degrees 02 minutes 25 seconds West, a distance of 114.05 feet; thence South 00 degrees 00 minutes 51 seconds East, a distance of 545.50 feet; thence South 89 degrees 59 minutes 09 seconds West, a distance of 120.00 feet to the point of beginning.

From said point of beginning; thence South 00 degrees 00 minutes 51 seconds East, a distance of 140.00 feet; thence South 89 degrees 59 minutes 09 seconds West, a distance of 50.00 feet to the beginning of a curve concave to the Northeast having a radius of 50.00 feet;

thence Northwesterly on said curve right, a chord bearing of North 45 degrees 00 minutes 51 seconds West, a chord distance of 70.71 feet to the end of said curve; thence North 00 degrees 00 minutes 51 seconds West, a distance of 68.24 feet to the beginning of a curve concave to the East having a radius of 270.00 feet; thence Northeasterly on said curve right, a chord bearing of North 02 degrees 17 minutes 51 seconds East, a chord distance of 21.78 feet to the end of said curve; thence North 89 degrees 59 minutes 09 seconds East, a distance of 99.12 feet to the point of beginning.

Containing 6.40 acres, more or less.