



Incorporated in 1869

Village of Rochester

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 19-18

**AN ORDINANCE APPROVING A REQUEST FOR ZONING AMENDMENT
BY CARDINAL HILL, LLC TO REZONE CERTAIN PROPERTY FROM B-2 TO R-2**

JOSEPH C. SUERDIECK, Village President
LYNN LANGDON, Village Clerk

MATT BUTCHER
MARIBETH EANDI
HAROLD HENDRICKSON
JOE HILL
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 Sept. 9, 2019

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

ORDINANCE NO. 19-18

**AN ORDINANCE APPROVING A REQUEST FOR ZONING AMENDMENT
BY CARDINAL HILL, LLC TO REZONE CERTAIN PROPERTY FROM B-2 TO R-2**

WHEREAS, the Village of Rochester, Sangamon County, State of Illinois, is a duly organized and existing Village created under the provisions of the laws of the State of Illinois; and,

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, The Roman Catholic Diocese of Springfield, Trustee of St. Jude Parish of Rochester ("Diocese") is the owner of record of certain real property legally described in **Exhibit A** attached hereto (hereinafter referred to as "Property"); and,

WHEREAS, Cardinal Hill, LLC ("Cardinal Hill") is the contract purchaser for the Property; and,

WHEREAS, on August 15, 2019 Diocese and Cardinal Hill filed a Request for Zoning Amendment asking the Village to rezone the Property from B-2 to R-2. The Request for Zoning Amendment referred to the Property as Area #1; and,

WHEREAS, on August 8, 2019, notice of a public hearing on the Request for Zoning Amendment was published in the Rochester Times; and

WHEREAS, the Village Planning and Zoning Commission held a public hearing on the Request for Zoning Amendment on August 27, 2019; and,

WHEREAS, after the public hearing, the Planning and Zoning Commission voted unanimously to recommend rezoning the Property from B-2 to R-2; and,

WHEREAS, on September 9, 2019, the Planning and Zoning Commission presented their findings to the Corporate Authorities of the Village; and,

WHEREAS, the President and Board of Trustees of the Village have found and determined that it is in the best interests of the Village that the zoning request be granted and the Property be zoned in accordance with the Request for Zoning Amendment.

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

Section 1. Recitals. The foregoing recitals are hereby incorporated into, and made a part of, this Ordinance as findings of the Board of Trustees of the Village of Rochester.

Section 2. Description of the Property. The real property consisting of under has no common address and is legally described in **Exhibit A** to this Ordinance.

Section 3. Public Hearing. A public hearing was advertised on August 8, 2019, in the Rochester Times and was held by the Planning and Zoning Commission on August 27, 2019, at which time the Planning and Zoning Commission voted to recommend approval of the zoning change requested.

Section 4. Change in Zoning from B-2 to R-2. The amendment to the Village Zoning Map requested in the Request for Zoning Amendment from B-2 to R-2 outlined herein is hereby granted.

Section 5. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

Section 6. Repeal and Savings Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall

affect any rights, action, or causes of action which shall have accrued to the Village of Rochester prior to the effective date of this Ordinance.

Section 7. Effectiveness. This Ordinance is contingent upon the sale of the Property from the Diocese to Cardinal Hill. It shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law and only after Cardinal Hill becomes the title owner of the Property.

SO ORDAINED this 9 day of September, 2019, at Rochester, Sangamon County, Illinois.

	YES	NO	ABSENT	PRESENT
MATT BUTCHER	X			
MARIBETH EANDI	X			
HAROLD HENDRICKSON	X			
JOE HILL	X			
STACIA MUNROE	X			
DOUG ZOBRIST	X			
TOTAL	6			

APPROVED by the President of the Village of Rochester, Illinois this 9 day of September, 2019.

Joseph C. Suerdieck
 JOSEPH C. SUERDIECK, Village President

Attest:

Lynn Langdon
 LYNN LANGDON, Village Clerk

EXHIBIT A
Legal Description

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

Commencing at a stone found at the Southwest corner of the Southeast Quarter of said Section 15; thence North 00 degrees 11 minutes 23 seconds East on the West line of said Southeast Quarter, a distance of 912.86 feet to the point of beginning.

From said point of beginning; thence continuing North 00 degrees 11 minutes 23 seconds East on said West line, a distance of 409.21 feet; thence South 87 degrees 55 minutes 55 seconds East, a distance of 740.53 feet to a point on the West right of way line of Cardinal Hill Road; thence South 38 degrees 28 minutes 35 seconds East on said West right of way line, a distance of 110.92 feet; thence South 29 degrees 44 minutes 31 seconds West on said West right of way line, a distance of 96.50 feet; thence South 37 degrees 25 minutes 51 seconds West on said West right of way line, a distance of 268.30 feet; thence North 89 degrees 53 minutes 10 seconds West, a distance of 599.48 feet to the point of beginning.

Containing 287,657.628 square feet (6.604 acres), more or less.