



Incorporated in 1869

## Village of Rochester

SANGAMON COUNTY, ILLINOIS

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ORDINANCE  
NUMBER 19-19

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

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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. 19-19**

**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 #3; 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.

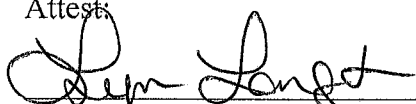
**Section 7. Effectiveness.** This Ordinance is contingent upon the sale of the Property from the Diocese to Cardinal Hill. It shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law and only after Cardinal Hill becomes the title owner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

SO ORDAINED this 9 day of Sept., 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	0		

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

  
 JOSEPH C. SUERDIECK, Village President

Attest:  
  
 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 South 88 degrees 01 minutes 56 seconds East on the South line of said Southeast Quarter, a distance of 197.72 feet; thence North 01 degrees 58 minutes 04 seconds East, a distance of 650.88 feet to the point of beginning.

From said point of beginning; thence North 51 degrees 28 minutes 22 seconds West, a distance of 550.02 feet to a point on the East right of way line of Cardinal Hill Road; thence North 41 degrees 08 minutes 55 seconds East on said East right of way line, a distance of 23.15 feet; thence North 37 degrees 20 minutes 05 seconds East on said East right of way line, a distance of 336.78 feet; thence South 51 degrees 27 minutes 26 seconds East, a distance of 556.07 feet; thence South 38 degrees 32 minutes 34 seconds West, a distance of 359.68 feet to the point of beginning.

Containing 198,701.886 square feet (4.562 acres), more or less.