

Incorporated in 1869

## Village of Rochester

SANGAMON COUNTY, ILLINOIS

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ORDINANCE  
NUMBER 19-22

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**AN ORDINANCE APPROVING A REQUEST FOR VARIANCE BY CARDINAL HILL,  
LLC TO EXTEND THE MAXIMUM DEPTH FOR A CUL DE SAC FROM 500 FEET  
TO 650 FEET**

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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

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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. 19-22**

**AN ORDINANCE APPROVING A REQUEST FOR VARIANCE BY CARDINAL HILL, LLC TO EXTEND THE MAXIMUM DEPTH FOR A CUL DE SAC FROM 500 FEET TO 650 FEET**

**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 5/11-13-3, allows for the approval of variations to the Village's zoning code; 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 Variation asking the Village to change maximum cul de sac depth from 500 feet to 650 feet as described in **Exhibit B**; and,

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

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

**WHEREAS**, as a result of the testimony presented at the public hearing, the Planning and Zoning Commission made the following findings:

(a) That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the zoning district in which it is located;

(b) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district;

(c) That literal interpretation of the provisions of the Village Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Village Code;

(d) That the plight of the applicant is due to unique circumstances and does not result from the actions of the applicant;

(e) That granting the variation requested will not confer on the applicant any special privilege that is denied by the Village Code to other lands, structures or buildings in the same district; and,

(f) That the variation, if granted, will not alter the essential character of the locality

**WHEREAS**, after the public hearing, the Planning and Zoning Commission voted unanimously to recommend granting the requested variance; 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 variance requested.

**Section 4.** Grant of Variance. The variance requested in the Request for Zoning Variation to change the maximum cul de sac depth from 500 feet to 650 feet as described in **Exhibit B** 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 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.

**EXHIBIT B**  
**Plat of Variance**

STATE OF ILLINOIS }  
 COUNTY OF SANGAMON } SS.  
 IT IS HEREBY CERTIFIED THAT THE PRELIMINARY PLAN OF SUBDIVISION WAS APPROVED  
 BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SANGAMON, ILLINOIS, AT ITS  
 REGULARLY SCHEDULED MEETING HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

STATE OF ILLINOIS }  
 COUNTY OF SANGAMON } SS.  
 WHEREAS THE BOARD OF SUPERVISORS OF THE COUNTY OF SANGAMON, ILLINOIS, AT ITS  
 REGULARLY SCHEDULED MEETING HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018,

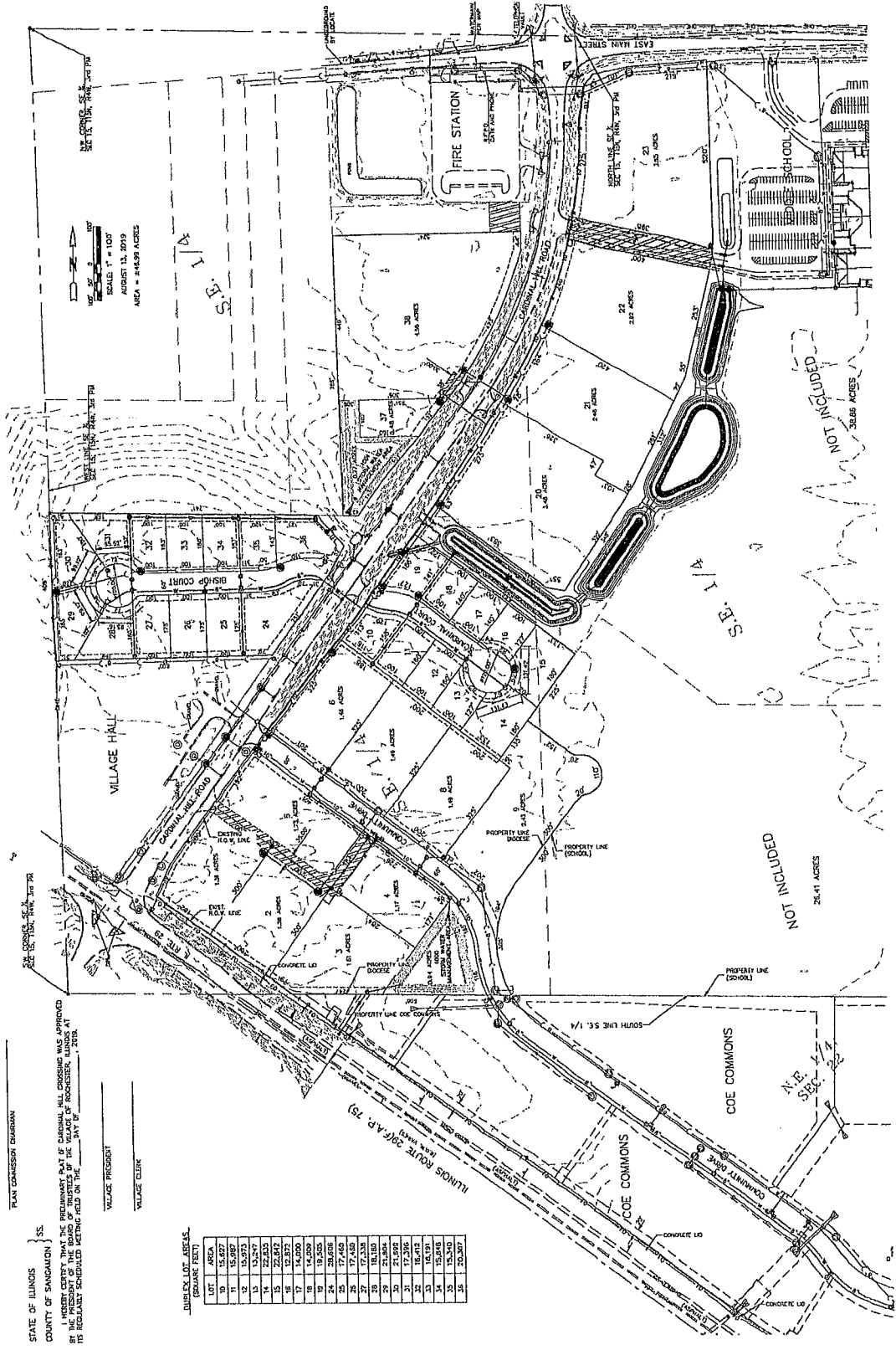
PLANNING COMMISSION CHAIRMAN

VILLAGE PRESIDENT

VILLAGE CLERK

DUBUQUE LOT AREAS (BROADWAY FEET)

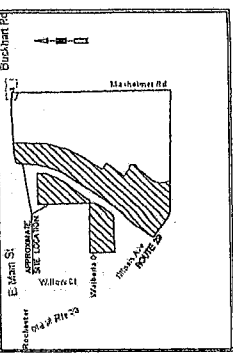
LOT	AREA
10	13,927
11	13,927
12	13,927
13	13,927
14	13,927
15	13,927
16	13,927
17	13,927
18	13,927
19	13,927
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28	13,927
29	13,927
30	13,927
31	13,927
32	13,927
33	13,927
34	13,927
35	13,927
36	13,927



SCALE: 1" = 100'  
 AUGUST 13, 2019  
 AREA = 248.99 ACRES

S.E. 1/4

S.E. 1/4



LEGAL DESCRIPTION  
 PART OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 15  
 NORTH, RANGE 12E, COUNTY OF SANGAMON, ILLINOIS.

- LEGEND
- FIRE HYDRANT
  - WATER VALVE
  - TELEPHONE PEDERSTAL
  - HAND HOLE
  - GAS VALVE
  - RHW MANHOLE
  - SILE
  - STREET SIGN
  - ELECTRICAL PEDERSTAL
  - POWER POLE
  - LIGHT POLE
  - SOFT HWC
  - RILET
  - CATCH BASIN
  - MANHOLE
  - FENCE
  - EXISTING GAS MAIN
  - EX. WATER MAIN
  - PROPOSED ELECTRIC
  - EX. SANITARY SINKER
  - UTILITY/MANHOLE EXHIBIT
  - SECTION USE
  - PROPOSED WATER MAIN
  - PROPOSED FIRE HYDRANT
  - PROPOSED SANITARY SINKER
  - PROPOSED SANITARY MANHOLE
  - PROPOSED STORM SINKER
  - PROPOSED STORM INLET
  - PROPOSED PAVED DRG. SECTION
  - PROPOSED STORM MANHOLE
  - PROPOSED STREET LIGHT
  - DRAINAGE/PREVENTION EXHIBIT
  - ACCESS EASEMENT

MINIMUM LOT SIZES PER ZONING ORDINANCE:  
 CENTER 100' FRONTAGE  
 INTERIOR 100' FRONTAGE  
 1/4 ACRES 20' FRONTAGE

BUILDING SETBACKS

ZONING	FRONT	SIDE	REAR
R1	0	0	20
R2	0	0	20
R3	0	0	20
R4	0	0	20
R5	0	0	20
R6	0	0	20
R7	0	0	20
R8	0	0	20
R9	0	0	20
R10	0	0	20

PRELIMINARY PLAN  
 CAROLINE HILL CROSSINGS  
 ROCKFELDER, ILLINOIS

AMERICAN ENGINEERING & SURVEYING, INC.  
 1505 WEST WASHINGTON, SUITE 200  
 SPRINGFIELD, ILLINOIS 62702  
 PHONE: 217-223-1155  
 FAX: 217-223-1156  
 WWW.AESINC.COM

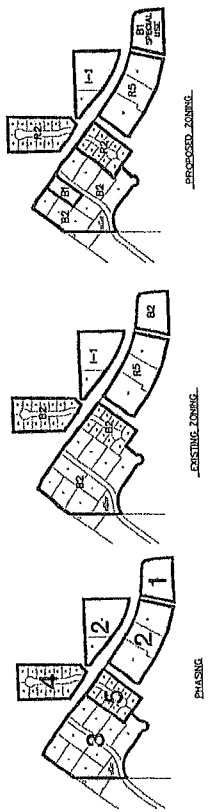
DATE: 8/13/19

SCALE: AS SHOWN

PROJECT NO.: 19-001

1

NOTES:  
 LOT 1000 AND 1001 SHALL BE USED FOR STORM WATER MANAGEMENT.  
 ALL EASEMENTS ALONG CURVES ARE 60:90 DISTANCES.  
 ALL EXISTING FIELD TILES DAMAGED DURING CONSTRUCTION SHALL REMAIN  
 OPERABLE BY REPAIR AND/OR RE-RATING.  
 ALL EASEMENTS ALONG INTERIOR LOT LINES SHALL BE 15' UNLESS  
 OTHERWISE NOTED.  
 PAVEMENT WIDTHS SHALL BE 77' EDGE TO EDGE.  
 NO PART OF THE PLAN IS TO BE USED TO PERFORM A SURVEY UNLESS AN AREA  
 HAS BEEN SPECIFICALLY IDENTIFIED AS SUCH BY A MANAGED SURVEY AGENT.  
 THE EXISTING AND PROPOSED UNDERGROUND UTILITIES SHOWN  
 ON THESE PLANS WERE OBTAINED BY FIELD INVESTIGATION. THE CONTRACTOR IS  
 RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES  
 REQUIRED IN THIS PRELIMINARY PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR  
 VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES SHOWN ON THESE PLANS.  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH  
 OF ALL UTILITIES SHOWN ON THESE PLANS.



SUBDIVIDER:  
 CAROLINE HILL CROSSINGS  
 ROCKFELDER, ILLINOIS 62702  
 ATTN: COMPANY OFFICE, 223-1155

ENGINEER:  
 AMERICAN ENGINEERING & SURVEYING, INC.  
 1505 WEST WASHINGTON, SUITE 200  
 SPRINGFIELD, ILLINOIS 62702  
 ATTN: COMPANY OFFICE, 223-1155