

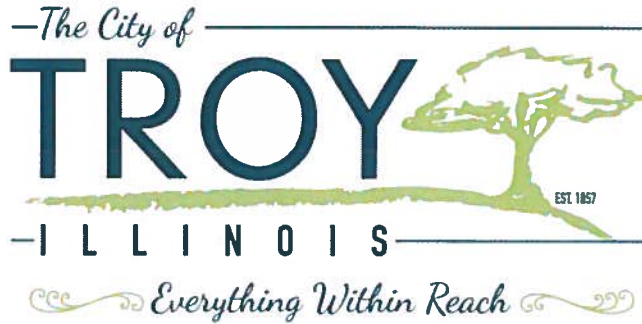


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**Return to:**

City Clerk  
116 E. Market Street  
Troy, Illinois 62294

**2014R39901**  
STATE OF ILLINOIS  
MADISON COUNTY  
12/11/2014 3:49 PM  
AMY M. MEYER, RECORDER  
REC FEE: 32.00  
CO STAMP FEE:  
ST STAMP FEE:  
FF FEE:  
RHSPS FEE:  
# OF PAGES: 8



32.00 CTY

**Ordinance No. 2014 - 21**

AN ORDINANCE amending Chapter 154 Zoning Ordinance  
Of the Codified Ordinances of the City of Troy  
For the Purpose Of Rezoning Multiple Properties  
(Namely, Properties Bordered by South Main Street on the West,  
Center and Market Streets to the North, etc.)

**Whereas**, the City of Troy (hereinafter "Applicant") has filed an application for the rezoning of certain property as described in Exhibit A; and

**Whereas**, the map attached hereto as Exhibit B is an accurate map of the property so sought to be rezoned and such rezoning shall be in accordance with the boundaries indicated on the map; and

**Whereas**, the City Planning Commission has complied with the provisions of 65 ILCS 5/11-13-14 and Section 154.143 of the Troy Municipal Ordinances regarding amendments of regulations and zoning districts by holding a public hearing on November 13, 2014 to consider the request for the rezoning of this property, pursuant to notice as required by Statute; and

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***Whereas***, as a result of said hearing, the Planning Commission has submitted Recommendation No. 2014-09PC to the City Council confirming that it approves the request for rezoning; and

***Whereas***, the City Council has considered the recommendation of the Planning Commission and has determined that it is in the best interest of the public health, safety and welfare, and in compliance with the powers conferred upon the City and the objectives and purposes set out in 65 ILCS 5/11-13-1, to adopt an amendment to the codified ordinances of the City of Troy for the purpose of rezoning the above referenced property in accordance with Exhibits A and B attached hereto.

***Now, Therefore, Be It Ordained By the Mayor and the City Council of the City Of Troy, Madison County, Illinois As Follows:***

**SECTION 1:** Chapter 154 Zoning Ordinance of the codified ordinances of the City of Troy is hereby amended to change the zoning classification of the properties as described in Exhibit A and in accordance with the map attached hereto as Exhibit B.

**SECTION 2:** That all other provisions of said Ordinances shall remain unchanged and in full force and effect except as specifically amended by this ordinance.

**SECTION 3:** If a court of competent jurisdiction declares any provision of this Ordinance unconstitutional or invalid, that decision shall not affect the validity of the remainder of this Ordinance.

**SECTION 4:** This Ordinance shall be effective upon its passage, signing, and publication as required by law.

**Passed** by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this seventeenth day of November, 2014.

Aldermen:

DeCarli Aye

Evans Aye

Greenfield Aye

Hendrickson Aye

Italiano Aye

Jackson Aye

Lanahan Nay

Partney Absent

Total:

6 Ayes

1 Nays

APPROVED BY:

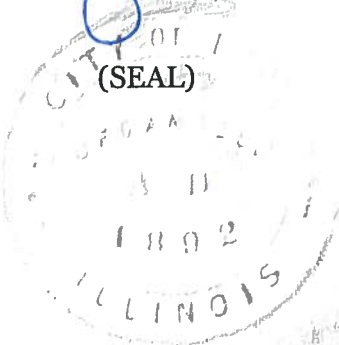


Allen P. Adomite

Mayor, City of Troy, Illinois

ATTEST:

Jamie Myers  
Jamie Myers, City Clerk



# Exhibit A

## R-2 Two-family Residential to R-1A Single Family Residential:

S. Main St.: 304, 308, 312, 316, 318, 410, 412, 414, 416, 418, 450, 500, 502, 504, 506, 508, 510, 600, 602, 606, 608, 610, 614, 702, 704, 706, 708, and unknown addresses; 09-2-22-09-11-202-026, 09-2-22-09-11-202-022, 09-2-22-09-11-202-025, 09-2-22-09-11-202-027, 09-2-22-09-11-202-029, 09-2-22-09-11-202-027.001, 09-2-22-09-11-203-033, 09-2-22-09-11-203-034, 09-2-22-09-15-402-001, 09-2-22-09-15-402-002, 09-2-22-09-15-402-003, 09-2-22-09-15-402-004, 09-2-22-09-15-402-005, 09-2-22-09-15-402-010, 09-2-22-09-15-402-012, 09-2-22-09-15-402-013, 09-2-22-09-15-402-013, 09-2-22-09-15-402-014, 09-2-22-09-15-402-015, 09-2-22-09-15-402-016, 09-2-22-09-15-402-017, 09-2-22-09-15-402-019, 09-2-22-09-15-402-020, 09-2-22-09-15-402-021, 09-2-22-09-19-402-001, 09-2-22-09-19-403-001, 09-2-22-09-19-403-002, 09-2-22-09-19-403-003, 09-2-22-09-19-403-004; and

Padin St.: 301, 302, 303, 305, 307, 309, and unknown addresses; 09-2-22-09-11-203-030, 09-2-22-09-11-202-030, 09-2-22-09-11-203-031, 09-2-22-09-11-203-032, 09-2-22-09-11-203-035, 09-2-22-09-11-203-034.002, 09-2-22-09-11-203-034.001; and

Lorean Dr.: 302, 304; 09-2-22-09-15-402-006.003, 09-2-22-09-15-402-006, 09-2-22-09-15-402-006.001, 09-2-22-09-15-402-006.002; and

S. Hickory St.: 207, 208, 300, 303, 304, 305, 307, 308, 310, 313, 314, 315, 316, 317, 318; 09-2-22-09-11-202-015, 09-2-22-09-11-202-015, ; 09-2-22-09-11-202-015, 09-2-22-09-11-203-016, 09-2-22-09-11-203-017, 09-2-22-09-11-202-018, 09-2-22-09-11-203-021, 09-2-22-09-11-203-021, 09-2-22-09-11-202-023, 09-2-22-09-11-202-024, 09-2-22-09-11-203-027, 09-2-22-09-11-203-028, 09-2-22-09-11-202-028, 09-2-22-09-11-203-029, 09-2-22-09-11-203-034, 09-2-22-09-11-203-036.001, 09-2-22-09-11-203-036; and

E. High St.: 113, 114, 117, 203, 207, 223, 224, 225, 226, 227, 228, 229, 230, 231; 09-2-22-09-11-202-019, 09-2-22-09-11-202-016, 09-2-22-09-11-202-017, 09-2-22-09-11-203-018, 09-2-22-09-11-203-020.001, 09-2-22-09-12-202-014, 09-2-22-09-12-202-012, 09-2-22-09-12-202-015, 09-2-22-09-12-202-011, 09-2-22-09-12-202-016, 09-2-22-09-12-202-010, 09-2-22-09-12-202-017, 09-2-22-09-12-202-009, 09-2-22-09-12-202-018; and

E. Oak St.: 122, 125, 200, 201, 207, 209, 211; 09-2-22-09-11-202-006, 09-2-22-09-11-202-014, 09-2-22-09-11-203-008, 09-2-22-09-11-203-010, 09-2-22-09-11-203-012, 09-2-22-09-11-203-014, 09-2-22-09-11-203-013; and

S. Kimberlin St.: 200, 204, 206; 09-2-22-09-11-202-008, 09-2-22-09-11-202-007, 09-2-22-09-11-202-013; and

E. Center St.: 107, 201, 203, 207, 209, 215, 217, 301, 302, 303, 304, 306, 307, 309, 311; 09-2-22-09-11-202-005, 09-2-22-09-11-203-007, 09-2-22-09-11-203-006, 09-2-22-09-11-203-005, 09-2-22-09-12-202-001, 09-2-22-09-12-202-002, 09-2-22-09-12-202-003, 09-2-22-09-12-201-007, 09-2-22-09-12-202-004, 09-2-22-09-12-201-008, 09-2-22-09-12-201-009, 09-2-22-09-12-201-009, 09-2-22-09-12-202-005, 09-2-22-09-12-202-006, 09-2-22-09-12-202-006.001; and

Webster St.: 205, 209, 211, 210, 212, 214; 09-2-22-09-11-203-009, 09-2-22-09-11-203-022, 09-2-22-09-11-203-023, 09-2-22-09-11-203-026; and

Wildwood Dr.: 311; 09-2-22-09-12-203-007; and

Ash St.: 228, 301, 305, 306, 307, 309; 09-2-22-09-12-202-013, 09-2-22-09-11-203-019, 09-2-22-09-11-203-020, 09-2-22-09-12-202-024.001, 09-2-22-09-11-203-024, 09-2-22-09-11-203-025; and

South St.: 221, 222, 223, 224, 225, 227, 228, and unknown addresses; 09-2-22-09-12-203-005, 09-2-22-09-12-202-024.001, 09-2-22-09-12-203-004, 09-2-22-09-12-202-024, 09-2-22-09-12-203-003, 09-2-22-09-12-203-001, 09-2-22-09-12-203-023, 09-2-22-09-12-203-006; and

Park St.: 206, 300, 301, 302, 303, 305, 309, 311, 312, 314, 315, and unknown addresses; 09-2-22-09-12-202-008, 09-2-22-09-12-202-020, 09-2-22-09-12-202-019, 09-2-22-09-12-202-021, 09-2-22-09-12-202-019.001, 09-2-22-09-12-202-022, 09-2-22-09-12-202-027, 09-2-22-09-12-202-026, 09-2-22-09-12-202-029, 09-2-22-09-12-202-030, 09-2-22-09-12-203-006.001, 09-2-22-09-12-202-028; and

S. Charcoal St.: 108, 110; 09-2-22-09-12-201-006, 09-2-22-09-12-201-005; and

E. Market St.: 301, 303, 305, 309, 311, 313; 09-2-22-09-08-203-004, 09-2-22-09-08-203-005, 09-2-22-09-08-203-006, 09-2-22-09-08-203-007, 09-2-22-09-08-203-008, 09-2-22-09-08-203-009; and

S. Dewey St.: 101, 107; 09-2-22-09-08-203-010, 09-2-22-09-12-201-010; and

Lanahan Dr.: 505; 09-2-22-10-09-101-018; and

**R-2 Two-family Residential to R-1 Single Family Residential:**

E. Center St.: 315, 317; 09-2-22-09-12-202-007, 09-2-22-09-12-202-031.001; and

N. Dewey St.: 222; 09-2-22-09-08-201-018; and

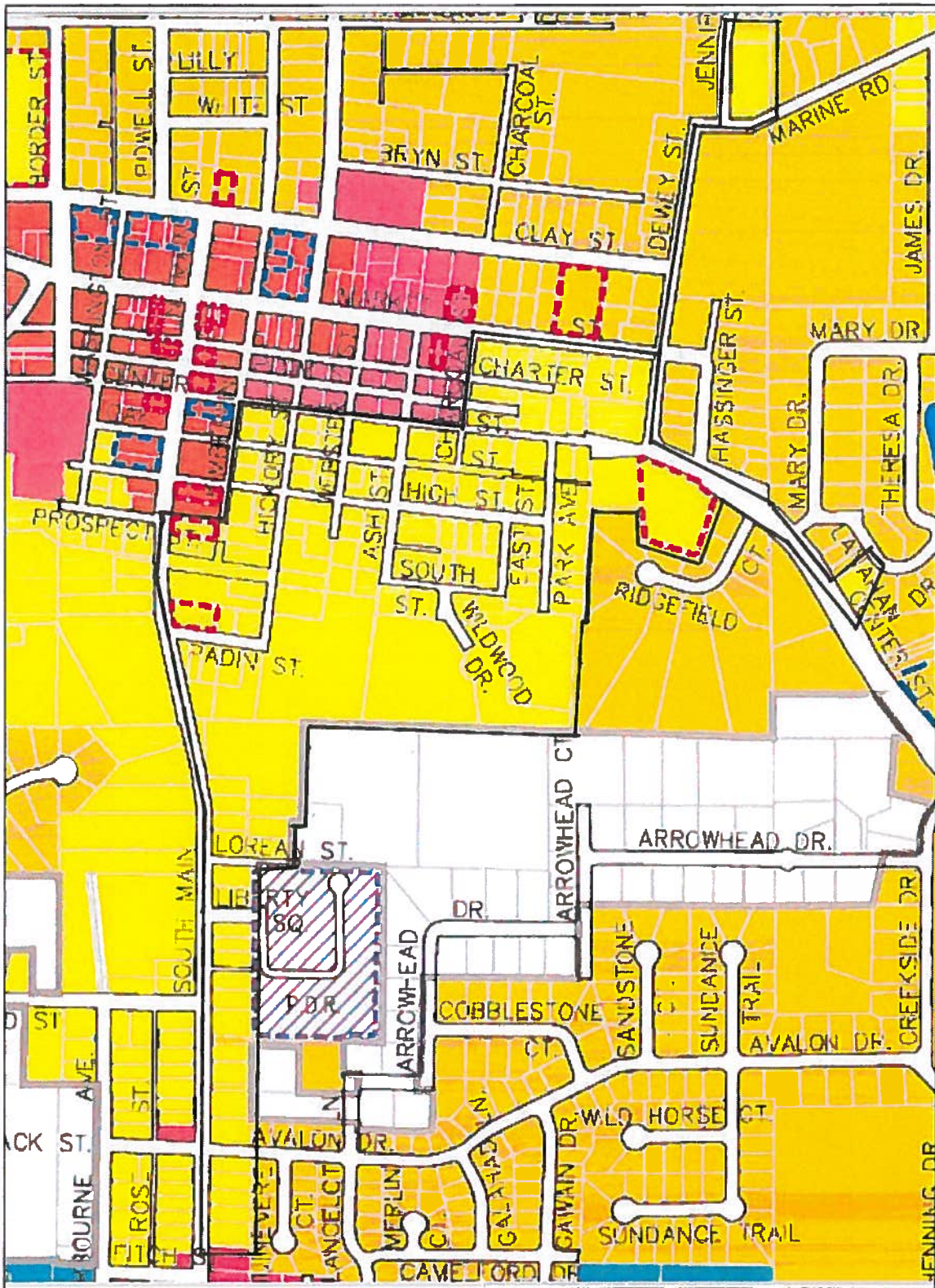
**R-2 Two-family Residential to C-2 General Commercial:**

S. Main St.: 710; 09-2-22-09-19-403-005; and

**C-2 General Commercial to R-1 Single Family Residential:**

Staunton Rd.: 201, 204; 09-2-22-09-07-203-022, 09-2-22-09-07-203-009.

# Exhibit B



RECOMMENDATION NO. 2014 ~ 09PC

Of the Planning Commission of the City of Troy, Illinois Recommending/Not Recommending An Application for Rezoning Numerous Properties as Referenced In Exhibit A and Requested by the City of Troy

Whereas, the Planning Commission met on November 13, 2014 to consider an application for rezoning filed by the City of Troy. A copy of the application and certification regarding publication of the notice of hearing and of notification to surrounding property owners are incorporated by reference; and

Whereas, this application applies to properties as referenced on Exhibit A; and

Whereas, the Planning Commission considered the testimony and exhibits offered on behalf of the application and the following citizens also testified regarding the application: Raymond Forester; and

Whereas, the Planning Commission considered the factors as described in Section 154.143(D) Recommendation/Findings of Fact of the City of Troy Zoning Ordinance (See Findings of Fact); and

Whereas, following the testimony and deliberations, Planning Commissioners voted as recorded below:

Burnett <u>Y</u>	Hale <u>Y</u>	Lawrenz <u>Y</u>	Total:
Cissell <u>Y</u>	Hellrung <u>Y</u>	Nehrt <u>Y</u>	<u>8</u> Yeas
Dyer <u>-</u>	Johnson <u>Y</u>	Turner <u>Y</u>	<u>0</u> Nays

Now Therefore Be It Recommended by the Planning Commission:

1. That the application for the following: To rezone the properties as referenced in Exhibit A. IS NOT recommended X IS recommended with the following stipulations:

2. A copy of this recommendation is presented to the City Council; the original shall be filed with the Code Administrator.

Dated this 13th day of November, 2014.

By: [Signature] Chairman, Planning Commission

Attest: [Signature] Secretary, Planning Commission

# FINDINGS OF FACT

As per Section 154.143(D) Recommendation/Findings of Fact, the Planning Commission shall not recommend the adoption of any amendment unless they find that such amendment is in the public interest and not merely for the benefit of the party proposing it. Where the effect of a proposed amendment is to alter district boundaries or to change the status (permitted, special or prohibited) of any use, the Planning Commission shall make findings regarding all of the following matters:

a) Existing uses of property in the vicinity of the property in question:

All R-1 and some R-2 properties

b) The district classification of property in the vicinity of the property in question:

Mostly <sup>zoned</sup> R-2 currently

c) The suitability of the property in question for uses already permitted under the existing district classification:

Most homes in this area are single family residential, so R-1a is appropriate.

d) The trend of development in the vicinity of the property in question, including changes (if any) which may have taken place since that property was placed in its present district classification:

Existing, so no trend

e) Whether the proposed amendment is in the public interest and not merely for the benefit of the party proposing it.

This change protects the public by classifying single family home district as R1a so multi-family cannot randomly build around them.

  
Chairman, Planning Commission

11/13/14  
Date

  
Secretary, Planning Commission

11/13/14  
Date

Building and Zoning Department

**END OF DOCUMENT**