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**2015R22118**

STATE OF ILLINOIS

MADISON COUNTY

07/01/2015 2:57 PM

AMY M. MEYER, RECORDER

REC FEE: 34.00

CO STAMP FEE:

STAMP FEE:

FF FEE:

RHSPS FEE:

# OF PAGES: 7

**Return to:**

City Clerk  
116 E. Market Street  
Troy, Illinois 62294



34.00 CTY

**Ordinance No. 2015 - 18**

AN ORDINANCE amending Chapter 154 Zoning Ordinance  
Of the Codified Ordinances of the City of Troy  
For the Purpose Of Rezoning a 49.93 Acres of  
Land on the West Side of S. Formosa Road  
From R-1 Single-family Residential to R-1A Single-family Residential  
(i.e. Carrington Farms, a proposed 114 lot residential development)

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

**Whereas,** the map attached hereto as Exhibit A 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 June 11, 2015 to consider the request for the rezoning of the property, pursuant to notice as required by Statute; and

**Whereas**, as a result of said hearing, the Planning Commission has submitted Recommendation No. 2015-08PC to the City Council confirming that it recommends the request for rezoning with the stipulations as noted, if any; 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 49.93 acres known as Carrington Farms, a proposed 114 lot residential development, as described in Exhibit B and in accordance with the map attached hereto as Exhibit A, from R-1 Single-family Residential to R-1A Single-family Residential.

**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.

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**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 fifteenth day of  
June, 2015.

Aldermen:

DeCarli Aye

Dyer Aye

Greenfield Aye

Hendrickson Aye

Italiano Aye

Jackson Aye

Partney Absent

Turner Aye

Total:

7 Ayes

0 Nays

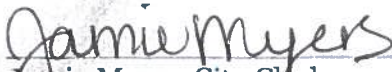
APPROVED BY:



Allen P. Adomite

Mayor, City of Troy, Illinois

ATTEST:

  
\_\_\_\_\_  
Jamie Myers, City Clerk

(SEAL)

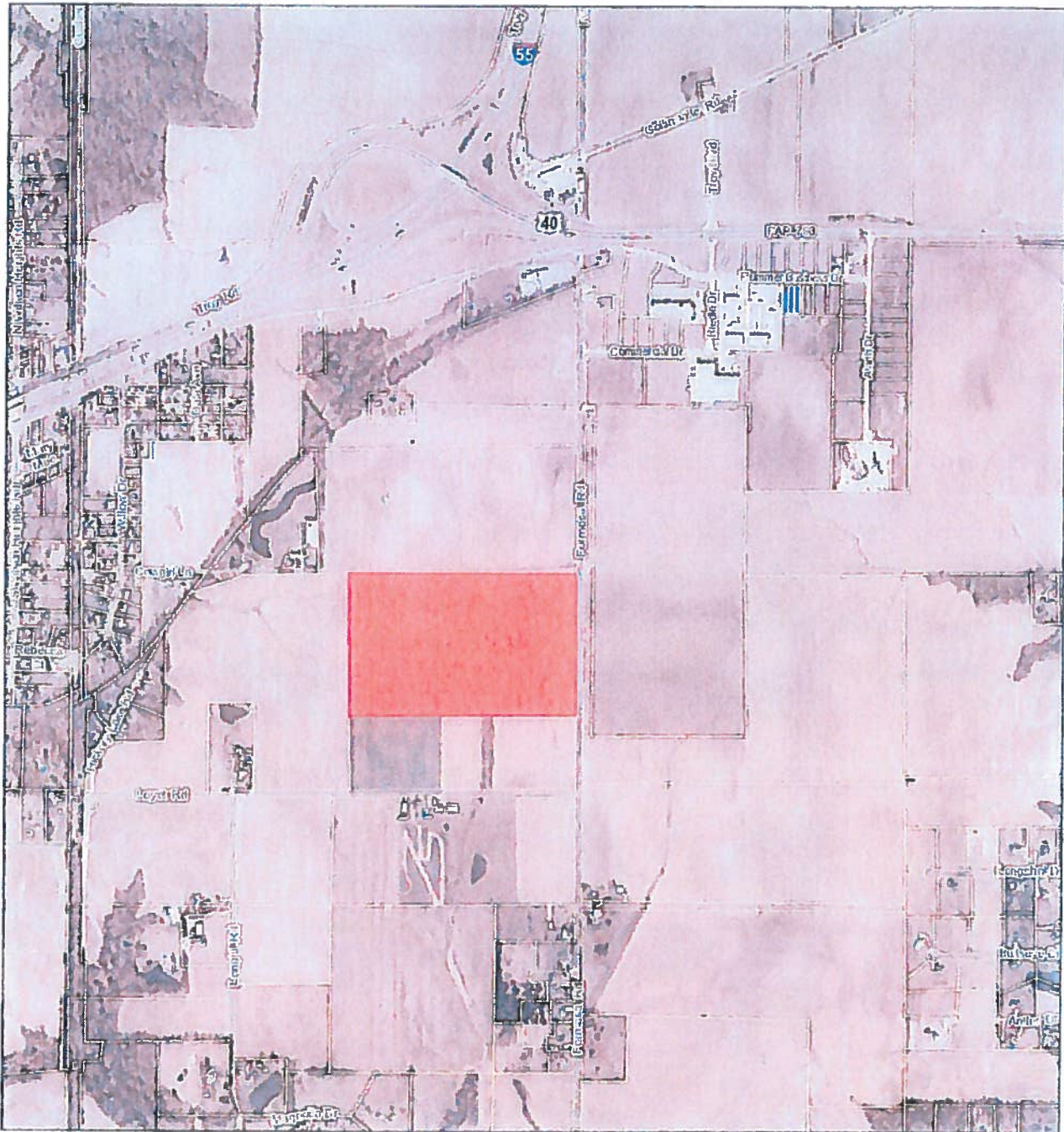
ORGANIZED

1882

ILLINOIS

# Carrington Farms

# EXHIBIT A



June 12 2015

19 600



Madison County Assessor's Office  
Madison County GIS

Madison County Government GIS Group  
Madison County Government

**Carrington Farms – Legal Description**

Part of the Southeast Quarter of Section 18, Township 3 North, Range 7 West of the Third Principal Meridian, Madison County, Illinois and being more particularly described as follows:

Commencing at the plug in the pavement at the northeast corner of Section 18; thence South 0 degrees 00 minutes 00 seconds East, along the east line of Section 18, a distance of 2689.35 feet to the northeast corner of the Southeast Quarter of Section 18 and being the Point of beginning of the tract described herein; thence South 89 degrees 53 minutes 49 seconds West along the north line of the Southeast Quarter of Section 18, a distance of 1875.63 feet to an old stone; thence South 0 degrees 00 minutes 00 seconds East, a distance of 1159.62 feet; thence North 89 degrees 53 minutes 49 seconds East, a distance of 1875.63 feet to the aforementioned east line of Section 18; thence North 0 degrees 00 minutes 00 seconds West, along said east line, a distance of 1159.62 feet to the Point of Beginning and containing 49.93 acres. Subject to easements, rights and restrictions of record or existence, if any.

RECOMMENDATION NO. 2015 ~ 08PC

Of the Planning Commission of the City of Troy, Illinois Recommending/Not Recommending An Application for Rezoning Property from R-1 Single-family Residential to R-1A Single-family Residential Requested By Osborn Development, Property Owner

Whereas, the Planning Commission met on June 11, 2015 to consider an application for rezoning filed by Osborn Development, property owner. 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 49.93 acres on the west side of south Formosa Road known as Carrington Farms subdivision, a proposed 114 lot residential development (see legal description); 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:

; and

Whereas, the Planning Commission considered the factors as described in Section 154.143(D) Recommendation/Findings of Fact of the Troy Code of Ordinances; and

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

Burnett <u>✓</u>	Hellrung <u>✓</u>	Nehrt <u>✓</u>	Total:
Delgado <u>✓</u>	Johnson <u>✓</u>	Reiter <u>✓</u>	<u>8</u> Yeas
Hale <u>✓</u>	Lawrenz <u>✓</u>	Scott <u>✓</u>	<u>1</u> Nays

Now Therefore Be It Recommended by the Planning Commission:

- That the application for the following: To rezone 49.93 acres on the west side of south Formosa Road known as Carrington Farms subdivision, a proposed 114 lot residential development from R-1 Single-family Residential to R-1A Single-family Residential.

IS NOT recommended:  IS recommended:  with the following stipulations:

Each lot to be 50 ft wide and a minimum square footage of 10,000 sq ft.

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

Dated this 11th day of June, 2015.



Attest: \_\_\_\_\_  
Secretary, Planning Commission

By: Elizabeth Hellrung  
Chairman, Planning Commission

# FINDINGS OF FACT

As per Section 154.143(D) Recommendation/Findings of Fact of the Troy Code of Ordinances, 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:

agriculture

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

agriculture

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

currently R-1, 2

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:

currently no recent change

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

is in the public interest as the city is trying to contain residential growth

Elizabeth Halvick 6-1-15

Chairman, Planning Commission

Date

Secretary, Planning Commission

Date

**END OF DOCUMENT**