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Prepared By
Return to:

City Clerk
116 E. Market Street
Troy, Illinois 62294

2023R10734
STATE OF ILLINOIS
MADISON COUNTY
04/26/2023 09:29 AM
LINDA A. ANDREAS
CLERK & RECORDER
REC FEE: 50.00
CO STAMP FEE:
ST STAMP FEE:
FF FEE:
RHSPS FEE:
OF PAGES: 11



\$ 00.00 CTY

Ordinance No. 2023 - 16

AN ORDINANCE Approving an Amendment to the Official Zoning Map
Changing the Zoning Designation of Real Estate
Owned by Clarence and Eleanor Jane Adelhart from
R-1 Single-family Residential to R-2 Two-family Residential
(9± acres of a vacant 20± acre tract at 2466 Formosa Road)

Whereas, CPO Investments, applicant and pending buyer, has filed an application with the City of Troy to change the zoning designation of the southernmost 9± acres of a vacant 20± acre tract at 2466 Formosa Road with PPID #10-1-16-31-00-000-013 from R-1 Single-family Residential to R-2 Two-family Residential as depicted on Exhibit A – map and Exhibit B – legal description; and

Whereas, prior to the presentation of this ordinance to the City Council, the Planning Commission held a public hearing on March 9, 2023 in compliance with Section 154.143 of the Troy Municipal Code and the provisions of 65 ILCS 5/11-13-14 pursuant to proper legal notice; and

Whereas, as a result of said hearing, the Planning Commission has submitted Recommendation No. 2023-06PC to the City Council confirming that it recommends the request for a change in the zoning designation with any stipulations as noted.

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

SECTION 1: The City Council hereby accepts the Planning Commission's Recommendation No.2023-06PC to approve the requested zoning map amendment.

SECTION 2: The City Council hereby approves the requested zoning map amendment to change the zoning designation of the subject property, as depicted in Exhibits A and B attached hereto, from R-1 Single-family Residential to R-2 Two-family Residential and that any stipulations as noted on the Planning Commission's Recommendation 2023-06PC shall be in full force and effect.

SECTION 3: This zoning map amendment is contingent on the sale of the property.

SECTION 4: The Code Official is hereby authorized to note the change made by this ordinance on the city's Official Zoning Map.

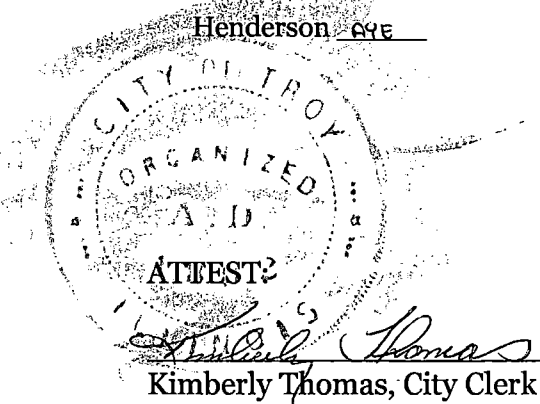
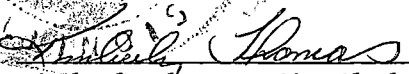
SECTION 5: The authority and approval provided in the ordinance is granted subject to all ordinances, rules, and regulations of the City of Troy.

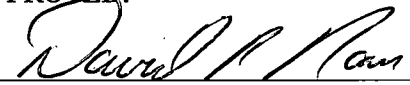
SECTION 6: This Ordinance shall be effective upon its passage, signing, and publication as required by law.

Passed by the City Council and approved by the Mayor this 20th day of March, 2023.

Aldermen:

Dawson <u>AYE</u>	Italiano <u>AYE</u>	Total:
Flint <u>AYE</u>	Knoll <u>AYE</u>	<u>8</u> Ayes
Hellrung <u>AYE</u>	Manley <u>AYE</u>	<u>0</u> Nays
Henderson <u>AYE</u>	Turner <u>AYE</u>	<u>0</u> Abstains

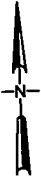

ATTEST:

Kimberly Thomas, City Clerk

APPROVED:

David Nonn, Mayor

BOUNDARY SURVEY PLAT

Exhibit A

PT. SW 1/4, SEC. 31 in TOWNSHIP 4 NORTH, RANGE 7 WEST OF THE THIRD P. M.,
CITY of TROY, MADISON COUNTY, ILLINOIS



LEGEND

- FND IRON PIPE OR ROD
- SET IRON ROD
- FND STONE
- FND CONC. MON.
- RECORD MEAS.
- RECORD and MEAS.

SE 1/4-SEC. 31

TROY CITY LIMITS

S89°38'46"E 1060.16'

E. Line of SECTION 31.

11.00 Ac.+/-

N/F
CLARENCE & ELINOR ADLEHART
DB 4061, PG. 343

SEASONS VILLAGE

N01°18'32"E 897.13' (897.22')
N01°18'32"E 447.50'
N01°18'32"E 383.63'

S89°25'01"E 1071.55'

10.35 Ac.+/-

S00°08'36"E 451.74'
S00°08'36"E 905.61'
S00°08'36"E 387.86'

FORMOSA (60' w.) ROAD

S. Line of SECTION 31

N89°11'34"W 1082.17'

BOUSE (66' w.) ROAD

POC

POB

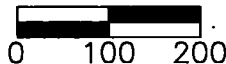
30.00'

WATERFORD PLACE
INDUSTRIAL PARK

WATERFORD PLACE

NE 1/4-SEC. 6

SCALE: 1" = 200'



01-19-23

PROJECT NO.	22-ADLEHART 0.31 AC
DRAWN	CHECKED
R. BRIGHT	J. BRIGHT
DATE	JAN 19, 2023

RGB SURVEYING
105 E. ADAMS STREET
O'FALLON, ILLINOIS 62269
(618) 741-3931

EXHIBIT A

10.35 Acre Tract

A tract of land being part of the Southeast Quarter of Section 31 in Township 4 North, Range 7 West of the Third Principal Meridian and being more particularly described as follows:

Commencing at the a cut cross in Formosa Road which marks the Southeast corner of said Southeast Quarter of Section 31: thence on the Southerly line of said Southeast Quarter of Section 31, North 89 degrees 11 minutes 34 second West, 30.00 feet to the Point of Beginning;

From said Point of Beginning; thence continuing on said Southerly line North 89 degrees 11 minutes 34 second West, 1082.17 feet to a point which marks the Southerly prolongation of the Easterly line of "SEASONS VILLAGE" as shown on the plat thereof recorded in Plat Cabinet 65 on Page 188 in the Madison County Recorder of Deed's Office; thence on said Easterly line and its prolongation North 01 degree 18 minutes 32 seconds East, 416.63 feet; thence leaving said Easterly line South 89 degrees 25 minutes 01 second West, 1071.55 feet to a point on the West right of way line of Formosa (60'w.) Road; thence on said West right of way line of South 00 degrees 08 minutes 36 seconds East, 420.86 feet to the point of beginning.

Said tract of land containing 10.35 acres, more or less, including an easement (Bouse Road) to the City of Troy Illinois, and being situated in the City of Troy, Madison County, Illinois.

RECOMMENDATION NO. 2023~06PC

Of the Planning Commission of the City of Troy, Illinois Recommending/Not Recommending an Application for Zoning Map Amendment (rezoning) from R-1 Single-family Residential to R-2 Two-faming Residential on the southernmost 9± acres of a 20± acre tract at 2466 Formosa Road

WHEREAS, the Planning Commission met on March 9, 2023 to consider an application for rezoning filed applicant and pending buyer CPO Investments LLC. 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 the southernmost 9± acres of a vacant 20± acre tract at 2466 Formosa Road with a PPID 10-1-16-31-00-000-013; 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:

Adams <u>ABSTAIN</u>	Lawrenz <u>YES</u>	Stone <u>YES</u>	Total:
Burnett <u>YES</u>	Nehrt <u>YES</u>	Talbert <u>YES</u>	<u>7</u> Yeas
Compton <u>YES</u>	Reiter <u>YES</u>		<u>0</u> Nays

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION AS FOLLOWS, that the application for the following: To amend the Zoning Map and rezone the southernmost 9± acres of a vacant 20± acre tract at 2466 Formosa Road with a PPID 10-1-16-31-00-000-013 from R-1 Single-family Residential to R-2 Two-family Residential

IS NOT recommended IS recommended with the following stipulations, if noted:

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

DATED this 9th day of March, 2023.

By: [Signature] Chairman, Planning Commission

Attest: [Signature] Secretary, 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:

Proper Buffer with I1, R1, R2. Keeps
House Residential

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

I1, R1, R2

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

Yes

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:

Moved to R1 when Annexed into Troy

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

Yes, support from neighbors and
Cade Osborn did well presenting/feeling out and listening
to Seasons Village group

[Signature] 3/9/23
Chairman, Planning Commission Date

[Signature] 3/9/23
Secretary, Planning Commission Date



NOTICE OF PUBLIC HEARING

The City of Troy Planning Commission will hold a public hearing on Thursday, March 9, 2023 at 7:30 p.m., or as soon as can be heard, in Council Chambers at the Troy Municipal Building, 116 E. Market Street, Troy, Illinois. The Planning Commission will consider a zoning map amendment (rezoning) in accordance with Section 154.143 of the Troy Code of Ordinances. The applicant and pending buyer, CPO Investments LLC, is requesting a change in zoning from R-1 Single-family Residential to R-2 Two-family Residential on the remaining southern-most 9± acres of a 20± acre tract at 2466 Formosa Road with a PPID # 10-1-16-31-00-000-013. This zoning map amendment is contingent on the sale of the property.

A copy of the request and map is available for public inspection in the Building & Zoning Dept., 116 E. Market Street, Monday through Friday, 7:00 a.m. to 3:30 p.m. This hearing is open to the public. All interested members of the public are invited to attend and express their opinions in favor of or against this proposal.

Linda Taake
Building & Zoning
Administrative Coordinator

Public Notified: February 13, 2023
Media Notified: February 13, 2023

Building & Zoning Department
116 E. Market Street
Troy, Illinois 62294

618-667-8734 ext. 4
buildingzoning@troyil.us
www.troyil.us



REQUEST FOR ZONING AMENDMENT

Date of Application: 1-30-23

Contingent
Rezoning requested from: R-1 to R-2

Applicant(s)/Agent(s):

Name: CPO Investments, LLC Phone: 618-346-7878

Address: 7700 Stonebridge Golf Dr. Maplewood IL 62062

Name: _____ Phone: _____

Address: _____

Property Owner(s): (If different than applicant)

Name: Cynthia Westfall, Trustee Clarence Adelhart Trust Phone: 618-973-9439

Address: 93 W Lake Dr.

Name: _____ Phone: _____

Address: _____

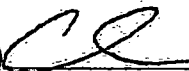
Property Information:

1. Address/location of land: 2466 Formosa Rd
2. Existing use(s) and zoning classification of property: Farmland + R1 zoning
3. Existing use(s) and zoning classification of other lots in the vicinity of property in question: E-1, R-2 PDR, R-1, R-3
4. Suitability of the property in question for uses already permitted under existing regulations: Currently suitable for single family homes
5. Suitability of the property in question for the proposed uses: Very suitable for two-family villas
6. The trend of development in the area of the property in question, including any changes which may have occurred since the property was initially zoned or last rezoned: The trend is towards a Commercial/Residential Concept given proximity to Commercial Residential projects.

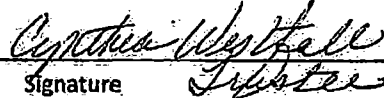
7. The effect the proposed rezoning would have on implementation of the Comprehensive Plan:
The proposed rezoning would be consistent with the Comprehensive Plan in that residential would access off Bourse.
8. The effect the proposed use would have on public utilities and on traffic circulation on nearby streets:
No known negative effects
9. Provide any additional information pertinent to the proposed rezoning:
The proposed zoning is a natural transition from Commercial projects to residential development at Season's Village.
10. Attach a legal description and map, plat or survey of the property proposed for rezoning.
11. A fee of \$300 must accompany this request.

I/We hereby certify that all of the information given herein and in the attachments hereto are true and correct to the best of my/our knowledge.

Dated this 30 day of January, 2023

Applicant(s)/Agent(s)  Cole Osborn
Signature Printed Name

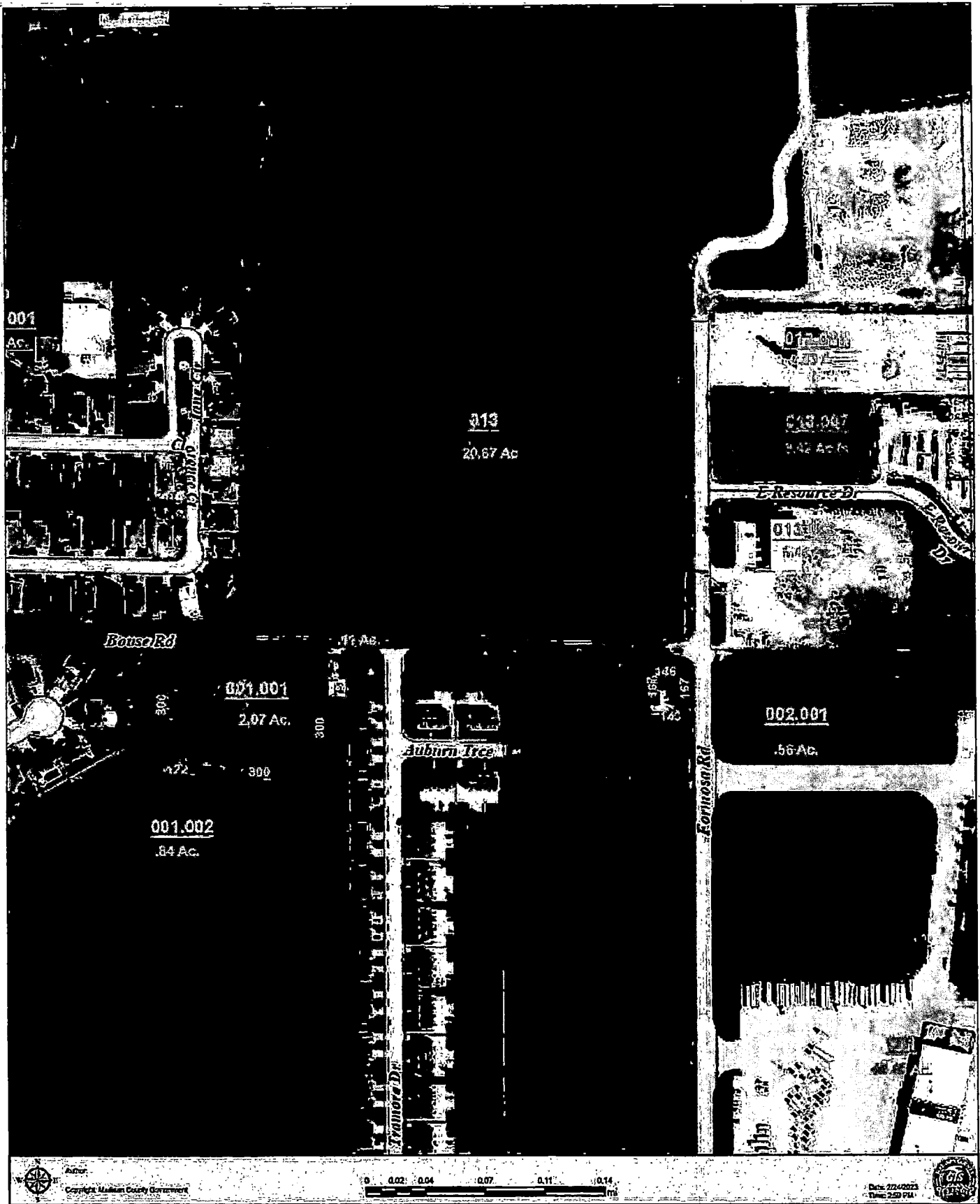
Applicant(s)/Agent(s) _____
Signature Printed Name

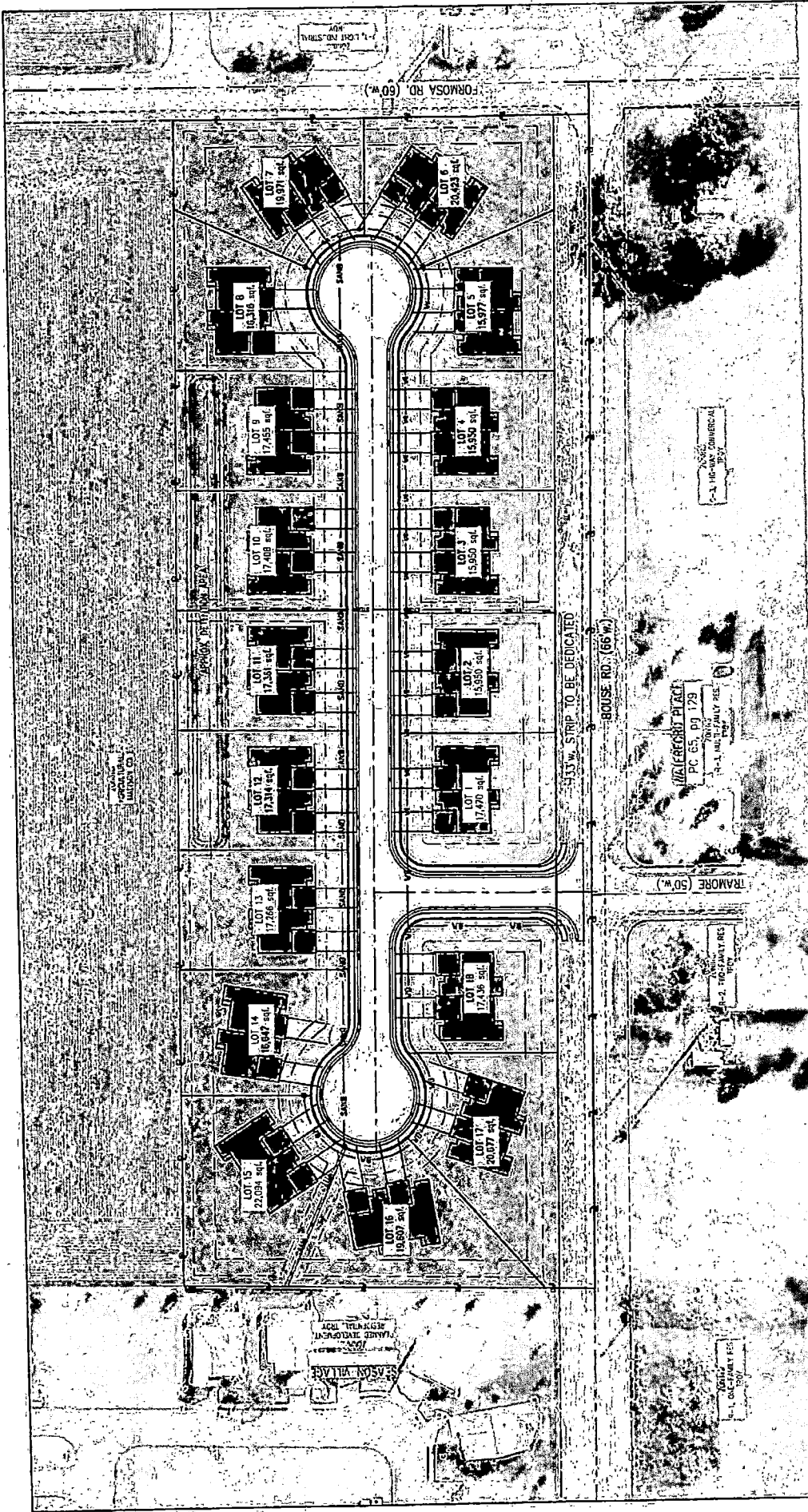
Property Owner(s)  CYNTHIA WESTFALL
Signature Trustee Printed Name TRUSTEE

Property Owner(s) _____
Signature Printed Name

Office Use:			
Date of Filing:	<u>2/3/23</u>	Check No.: <u>173</u>	Receipt No.: <u>3137</u>

2466 Formosa Road





DEVELOPMENT INFORMATION
 CONCEPT PLAN
 433 W. STRIP TO BE DEDICATED
 18 LOTS
 433 W. STRIP TO BE DEDICATED
 18 LOTS
 433 W. STRIP TO BE DEDICATED
 18 LOTS

NO.	DATE	REVISIONS	REMARKS
1	01/20/23		

PREPARED BY: []
 CHECKED BY: []
 DATE: 01/20/23
 PROJECT: 433 W. STRIP TO BE DEDICATED
 SHEET NO. 18 OF 18

NETEMEVER ENGINEERING ASSOCIATES, INC.
 433 W. STRIP TO BE DEDICATED
 TROY, ILLINOIS 61864-2878
 TEL: 618.263.1100
 FAX: 618.263.1101

BOUSE & FORMOSA PARCEL
 TROY, ILLINOIS

CONCEPT PLAN A
 433 W. STRIP TO BE DEDICATED
 18 LOTS