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Tx:4044141

**Return to:**

City Clerk  
116 E. Market Street  
Troy, Illinois 62294

**2014R19290**  
STATE OF ILLINOIS  
MADISON COUNTY  
06/24/2014 4:06 PM  
AMY M. MEYER, RECORDER  
REC FEE: 33.00  
CO STAMP FEE:  
ST STAMP FEE:  
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RHSPS FEE:  
# OF PAGES: 8



3300 CTY

**Ordinance No. 2014 - 08**

AN ORDINANCE Amending Ordinance 2004-21 of the Troy  
Municipal Code Also Known as the Troy Zoning Ordinance  
For the Purpose Of Rezoning Multiple Properties  
(Namely, Properties Bordered By the City Limits On the West,  
Wickliffe On the North, South Main Street On the East,  
and Highway 40 On the South)

**Whereas**, the City of Troy, County of Madison, State of Illinois, presently has in force the Troy Zoning Ordinance, which is contained in the Troy Municipal Code as Ordinance No. 2004-21 adopted August 2, 2004, as amended from time to time; and

**Whereas**, the City of Troy (hereinafter "Applicant") has filed an application for the rezoning of 186 properties as described in Exhibit A; and

**Whereas**, the map attached hereto as Exhibit B is an accurate map of the properties 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 Article 8, Section 8-4 of the Troy Zoning Ordinance regarding amendments of regulations and zoning districts by holding a public hearing on May 21, 2014 to consider the request for the rezoning of those properties, pursuant to notice as required by Statute; and

**Whereas**, as a result of said hearing, the Planning Commission has submitted Recommendation No. 2014-02PC 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 Troy Zoning Ordinance for the purpose of rezoning the above referenced properties 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:** Ordinance 2004-21 of the City of Troy, as amended from time to time and commonly known as the Troy Zoning Ordinance, 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 Ordinance 2004-21 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 second day of June, 2014.

Aldermen:

DeCarli Aye  
Evans Aye  
Greenfield Aye  
Hendrickson Aye

Italiano Absent  
Jackson Aye  
Lanahan Aye  
Partney Aye

Total:  
7 Ayes  
0 Nays

APPROVED BY:



Allen P. Adomite  
Mayor, City of Troy, Illinois

ATTEST:



City Clerk



# Exhibit A

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

Wynona: 308, 310, 312, 316; 09-2-22-09-06-102-029, 09-2-22-09-06-102-028, 09-2-22-09-06-102-026, 09-2-22-09-06-102-025;

Fairview Dr.: 110; 09-2-22-09-06-102-027;

Parkview Ct.: 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110; 09-2-22-09-10-101-007; 09-2-22-09-10-101-006; 09-2-22-09-10-101-006.001; 09-2-22-09-10-101-008; 09-2-22-09-10-101-005; 09-2-22-09-10-101-005.001; 09-2-22-09-10-101-009; 09-2-22-09-10-101-004; 09-2-22-09-10-101-004.001; 09-2-22-09-10-101-010; 09-2-22-09-10-101-003; 09-2-22-09-10-101-003.001; 09-2-22-09-10-101-011; 09-2-22-09-10-101-002, 09-2-22-09-10-101-012;

Collinsville Rd.: 119, 303, 305, 309, 311, 402, 404, 405, 407; 09-2-22-09-06-103-016.001, 09-2-22-09-10-101-017, 09-2-22-09-10-101-016, 09-2-22-09-10-101-015, 09-2-22-09-10-101-014, 09-2-22-09-10-101-014.001, 09-2-22-09-10-101-014.002, 09-2-22-09-10-101-019, 09-2-22-09-10-101-020, 09-2-22-09-10-101-001, 09-2-22-09-09-101-004;

State St.: 303; 09-2-22-09-10-102-023;

Cook St.: 201, 306, 307, 308, 309, 310, 311, 313, 314, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 412 and unknown addresses; 09-2-22-09-10-101-019.001, 09-2-22-09-10-102-024, 09-2-22-09-10-101-021, 09-2-22-09-10-102-025, 09-2-22-09-10-101-022, 09-2-22-09-10-102-027, 09-2-22-09-10-101-024, 09-2-22-09-10-101-025, 09-2-22-09-10-102-029, 09-2-22-09-10-101-026, 09-2-22-09-10-102-031, 09-2-22-09-10-101-027, 09-2-22-09-10-102-032, 09-2-22-09-10-101-028, 09-2-22-09-10-102-035.001, 09-2-22-09-10-101-029, 09-2-22-09-10-102-035, 09-1-22-09-14-301-002, 09-1-22-09-14-301-003, 09-1-22-09-14-301-001.001, 09-1-22-09-14-301-006.001;

Troy Ave.: 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 311, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413 and unknown addresses; 09-2-22-09-10-102-022.002, 09-2-22-09-10-102-023.001, 09-2-22-09-10-102-021, 09-2-22-09-10-102-024.001, 09-2-22-09-10-102-020, 09-2-22-09-10-102-026, 09-2-22-09-10-102-019, 09-2-22-09-10-102-027.001, 09-2-22-09-10-102-018.001, 09-2-22-09-10-102-028, 09-2-22-09-10-102-030, 09-2-22-09-10-102-017, 09-2-22-09-10-102-031.001, 09-2-22-09-10-102-016.001, 09-2-22-09-10-102-033, 09-2-22-09-10-102-016, 09-2-22-09-10-102-034, 09-2-22-09-10-102-015, 09-1-22-09-14-301-004, 09-2-22-09-10-102-014, 09-1-22-09-14-301-005, 09-1-22-09-14-301-009, 09-1-22-09-14-301-006, 09-1-22-09-14-301-008, 09-1-22-09-14-301-007, 09-2-22-09-10-102-017.001, 09-2-22-09-11-201-025;

Windy Hill Ln.: 1, 2; 09-2-22-09-10-102-036; 09-2-22-09-10-102-037;

Mardis Ct.: 2, 6, 14, 18, 22; 09-2-22-09-10-102-018, 09-2-22-09-10-102-011, 09-2-22-09-10-102-012, 09-2-22-09-10-102-013.001, 09-2-22-09-10-102-013;

S. Main St.: 311, 313, 315, 317, 413, 415, 417, 419, 507, 509, 511, and unknown addresses; 09-2-22-09-11-201-028, 09-2-22-09-11-201-027, 09-2-22-09-11-201-029, 09-2-22-09-11-201-024, 09-2-22-09-15-401-028, 09-2-22-09-15-401-029, 09-2-22-09-15-401-030, 09-2-22-09-15-401-030.001, 09-2-22-09-15-401-002; 09-2-22-09-15-401-004, 09-2-22-09-15-401-005, 09-2-22-09-15-401-006, 09-2-22-09-11-201-026, 09-2-22-09-15-401-003,

Wayland Ave.: 103, 110, 111; 09-2-22-09-15-401-007, 09-1-22-09-14-301-023, 09-2-22-09-14-301-013;

Rose St.: 715; 09-2-22-09-19-401-008;

**From R-2 Two-family Residential to R-1A Single-family Residential:**

Wickliffe: 204, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318; 09-2-22-09-06-103-010, 09-2-22-09-06-102-014, 09-2-22-09-06-102-015, 09-2-22-09-06-102-012, 09-2-22-09-06-102-016, 09-2-22-09-06-102-011, 09-2-22-09-06-102-017, 09-2-22-09-06-102-010, 09-2-22-09-06-102-018, 09-2-22-09-06-102-009, 09-2-22-09-06-102-019, 09-2-22-09-06-102-008, 09-2-22-09-06-102-020, 09-2-22-09-06-102-007, 09-2-22-09-06-102-022;

Edwardsville Rd.: 220; 09-2-22-09-06-102-013;

Sarah: 100, 102, 104, 106, 108, 109, 110, 111, 112, 113; 09-2-22-09-06-103-011, 09-2-22-09-06-103-012, 09-2-22-09-06-103-013, 09-2-22-09-06-103-014, 09-2-22-09-06-103-015, 09-2-22-09-06-103-016, 09-2-22-09-06-102-030, 09-2-22-09-06-103-017, 09-2-22-09-06-102-031, 09-2-22-09-06-103-018, 09-2-22-09-10-101-018;

Oak St.: 106; 09-2-22-09-11-201-010;

High St.: 102, 106, 107; 09-2-22-09-11-201-015, 09-2-22-11-201-016, 09-2-22-09-11-201-009;

Prospect St.: 106, 107, 108, 110; 09-2-22-09-11-201-021, 09-2-22-09-11-201-017, 09-2-22-09-11-201-020, 09-2-22-09-11-201-019;

Washington St.: 117; 09-2-22-09-11-201-018;

S. Main St.: 307, 309, 601, 603, 605, 607, 609, 611, 615, 703, 705, 707, 709, 711, 713; 09-2-22-09-11-201-022.001, 09-2-22-09-11-201-022, 09-2-22-09-15-401-018, 09-2-22-09-15-401-019, 09-2-22-09-15-401-020, 09-2-22-09-15-401-021, 09-2-22-09-15-401-022, 09-2-22-09-15-401-023, 09-2-22-09-19-401-017, 09-2-22-09-19-401-020, 09-2-22-09-19-401-021, 09-2-22-09-19-401-022, 09-2-22-09-19-401-023, 09-2-22-09-19-401-024, 09-2-22-09-19-401-025;

Wayland Ave.: 102, 104; 09-2-22-09-15-401-017, 09-2-22-09-15-401-016;

Sherbourne Ave.: 605, 606, 607, 608, 609, 610, 612, 614, 616, 700, 706, 708, 710, 711, 712; 09-1-22-09-15-401-008, 09-2-22-09-15-401-015, 09-1-22-09-15-401-009, 09-2-22-09-15-401-014, 09-1-22-09-15-401-010, 09-2-22-09-15-401-013, 09-2-22-09-15-401-012, 09-2-22-09-19-401-016, 09-2-22-09-19-401-015, 09-2-22-09-19-401-013, 09-2-22-09-19-401-012, 09-2-22-09-19-401-011, 09-2-22-09-19-401-010, 09-1-22-09-19-401-002, 09-2-22-09-19-401-009;

Barnsback St.: 102, 108; 09-2-22-09-19-401-019, 09-2-22-09-19-401-014;  
Fitch St.: 105; 09-2-22-09-19-401-026;

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

Collinsville Rd.: 200; 09-2-22-09-10-102-022.001;  
S. Main St.: 803, 805; 09-2-22-09-19-401-028, 09-2-22-09-19-401-030;  
Fitch St.: 106; 09-2-22-09-19-401-029;

**From C-3 Highway Commercial to C-2 General Commercial:**

Collinsville Rd.: 200; 09-2-22-09-10-102-022.001;

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

Collinsville Rd.: 204; 09-2-22-09-10-102-005,  
Cook St.: 204; 09-2-22-09-10-102-001;  
State St.: 304, 312; 09-2-22-09-10-102-002, 09-2-22-09-10-102-003;

**From R-1 Single Family Residential to A-R Agricultural Reserve:**

Collinsville Rd.: 409; 09-1-22-09-09-101-003;



RECOMMENDATION NO. 2014 ~ 02PC

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 May 21, 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 bordered by the city limits on the west, Wickliffe on the north, S. Main Street to the east, and Highway 40 to the south (See 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: Mike Hampton, Mary Evans, Carly Kinkle, Joe Hurst; and

Whereas, the Planning Commission considered the factors as described in Section 8-4.4 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:

Table with 4 columns: Name, Y/N, Name, Y/N, Name, Y/N, Total. Rows: Burnett, Cissell, Hale, Hellrung, Johnson, Lawrenz, Nehrt, Turner. Total: 8 Yeas, 0 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: None.
2. A copy of this recommendation is presented to the City Council; the original shall be filed with the Code Administrator.

Dated this 21st day of May, 2014.

By: [Signature] Chairman, Planning Commission

Attest: [Signature] Secretary, Planning Commission

# FINDINGS OF FACT

As per Section 8-4.4 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:

largely residential

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

mostly R2

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

suitable for single family residential

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:

single family w/ some townhomes popping up

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

benefits public - protects the integrity of old residential neighborhoods

J. H. Conner  
Chairman, Planning Commission

5/21/14  
Date

Elizabeth Helberg  
Secretary, Planning Commission

5/21/14  
Date