



8 1 5 4 9 7 6
Tx:4115605

2015R09228

STATE OF ILLINOIS
MADISON COUNTY
03/26/2015 2:56 PM
AMY M. MEYER, RECORDER

REC FEE: 34.00

CO STAMP FEE:

ST STAMP FEE:

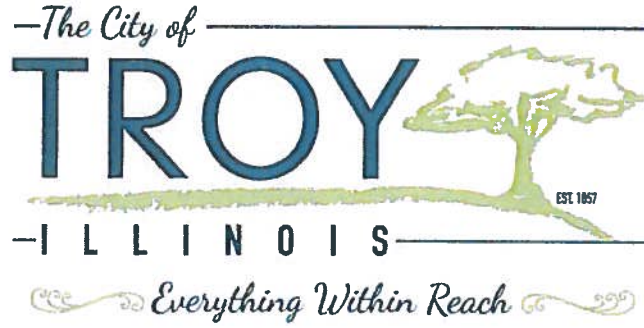
FF FEE:

RHSPS FEE:

OF PAGES: 7

Return to:

City Clerk
116 E. Market Street
Troy, Illinois 62294



34.00

Ordinance No. 2015 - 06

AN ORDINANCE amending Chapter 154 Zoning Ordinance
Of the Codified Ordinances of the City of Troy
For the Purpose Of Rezoning 412/414 Redbird Street
From MH Mobile Home to R-2 Two-family Residential

Whereas, the Todd Lindow (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 combined lots 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 February 12, 2015 to consider the request for the rezoning of this property, pursuant to notice as required by Statute; and

Whereas, as a result of said hearing, the Planning Commission has submitted Recommendation No. 2015-01PC 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 412/414 Redbird Street, as described in Exhibit A and in accordance with the map attached hereto as Exhibit B, from MH Mobile Home to R-2 Two-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.

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 February, 2015.

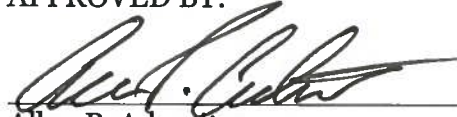
Aldermen:

DeCarli Abstain
Evans Aye
Greenfield Aye
Hendrickson Aye

Italiano Absent
Jackson Aye
Lanahan Aye
Partney Absent

Total:
5 Ayes
0 Nays

APPROVED BY:



Allen P. Adomite
Mayor, City of Troy, Illinois

ATTEST:



Jamie Myers, City Clerk



RECOMMENDATION NO. 2015 ~ 01PC

Of the Planning Commission of the City of Troy, Illinois Recommending/Not Recommending An Application for Rezoning Property from MH Mobile Home to R-2 Two-Family Residential Requested By Todd Lindow, Property Owner

Whereas, the Planning Commission met on February 12, 2015 to consider an application for rezoning filed by Todd Lindow, 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 412/414 Redbird (two lots combined into one parcel) with parcel IDs 09-2-22-04-13-301-028 and 09-2-22-04-13-302-029 (See Exhibits A and B); 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:

Table with 4 columns: Name, Vote (Y/N), Total, and Remarks. Rows include Burnett, Cissell, Dyer, Hale, Hellrung, Johnson, Lawrenz, Nehrt, Turner, and Total (7 Yeas, 0 Nays).

Now Therefore Be It Recommended by the Planning Commission:

- 1. That the application for the following: To rezone the combined parcel 412/414 Redbird with parcel IDs 09-2-22-04-13-301-028 and 09-2-22-04-13-302-029 (See Exhibits A and B) from MH Mobile Home to R-2 Two-Family Residential. This rezoning is conditioned on the Zoning Board of Appeals granting an associated variance.

IS NOT recommended: IS recommended: X 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 12th day of February, 2015.

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:

MH to West . R-2 to the east.

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

MH & R-2

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

Connects to R-2 to the east.

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:

No trend. Existing + already built-up.

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

City will get dwelling property tax, so this is in the best interest of the public.

 2/12/15
Chairman, Planning Commission Date

 2-12-15
Secretary, Planning Commission Date

Exhibit A

Legal descriptions of 412 and 414 Redbird Street that will be combined into one lot:

Lot MH 68 in First Addition to High Meadows, a subdivision in part of Section 4, Township 3 North, Range 7 West of the Third Principal Meridian and part of Outlot B of corrected plat of High Meadows Subdivision, according to the plat thereof recorded in Plat Cabinet 52 Page 153 in Madison County, Illinois, (except coal and other minerals underlying said premises with the right to mine and remove same) in Madison County, Illinois.

Commonly known as 412 Red Bird Street, Troy, Illinois

Permanent Parcel No. 09-2-22-04-13-302-028

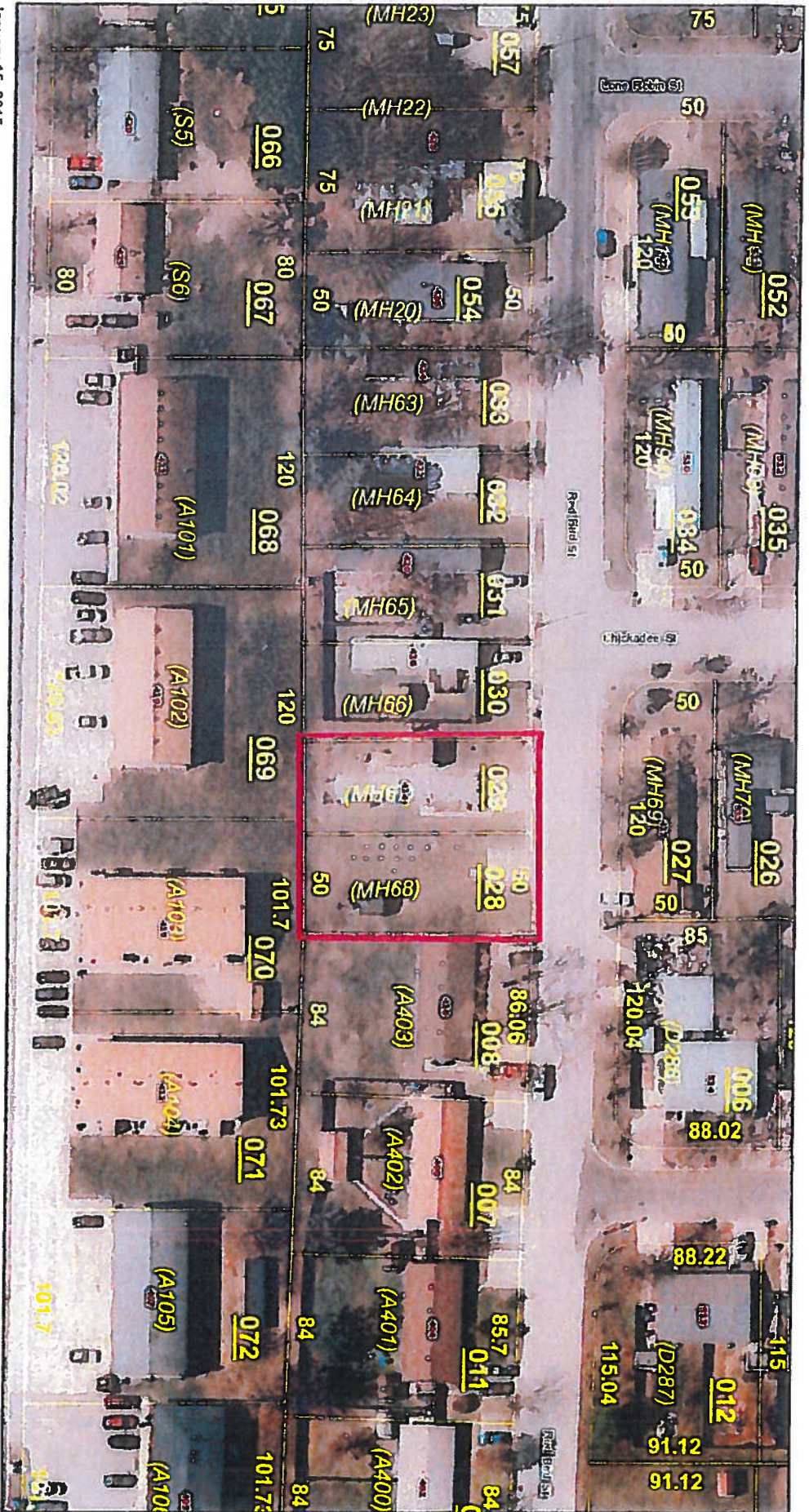
Lot MH 67 in First Addition to High Meadows, a subdivision in part of Section 4, Township 3 North, Range 7 West of the Third Principal Meridian and part of Outlot B of corrected plat of High Meadows Subdivision, according to the plat thereof recorded in Plat Cabinet 52 Page 153 in Madison County, Illinois.

Commonly known as 414 Red Bird Street, Troy, Illinois

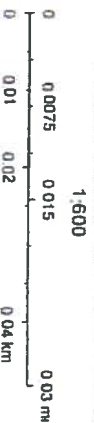
Permanent Parcel No. 09-2-22-04-13-302-029

412/414 Red Bird Street

Exhibit B



January 15, 2015



RECOMMENDATION NO. 2015 ~ 01PC

Of the Planning Commission of the City of Troy, Illinois Recommending/Not Recommending An Application for Rezoning Property from MH Mobile Home to R-2 Two-Family Residential Requested By Todd Lindow, Property Owner

Whereas, the Planning Commission met on February 12, 2015 to consider an application for rezoning filed by Todd Lindow, 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 412/414 Redbird (two lots combined into one parcel) with parcel IDs 09-2-22-04-13-301-028 and 09-2-22-04-13-302-029 (See Exhibits A and B); 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:

Table with 4 columns: Name, Vote, Total, and Unit. Rows include Burnett, Cissell, Dyer, Hale, Hellrung, Johnson, Lawrenz, Nehrt, Turner, and Total (7 Yeas, 0 Nays).

Now Therefore Be It Recommended by the Planning Commission:

- 1. That the application for the following: To rezone the combined parcel 412/414 Redbird with parcel IDs 09-2-22-04-13-301-028 and 09-2-22-04-13-302-029 (See Exhibits A and B) from MH Mobile Home to R-2 Two-Family Residential. This rezoning is conditioned on the Zoning Board of Appeals granting an associated variance.

IS NOT recommended: IS recommended: X 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 12th day of February, 2015.

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:

MH to West . R-2 to the east .

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

MH & R-2

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

Connects to R-2 to the east.

- 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:

No trend . Existing + already built-up.

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

City will get dwelling property tax, so this is in the best interest of the public.

[Signature] 2/12/15
Chairman, Planning Commission Date

[Signature] 2-12-15
Secretary, Planning Commission Date

Exhibit A

Legal descriptions of 412 and 414 Redbird Street that will be combined into one lot:

Lot MH 68 in First Addition to High Meadows, a subdivision in part of Section 4, Township 3 North, Range 7 West of the Third Principal Meridian and part of Outlot B of corrected plat of High Meadows Subdivision, according to the plat thereof recorded in Plat Cabinet 52 Page 153 in Madison County, Illinois, (except coal and other minerals underlying said premises with the right to mine and remove same) in Madison County, Illinois.

Commonly known as 412 Red Bird Street, Troy, Illinois

Permanent Parcel No. 09-2-22-04-13-302-028

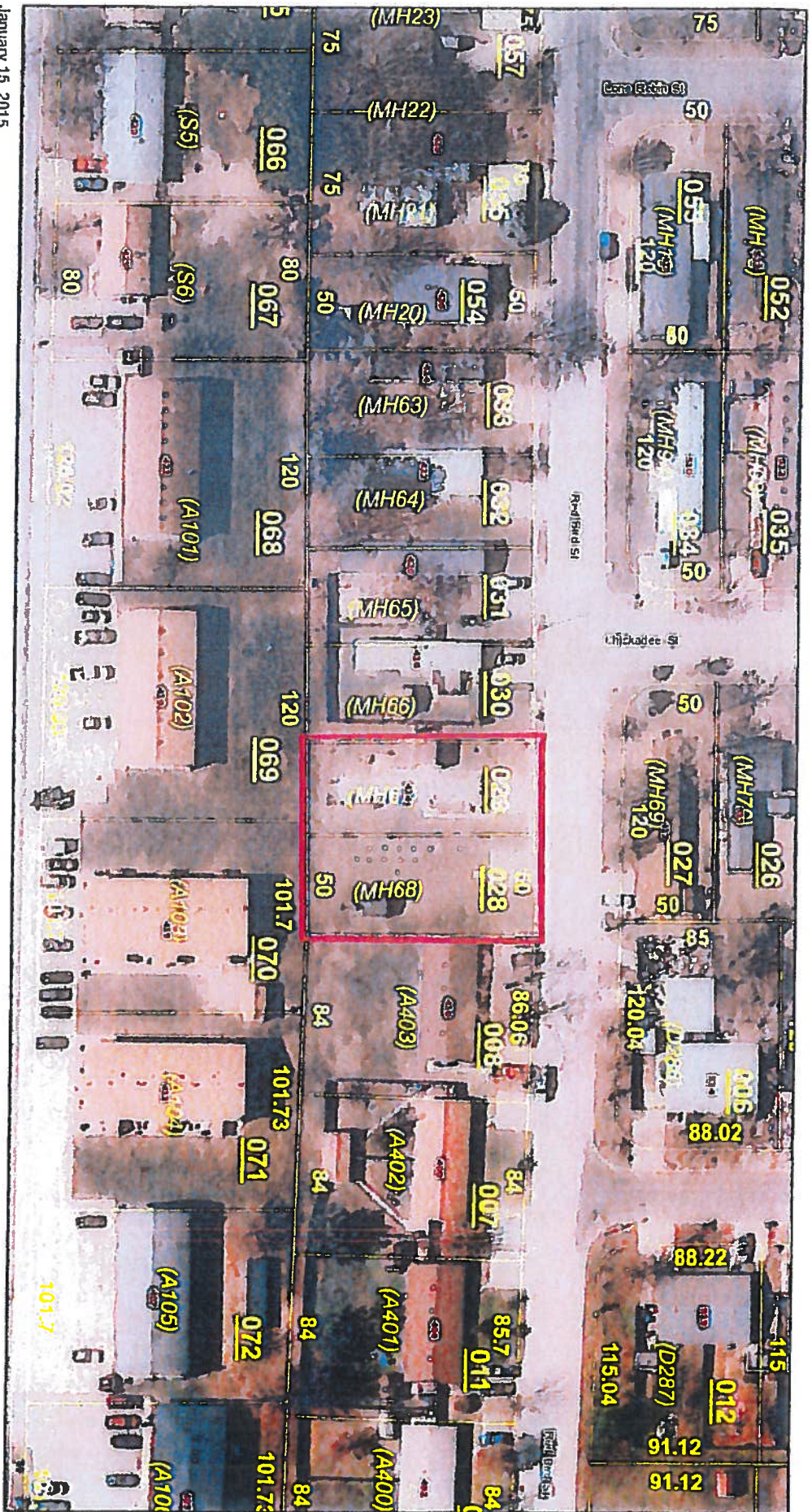
Lot MH 67 in First Addition to High Meadows, a subdivision in part of Section 4, Township 3 North, Range 7 West of the Third Principal Meridian and part of Outlot B of corrected plat of High Meadows Subdivision, according to the plat thereof recorded in Plat Cabinet 52 Page 153 in Madison County, Illinois.

Commonly known as 414 Red Bird Street, Troy, Illinois

Permanent Parcel No. 09-2-22-04-13-302-029

412/414 Red Bird Street

Exhibit B



January 15, 2015

