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Ordinance No. 2023 - 01

5000 CTY

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 I-1 Light Industry
(11± acres of a vacant 20± acre tract at 2466 Formosa Road)

Whereas, Jim Malecek, applicant and pending buyer, has filed an application with the City of Troy to change the zoning designation of the northernmost 11± 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 I-1 Light Industry 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 January 12, 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. 2023-02PC to the City Council confirming that it recommends the request for a change in the zoning designation with any stipulations as noted.

DR

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.2023-02PC 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 I-1 Light Industry and that any stipulations as noted on the Planning Commission’s Recommendation 2023-02PC shall be in full force and effect.

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

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

SECTION 5: That 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 17th day of January, 2023.

Aldermen:

Dawson AYE

Flint AYE

Hellrung AYE

Henderson AYE

Italiano AYE

Knoll AYE

Manley AYE

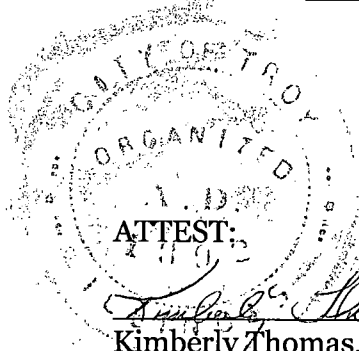
Turner AYE

Total:

8 Ayes

0 Nays

0 Abstain



APPROVED:



David Nonn, Mayor

RECOMMENDATION NO. 2023~02PC

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 I-1 Light Industry on the northernmost 11± acres of a 20± acre tract at 2466 Formosa Road

WHEREAS, the Planning Commission met on January 12, 2023 to consider an application for rezoning filed applicant and pending buyer Jim Malecek. 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 northernmost 11± 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:

Table with 4 columns: Name, Blank, Name, Blank, Name, Blank, Name, Blank. Rows include Adams, Burnett, Compton, Lawrenz, Nehrt, Niermann, Reiter, Stone, Talbert, Total: Yeas, 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 northernmost 11± 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 I-1 Light Industry.

[] IS NOT recommended [X] IS recommended with the following stipulations, if noted:

N/A

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 January, 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:

Industrial, Light Industrial, Single Family Residential

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

I1, R1

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

In between Industrial and Residential with Farmland North and South

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:

N/A Recently annexed into Troy to the strictest classification type R1

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

Jan Adams
Chairman, Planning Commission

01/12/23
Date

Charles Lawson
Secretary, Planning Commission

12 Jan 23
Date

END OF DOCUMENT