

**ORDINANCE NO \_\_\_\_\_**  
**Date Passed: August 11, 2014**

**AN ORDINANCE AMENDING BOUNDARIES OF B-2 AND PUD-R ZONING DISTRICTS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROCHELLE, AND APPROVING A VARIANCE (1800 20<sup>th</sup> Street - Hayden)**

**WHEREAS**, the City of Rochelle is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, et. seq.; and

**WHEREAS**, Chapter 110 of the Rochelle Municipal Code establishes certain zoning districts which are reflected in the Official Zoning Map of the City of Rochelle, as amended from time; and

**WHEREAS**, Sections 110-121 through 110-127 of the Rochelle Municipal Code provide procedures for amendments making a change in an existing district's boundaries; and

**WHEREAS**, pursuant to Section 110-162 of the Rochelle Municipal Code, and the Illinois Municipal Code, 65 ILCS 5/11-13-9, the City is required to adopt and maintain, and has so adopted and maintained, an Official Zoning Map indicating the boundaries of the various zoning districts as established and amended from time to time by the Rochelle City Council; and

**WHEREAS**, Tim and Geri Hayden, the petitioner and prospective owners of property located at 1800 20<sup>th</sup> Street (Property), the legal description of which is attached hereto as Exhibit A, filed a petition to amend the boundaries of the PUD-R zoning district in order to rezone the Property from PUD-R to B-2, approve a preliminary and final plat, and have a variance approved decreasing the front yard setback line from 50 feet to 35 feet; and

**WHEREAS**, once rezoned to B-2, the use of the Property as a storage facility, enclosed, is a permitted use under the Rochelle Municipal Code; and

**WHEREAS**, in accordance with all legal requirements, the Rochelle Plan Commission, following a duly noticed and called public hearing on August 4, 2014 has recommended, by a vote of 3-1, that the petition be granted, and the City Council concurs; and

**WHEREAS**, no objections were filed to the rezoning request;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS**, as follows:

**Section 1. Rezoning.** Chapter 110 of the Rochelle Municipal Code is hereby amended by rezoning the property from PUD-R to B-2, and the Official Zoning Map of the City of Rochelle is hereby amended to conform to the foregoing re-zoning.

**Section 2. Approval of Preliminary and Final Plats.** The preliminary and final plats of Hayden Addition Unit 1 are hereby approved, subject to: (1) final site engineering, landscaping, and building plans being submitted; (2) addressing City staff comments regarding engineering, utilities, building, and site plan review; and (3) water and sewer installation on the Property in accordance with the City Code, or surety in the amount of 110% of the estimated cost of construction posted in lieu of installing said services.

**Section 3. Variance Granted.** A variance is hereby granted to permit Lot 1 of Hayden Addition Unit 1 to have a front building setback line of 35 feet instead of 50 feet.

This ordinance shall become effective after its passage, approval and publication as provided by law and shall modify any inconsistent provisions in the Rochelle Municipal Code prior to this date.

**PASSED AND APPROVED** this 11<sup>th</sup> day of August, 2014.

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstain: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attested: \_\_\_\_\_  
City Clerk

EXHIBIT A

LEGAL DESCRIPTION

**1800 20<sup>th</sup> Street – Part of PIN**

Part of the Northwest Quarter of Section 23, Township 40 North, Range 1 East of the Third Principal Meridian, described as follows:

Beginning at the Southeast Corner of the Northwest Quarter of Section 23; thence South 84 degrees 24 minutes 33 seconds West, on and along the South line of said Northwest Quarter of Section 23, a distance of 238.00 feet; thence North 01 degrees 32 minutes 18 second West, a distance of 305.00 feet; thence North 84 degrees 24 minutes 33 seconds East, a distance of 238.00 feet, to the East line of said Northwest Quarter of Section 23; thence South 01 degrees 32 minutes 18 second East, on and along last named line, a distance of 305.00 feet, to the point of beginning, all situated in the Township of Flagg, the County of Ogle, and the State of Illinois.