
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE APPROVING THE PRELIMINARY AND
FINAL PLAT OF MANOR COURT SUBDIVISION
CONDITIONAL USE PLANNED UNIT DEVELOPMENT**

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City Council

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ORDINANCE NO. _____

**AN ORDINANCE APPROVING THE PRELIMINARY AND FINAL PLAT OF
MANOR COURT SUBDIVISION CONDITIONAL USE PLANNED UNIT
DEVELOPMENT**

WHEREAS, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle, Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

WHEREAS, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

WHEREAS, while “non-home rule municipalities have the authority to enact ordinances, such ordinances may in no event conflict with state law or prohibit what a state statute expressly permits . . . A local ordinance may impose more rigorous or definite regulations in addition to those enacted by the state legislature so long as they do not conflict with the statute.” (*Village of Wauconda v. Hutton*, 291 Ill. App. 3d 1058, 1060 (1997)); and

WHEREAS, pursuant to the City of Rochelle Zoning Ordinance, RFMS Inc., an Illinois incorporated company, initiated a petition to divide land legally described in Exhibit “A” into a one lot subdivision based on the proposed Preliminary Plat, Exhibit “B”, and Final Plat, Exhibit “C” known as Manor Court Subdivision; and

WHEREAS, the petition for the Preliminary Plat and Final Plat was reviewed by the Planning and Zoning Commission at their meeting of September 10, 2018 and the Planning and Zoning Commission, by a vote of 4-0, recommended that Council approve the Preliminary Plat and Final Plat of Subdivision for Manor Court Subdivision, and,

WHEREAS, the petition for the Conditional Use in a Planned Unit Development for Kings Crossing was reviewed by the Planning and Zoning Commission at their meeting of September 10, 2018 and the Planning and Zoning Commission by a vote of 4-0, recommended that Council approve the conditional use for a nursing home, and,

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Rochelle, Ogle County, Illinois, as follows:

Section 1. The Preliminary Plat, Exhibit “B”, and Final Plat, Exhibit “C” for Manor Court Subdivision are hereby approved subject to: (i) final site engineering, landscaping, and building plan approvals, and (ii) City staff approval in regards to engineering, utilities, building, and site plan.

Section 2. The Conditional Use for a nursing home are hereby approved subject to (i) final site engineering, landscaping, and building plan approvals, and (ii) City staff approval in regards to engineering, utilities, building, and site plan.

Section 3. This ordinance shall become effective after its passage, approval and publication as provided by law and shall modify any inconsistent provisions in the municipal code prior to this date.

PASSED AND APPROVED this 10th day of September, 2018.

Ayes:_____ Nays: _____ Absent/Abstain:_____

Mayor

Attested: _____
City Clerk

EXHIBIT A
(Legal Description)

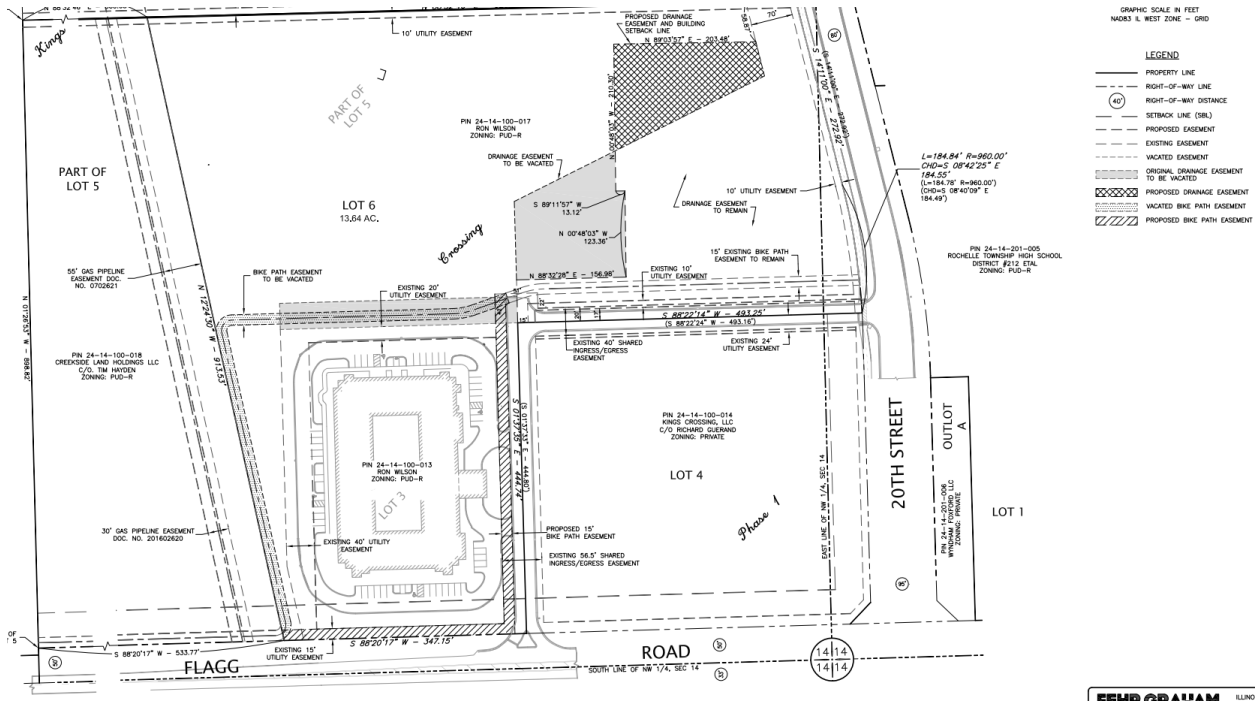
Parcel Identification Number: 24-14-100-012

DESCRIPTION:

Lot Three (3) as designated upon the Final Plat of Kings Crossing-Phase 1, being located in part of the North Half (1/2) of Section 14, Township 40 North, Range 1 East of the Third Principal Meridian, City of Rochelle, Ogle County, Illinois, according to the Plat thereof recorded in Plat File D on Page 12 as Document No. 201001000551; situated in the Township of Flagg, the County of Ogle and the State of Illinois;

ALSO Lot Five (5) as designated upon the Final Plat of Kings Crossing-Phase 1, being located in part of the North Half (1/2) of Section 14, Township 40 North, Range 1 East of the Third Principal Meridian, City of Rochelle, Ogle County, Illinois, according to the Plat thereof recorded in Plat File D on Page 12 as Document No. 201001000551; situated in the Township of Flagg, the County of Ogle and the State of Illinois; EXCEPTING the following described tract: Being a part of Lot Five (5) as designated upon the Final Plat of Kings Crossing-Phase 1, being located in part of the North Half (1/2) of Section 14, Township 40 North, Range 1 East of the Third Principal Meridian, City of Rochelle, Ogle County, Illinois, according to the Plat thereof recorded in Plat File D on Page 12 as Document No. 201001000551; situated in the Township of Flagg, the County of Ogle and the State of Illinois, Beginning at the Northwest corner of said Lot 5; thence North 88 degrees 32 minutes 46 seconds East (assumed bearing) on and along the North line of said Lot 5, a distance of 360.08 feet; thence South 12 degrees 24 minutes 30 seconds East a distance of 913.53 feet to the South line of said Lot 5; thence South 88 degrees 20 minutes 17 seconds West on and along last named line a distance of 533.77 feet to the Southwest corner of said Lot 5; thence North 01 degrees 26 minutes 53 seconds West on and along the West line of said Lot 5, a distance of 898.82 feet to the Point of Beginning.

EXHIBIT B (Preliminary Plat)



STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, _____, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. _____, “AN ORDINANCE APPROVING THE PRELIMINARY AND FINAL PLAT OF MANOR COURT SUBDIVISION CONDITIONAL USE PLANNED UNIT DEVELOPMENT” which was adopted by the Mayor and City Council of the City of Rochelle on _____, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this _____ day of _____, 2018.

CITY CLERK