

ORDINANCE NO. 95-09

AN ORDINANCE REZONING CERTAIN PROPERTY  
FROM R-1A TO R-2 IN FOXX CREEK ESTATES

WHEREAS, a petition for rezoning was filed by R.L.P. Development requesting the rezoning of the following real property located within the corporate limits of the Village of Chatham, Illinois (the "Property"):

Lots 16, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47 of Foxx Creek Estates

WHEREAS, said petition requested rezoning of the Property from R-1A to R-2;

WHEREAS, notice was given of the petition, the relief requested therein, the name of the petitioner and the time and place of the hearing by posting on petitioner's land, by publishing a notice thereof on in a newspaper published within the Village of Chatham, Illinois, and by giving written notice by mail to adjacent property owners, all as required in Section VIII (h)(3) of the Zoning Ordinance of the Village of Chatham;

WHEREAS, on 1/23/1995 the Village of Chatham Zoning Board of Appeals held a Public Hearing regarding the proposed rezoning and is recommending the rezoning be approved.

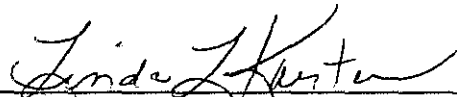
WHEREAS, the Village Board has reviewed the recommendation of the Zoning Board of Appeals and finds it to be in the best interest of the Village to rezone the Property.

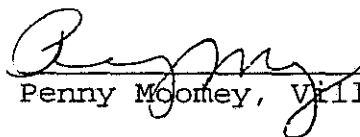
NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, ILLINOIS, AS FOLLOWS:

SECTION 1: The findings in the preamble hereto are hereby adopted.

SECTION 2: The Property is hereby rezoned from its present zoning classification of R-1A to R-2.

SECTION 3: This Ordinance is effective upon its passage and approval.

  
\_\_\_\_\_  
Linda L. Koester, President  
Village of Chatham

ATTEST:   
\_\_\_\_\_  
Penny Mooney, Village Clerk

AYES: 6

NAYS: 0

PASSED: 1-24-95

APPROVED: 1-24-95

**VILLAGE OF CHATHAM, ILLINOIS**  
**PETITION FOR LIMITED REZONING AMENDMENT**

TO: Zoning Board of Appeals and  
Village Board  
Village Hall  
Chatham, IL 62629

Date: 1-19-95

[DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY]

Date Set for Hearing 1-23-95

Fee \$ 200.00

Notice Published 12-29-94

Date Paid 1-19-95

Newspaper Clarion

Notice Mailed to Adjacent Landowners N/A

Notice Posted on Subject Property 12-29-94

Zoning Board of Appeals

Recommendation

Village Board Action

Date \_\_\_\_\_

Approve Date 1-23-95  
 Deny Chairman Initials JJ Saenz  
 Approve with Modification

Denied  
 Approved (Ordinance No. \_\_\_\_\_)

*INSTRUCTIONS TO APPLICANTS: All information required by this Application must be completed and submitted herewith. Applicants are encouraged to visit the Village office for any assistance needed in filling out this form.*

*Normally there are only two primary reasons for change in zoning. There are: (a) the original zoning was in error; (b) the conditions of the neighborhood have changed to such an extent or degree as to warrant re-zoning. The burden of providing substantiating evidence rests with the applicant. See Section 7.09(a) of the 1994 Zoning Ordinance for further details.*

NAME OF APPLICANT: RLP Development Co. Inc.

ADDRESS OF APPLICANT: 514 E. Vandalia, Edwardsville, IL

PHONE NUMBER: (618) 692-0795 (H) (618) 656-1514 (W)

Interest of Applicant in the Subject Property (if not owner): \_\_\_\_\_

1. This application must be filed with an accurate legal description and a plat map of the property drawn to scale not less than one (1) inch equals Two Hundred (200) feet.

**APPENDIX E**

LEGAL DESCRIPTION See Attached  
Lot, Block, Subdivision, Metes and Bounds—may be on attachment

2. Street Address of Property Unknown

3. Area of land re-zoning requested for: 5.629 ~~square feet~~ acres.

4. (a) Present Zoning District Classification of subject and adjacent properties  
(show zone district boundaries on plat): R-1A

(b) Requested New Zoning District Classification of subject Property: R-2

5. Present use of Property: undeveloped

Proposed use of Property: residential/duplex

6. Names, addresses and phone numbers of all owners of record:  
N/A

7. An amendment is requested to amend the Zone District Classification of certain described properties shown on the Zone District Map. A statement of the applicant's described reasons and factual information supporting the requested rezoning is attached.

DATE: 1-23-95

SIGNATURE: R.L.P. DEV. CO

**OWNER'S CONSENT**

*[This part need be signed only if the applicant is different from the owner or if there is more than one owner of record]*

I consent to this requested zoning change

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This zoning request represents a change in the original zoning due to the market demand. Since there is duplex already on the north side of Eagle Ridge Drive, it is desired that the street maintain duplex lots and not the current R-1A zoning. Note: There is one lot in the corner (Lot 16) adjacent to a B-1 lot to the east that should have better zoning transition in that R-2 can be a buffer.

# ZONING PLAT

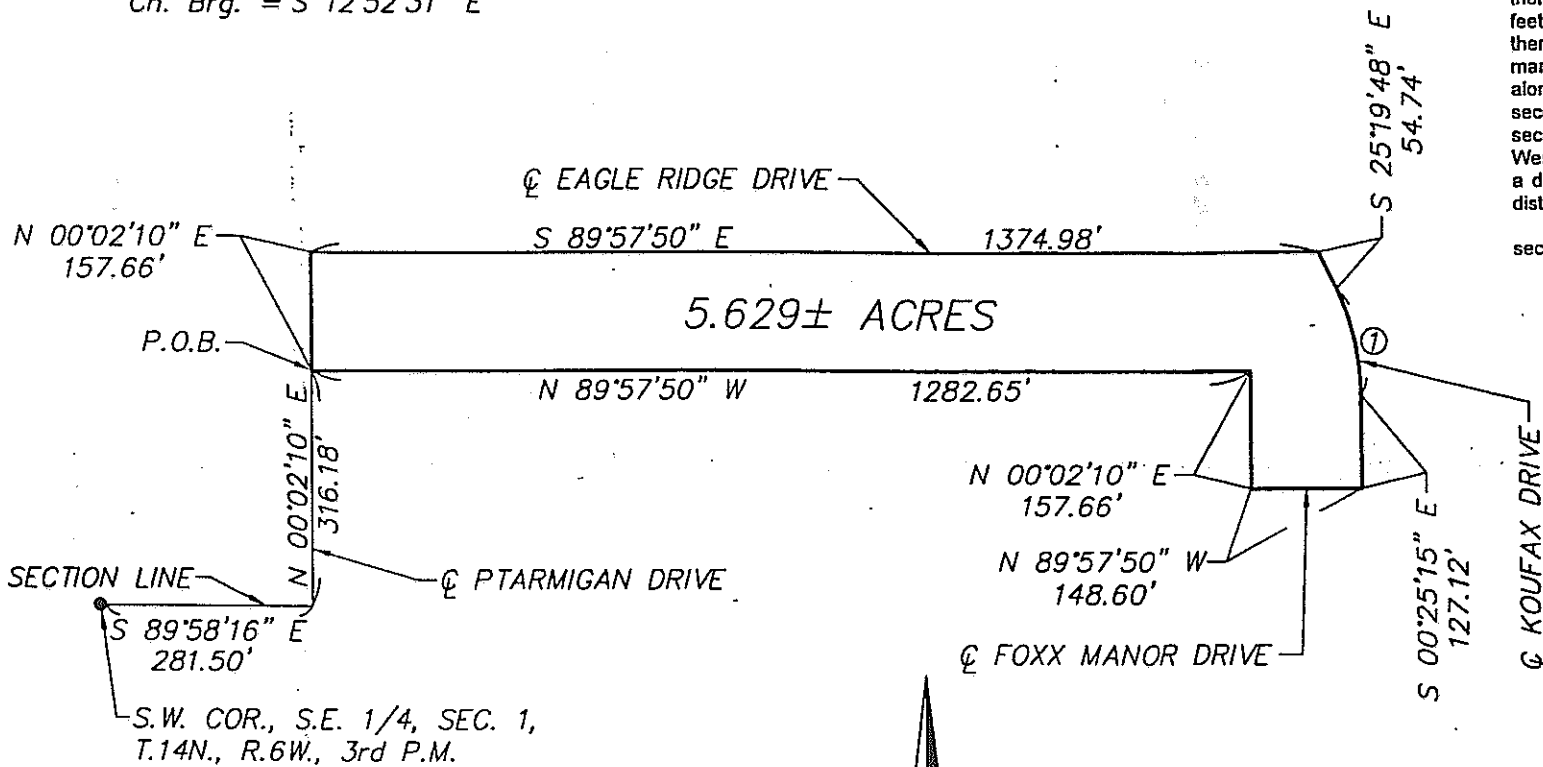
ZONING CHANGE IS FROM R-1A TO R-2  
 FOXF CREEK ESTATES PLAT NO. 1  
 LOTS 16, 32-47.

## LEGAL DESCRIPTION

Part of the Southeast Quarter of Section 1, Town  
 the Third Principal Meridian; described more particular  
 Commencing at an iron pin marking the Sou  
 Quarter of the aforementioned Section 1, thence So  
 seconds East along the section line a distance of 281.5  
 02 minutes 10 seconds East a distance of 316.18 fee  
 thence continuing North 00 degrees 02 minutes 10 se  
 feet, thence South 89 degrees 57 minutes 50 seconds  
 thence South 25 degrees 19 minutes 48 seconds East  
 marking the beginning of a 330.00 foot radius curve  
 along said curve having a long chord with a course of  
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 distance of 1282.65 feet to the point of beginning.

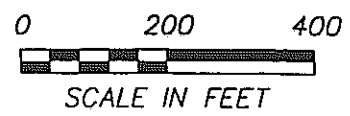
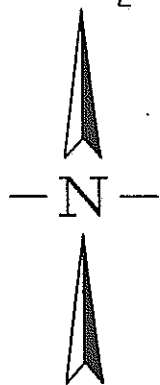
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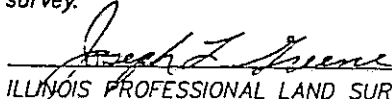
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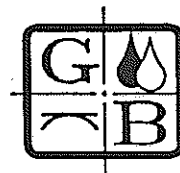
SECTION LINE  
 S 89°58'16" E 281.50'  
 S.W. COR., S.E. 1/4, SEC. 1,  
 T.14N., R.6W., 3rd P.M.

LEGEND  
 IRON PIN ●



I do hereby certify that in the month of DECEMBER 1994  
 I made a survey of the above described property and the  
 foregoing plat correctly represents the results of said  
 survey.  
  
 ILLINOIS PROFESSIONAL LAND SURVEYOR #1915

REVISIONS	DATE	BY



**GREENE & BRADFORD**  
 OF SPRINGFIELD  
 CONSULTING ENGINEERS  
 3501 CONSTITUTION DRIVE  
 SPRINGFIELD, ILLINOIS 62711  
 (217) 793-8844, (217) 793-622

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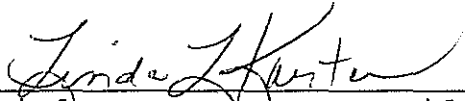
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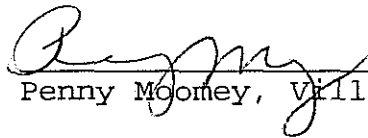
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Date \_\_\_\_\_

Approve Date 1-23-95

Denied

Deny Chairman Initials JA [Signature]

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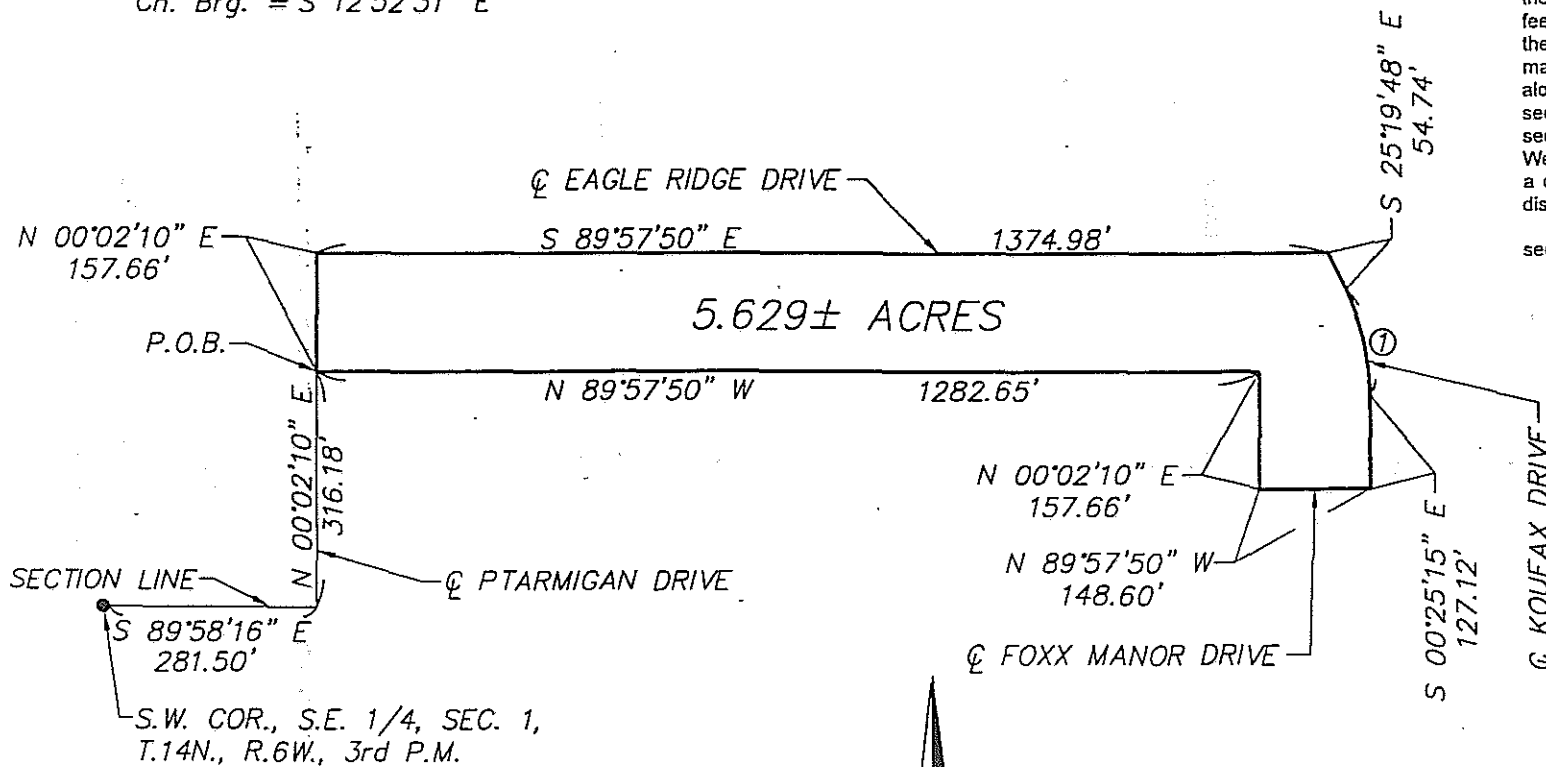
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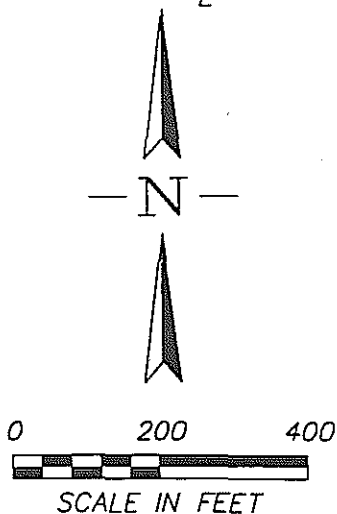
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### LEGEND

IRON PIN ●

I do hereby certify that in the month of DECEMBER 1994  
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*Joseph T. Greene*  
 ILLINOIS PROFESSIONAL LAND SURVEYOR #1915



REVISIONS	DATE	BY



**GREENE & BRADFORD**  
 OF SPRINGFIELD

CONSULTING ENGINEERS  
 3501 CONSTITUTION DRIVE  
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