

ORDINANCE NO. 96-72

AN ORDINANCE REZONING CERTAIN PROPERTY
IN OAKBROOK ESTATES

WHEREAS, a petition for Special Use was filed by State Bank of Auburn Trust 94-195 requesting the Special Use on the following real property located within the corporate limits of the Village of Chatham, Illinois (the "Property"):

Lot 145 of Oakbrook Estates, First Addition

WHEREAS, said petition requested a Special Use for an .Assisted Care Facility.;

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 VII of the Zoning Ordinance of the Village of Chatham;

WHEREAS, on 3/21/1996 the Village of Chatham Plan Commission held a Public Hearing regarding the proposed Special Use and is recommending approval.

WHEREAS, the Village Board has reviewed the recommendation of the Plan Commission and finds it to be in the best interest of the Village to grant the Special Use.

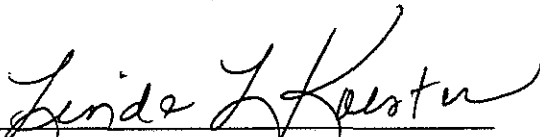
NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, ILLINOIS, AS FOLLOWS:

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

SECTION 2: The Property is granted a Special Use for an .Assisted Care Facility..

SECTION 3: This Ordinance is effective upon its passage and

approval.


Linda L. Koester, President
Village of Chatham

ATTEST:


~~Penny Rooney~~ Village Clerk *Deputy*

AYES: 5
NAYS: 0
ABSENT: 1
PASSED: 3-26-96
APPROVED: 3-26-96

VILLAGE OF CHATHAM, ILLINOIS
PETITION FOR SPECIAL USE

TO: Chatham Planning Commission and
Village Board
Village Hall
Chatham, IL 62629

Date: 3-4-96

(DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY)

Date Set for Hearing 3-21-96

Fee \$ 150.00

Notice Published Claron 3-7-96

Date Paid _____

Newspaper Claron

Notice Mailed to Adjacent Landowners 3-7-96

Notice Posted on Subject Property 3-7-96

Planning Commission Recommendation Date 3-21-96

Village Board Action Date _____

Approve slu

Denied

Deny

Approved (Ordinance No. _____)

Approve with Modification

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. See Section 7.07 of the 1994 Zoning Ordinance, and district regulations in the Zoning Ordinance for further details.

NAME OF APPLICANT: _____

ADDRESS OF APPLICANT: _____

PHONE NUMBER: _____ (H) _____ (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.

LEGAL DESCRIPTION

Lot, Block, Subdivision, Metes and Bounds may be on attachment

2. Street Address _____
3. Area of land re-zoning requested for: _____ square feet.
4. (a) Present Zoning District Classification of subject and adjacent properties (show zone district boundaries on plat): _____
(b) Requested New Zoning District Classification of Adjacent Property: _____
5. Present use of Property: _____
Proposed use of Property: _____
6. Names, addresses and phone numbers of all owners of record:

7. A special use permit is requested for the subject property. A statement of the applicant's described reasons and factual information supporting the requested special use is attached.

DATE: _____

SIGNATURE: _____

OWNERS' 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 special use.

SGRO & LAMARCA
ATTORNEYS AT LAW
1119 SOUTH 6TH STREET
P.O. BOX 818
SPRINGFIELD, ILLINOIS 62705

GREGORY P. SGRO
WILLIAM LAMARCA
SCOTT A. SABIN
JOHN V. BOSCHARDY
RANDY E. BLUE

TELEPHONE
(217) 744-8300
TELECOPIER
(217) 744-1711

March 4, 1996

Mr. Meredith Branham
Village of Chatham
116 East Mulberry
Chatham, IL 62629

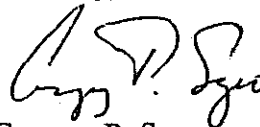
Re: Special Use Zoning Reclassification

Dear Mr. Branham:

Enclosed herewith you will find a Petition for Special Use Zoning. I had previously discussed this matter with Village Attorney, John Meyers and he is aware that I am forwarding this Petition.

Would you be so kind as to place this Petition on the docket for the meeting scheduled Thursday, March 21, 1996. If there are any questions please do not hesitate to contact me.

Sincerely,


Gregory P. Sgro

GPS:jmm
95558

Enclosure

IN THE MATTER OF THE PETITION FOR
SPECIAL USE ZONING OF PROPERTY, LOCATED IN THE
VILLAGE OF CHATHAM, COUNTY OF SANGAMON
STATE OF ILLINOIS

PETITION FOR SPECIAL USE ZONING

TO: MAYOR AND BOARD OF TRUSTEES
VILLAGE OF CHATHAM, ILLINOIS

The undersigned STATE BANK OF AUBURN TRUST 94-195 is the owner of record of premises described on the attached Exhibit A. As Petitioner, they hereby file this Petition for Special Use Zoning of premises currently located in the Village of Chatham to amend its zoning ordinance for the premises described on Exhibit A and in so doing, states as follows:

1. That the premises consists of one duplex dwelling under construction located in the 700 block of Oakbrook Avenue, in the Village of Chatham, Sangamon County, and State of Illinois.
2. That adjacent property owners are as follows:
 - A. To the East: Petitioner.
 - B. To the West: Petitioner.
 - C. To the North: Petitioner.
 - D. To the South: Bernard G. Segatto, III, 615 Cypress Drive, Chatham, Illinois 62629.
3. The adjacent property uses are as follows:
 - A. To the East: Duplex.
 - B. To the West: Duplex.
 - C. To the North: Duplex
 - D. To the South: Single Family
4. That the subject property is currently zoned in an R-2 District classification and that

the duplex use classification of the property by Village ordinance provides for special use classification for an "assisted care facility."

5. That said property is presently pending under contract, contingent upon zoning, to be used by the Golden Senior Corporation for a use characterized as an assisted care facility, but more particularly described as follows: Golden Senior Corporation operates existing facilities (single family homes) wherein several elderly persons reside under the same roof and are provided with around the clock cooking, cleaning and assistance. These homes are defined as "assisted living" residences and are less intensive than a typical "rest home" or "nursing home." Typically the residents do not require in home medical care and merely are inconvenienced by the provision of meals and cleaning services. An example of a premises operated by the Golden Senior Corporation is located at 1913 West Jefferson, Springfield, Illinois.

6. That the Petitioner therefore requests that the zoning ordinances of the Village of Chatham and County of Sangamon be amended so that the premises is reclassified from its current R-2 status to allow the special use of the premises for an assisted living home.

7. Your Petitioner represents that it will comply with all zoning ordinance requirements including but not limited to setback and minimum square footage requirements. Petitioner further represents that it will comply with all ordinance regulations and laws of the Village of Chatham, County of Sangamon, and State of Illinois with regard to the proposed use of the property.

8. That the relief requested will not cause any detriment to the adjoining land owners or neighboring property and will contribute to the public welfare and character of the locality and will otherwise be in the public interest. The requested zoning is the highest and best use of the subject property.

9. Petitioner's request would not impair an adequate supply of light or air to the adjoining

property or substantially endanger the public safety or substantially increase traffic congestion in the public streets and highways.

WHEREFORE, your Petitioner respectfully requests that this honorable body will reclassify its zoning ordinance to reclassify the subject premises from its current R-2 status to allow a special use classification.

Respectfully submitted this 4 day of March, 1996.

STATE BANK OF AUBURN TRUST 94-195

BY: Gregory P. Sgro

Gregory P. Sgro
For State Bank of Auburn Trust 94-195
1119 South Sixth Street
Springfield, IL 62703

EXHIBIT A

Lot 145 of Oakbrook Estates, First Addition.

ORDINANCE NO. 96-22

AN ORDINANCE REZONING CERTAIN PROPERTY
IN OAKBROOK ESTATES

WHEREAS, a petition for Special Use was filed by State Bank of Auburn Trust 94-195 requesting the Special Use on the following real property located within the corporate limits of the Village of Chatham, Illinois (the "Property"):

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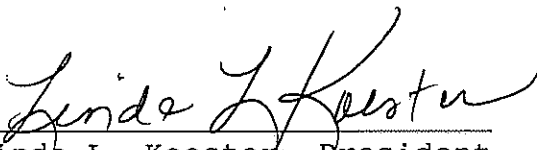
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Linda L. Koester, President
Village of Chatham

ATTEST:


~~Penny Hoomey~~ Village Clerk Deputy

AYES: 5
NAYS: 0
ABSENT: 1
PASSED: 3-26-96
APPROVED: 3-26-96

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PETITION FOR SPECIAL USE

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Notice Mailed to Adjacent Landowners 3-7-96

Notice Posted on Subject Property 3-7-96

Planning Commission Recommendation Date 3-21-96 Village Board Action Date _____

- Approve slh
 Deny
 Approve with Modification
- Denied
 Approved (Ordinance No. _____)

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ADDRESS OF APPLICANT: _____

PHONE NUMBER: _____ (H) _____ (W)

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5. Present use of Property: _____

Proposed use of Property: _____

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

7. A special use permit is requested for the subject property. A statement of the applicant's described reasons, and factual information supporting the requested special use is attached.

DATE: _____

SIGNATURE: _____

OWNERS' 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 special use.

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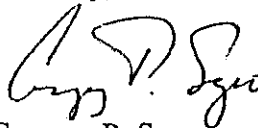
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PETITION FOR SPECIAL USE ZONING

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2. That adjacent property owners are as follows:

A. To the East: Petitioner.

B. To the West: Petitioner.

C. To the North: Petitioner.

D. To the South: Bernard G. Segatto, III, 615 Cypress Drive, Chatham, Illinois

62629.

3. The adjacent property uses are as follows:

A. To the East: Duplex.

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C. To the North: Duplex

D. To the South: Single Family

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BY: Gregory P. Sgro

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Lot 145 of Oakbrook Estates, First Addition.