

ORDINANCE NO. 02-53

DID NOT PASS 1-14-03

AN ORDINANCE REZONING PROPERTY AT ARCH STREET AND MULBERRY STREET

WHEREAS, a petition for rezoning was filed by David Bille on behalf of RLP Development Co. Inc. requesting the rezoning of the following real property located within the corporate limits of the Village of Chatham, Illinois (the "Property"):

Lot 1 of McCulley Minor Subdivision – as per the attached exhibit. The West 87.86 feet of the North 142 feet of the West 160 feet of Block 2 in Thayer’s addition to the Town of Chatham, Sangamon County, Illinois.

WHEREAS, said petition requested rezoning of the Property from R2 to B1;

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 11/25/2002 the Village of Chatham Zoning Board of Appeals held a Public Hearing regarding the proposed rezoning and is unanimously recommending the rezoning be approved.

WHEREAS, the Planning and Economic Development Committee 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 R2 to B1.

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

ATTEST: Pat Schad
Pat Schad, Village Clerk



Thomas S. Gray
Thomas S. Gray, President
Village of Chatham

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AYES: BOYLE, McGRATH
NAYS: HERR, McADAMS, McARTHUR, DIERKING
ABSENT: 0

NOT PASSED &
PASSED: NOT APPROVED
APPROVED: 1-14-03

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Lot 1 of McCulley Minor Subdivision - as per the attached exhibit. The West 87.86 feet of the North 142 feet of the West 160 feet of Block 2 in Thayer's addition to the Town of Chatham, Sangamon County, Illinois.

WHEREAS, said petition requested rezoning of the Property from R2 to B1, and the owner has agreed to the condition that the

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 11/25/2002 the Village of Chatham Zoning Board of Appeals held a Public Hearing regarding the proposed rezoning and is unanimously recommending the rezoning be approved.

WHEREAS, the Planning and Economic Development Committee 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 with the use stipulation the property be used solely as a Parking Lot with no permanent structures.

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 R2 to B1, with a use stipulation for solely parking.

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

SUGGESTED AMENDMENTS PRIOR TO THE VOTE, INCLUDED IN THE MOTION, ARE WRITTEN IN BLUE!

Thomas S. Gray, President Village of Chatham

ATTEST: Pat Schad, Village Clerk

Handwritten signature of Pat Schad

AYES: _____
NAYS: _____
ABSENT: _____

PASSED: _____
APPROVED: _____

Handwritten notes: only use to be allowed shall be that use parking for an adjacent retail outlet. subject to the condition that the only permitted use shall be for parking

No 1111
Yes 11

VILLAGE OF CHATHAM, ILLINOIS
PETITION FOR LIMITED REZONING AMENDMENT

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

Date: 11-1-02

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

Date Set for Hearing 11-25-02

Fee \$ 150.00

Notice Published 11-7-02

Date Paid 11-1-02

Newspaper Chatham

Notice Mailed to Adjacent Landowners 11-6-02

Notice Posted on Subject Property 11-6-02

Zoning Board of Appeals

Recommendation

- Approve Date 11/25/02
 Deny Chairman Initials JBS
 Approve with Modification

Village Board Action

Date _____

- 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: R.P. Lumber Co.

ADDRESS OF APPLICANT: _____

PHONE NUMBER: 483-2421 (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 1 - McCully Manor Sub.
Lot, Block, Subdivision, Metes and Bounds—may be on attachment

2. Street Address of Property ARCH AND MULBERRY S.E. CORNER

3. Area of land re-zoning requested for: 12,000[±] sq ft square feet.

4. (a) Present Zoning District Classification of subject and adjacent properties (show zone district boundaries on plat): R-2

(b) Requested New Zoning District Classification of subject Property: B-1

5. Present use of Property: VACANT

Proposed use of Property: PARKING LOT

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

R.P. LUMBER CO.

514 E. VANDALIA

EDWARDSVILLE, IL

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: 10/31/02

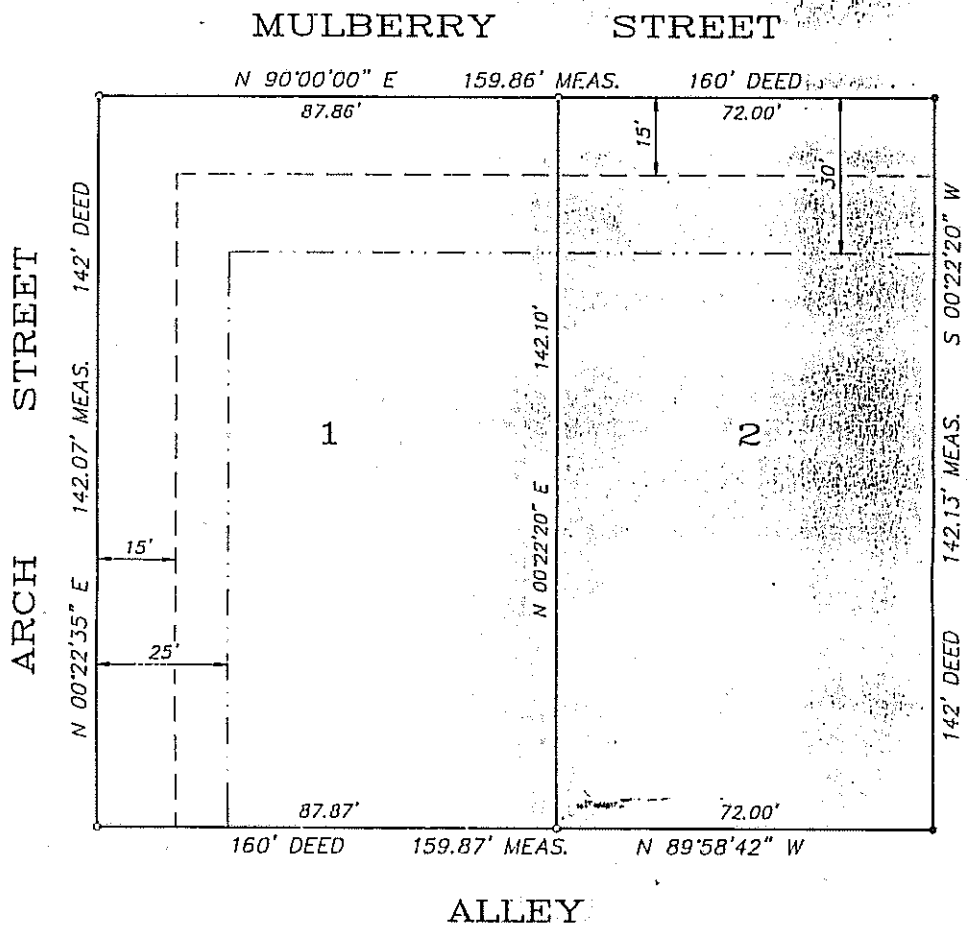
SIGNATURE: [Signature]

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

RESURVEY OF THE NORTH 142 FEET OF THE
 WEST 160 FEET OF BLOCK 2 IN THAYER'S
 ADDITION TO THE TOWN OF CHATHAM,
 SANGAMON COUNTY, ILLINOIS.



LEGEND

- IRON PIPE - FOUND
- IRON PIN - FOUND
- BUILDING SETBACK LINE
- UTILITY/DRAINAGE/CATV EASEMENT LINE

ENGINEER / LAND SURVEYOR

GREENE & BRADFORD, INC.
 1305 WABASH AVE. SUITE G
 SPRINGFIELD, IL. 62704

" No part of this final plat is located within a special
 flood hazard area as identified by the Federal

ZONING BOARD OF APPEALS MINUTES

Municipal Building
Chatham, IL. 62629

November 25, 2002
Monday, 7:00 p.m.

Chairman Dave Johnson called the meeting to order and asked the clerk to call roll.

Present: Chairman Dave Johnson, John Moulton, BJ Murray, Bob Strothmann,

Absent: John Stutsman, Paul Stivers, Deborah Murphy

Others Present: Meredith Branham, Dave Bili, Eldon Greenwood

Agenda

Hearing to accept or deny request by R.P. Lumber to have a parcel of their property rezoned from R-2 Duplex to B-1 Community Business. The parcel is located at the Southeast corner of Arch and E. Mulberry Streets.

Dave Bili, R.P. Lumber, stated that they want to place an employee parking lot on this corner property. Mr. Bili estimated the number of parking spaces to be about 30 to 35. Currently the employees park along the East side of the building, this will be changed to customer parking. Mr. Bili noted that many employees utilize the parking at the R.R. Depot. The new employee parking would help alleviate the semi-truck congestion that occurs at the front

Eldon Greenwood, 311 Chestnut, was concerned that residential property of Chatham may start to be eroded away by commercial development. Mrs. Greenwood was concerned that property values in the future could go down as a result of commercial expansion.

B.J Murray wanted to know if there was any other type of zoning that could allow R.P. Lumber this parking lot. Meredith Branham said that any business must have the same zoning category for their parking lot in which the business is zoned.

John Moulton asked about issues of lighting, fencing, and evening security. Mr. Bili said that they have no plans right now to light the parking lot. They will meet the 8' foot fence requirements. It will not be gated for security, just an open parking lot.

John Moulton made a motion to accept the rezoning request for B-1 zoning classification. B.J. Murray seconded. Clerk called for a vote, Chairman Dave Johnson-yes, John Moulton-yes, Bob Strothmann-yes, BJ Murray-yes, motion carried.

Dave Johnson made a motion to adjourn, Bob Strothmann seconded, all in favor.

With there being no further business, Chairman Dave Johnson closed the meeting.
Meeting adjourned at 7:20 p.m.

Respectfully Submitted,
Karl E. Todt, Deputy Clerk

January 6, 2003

Eldon Greenwood
P. O. Box 21
Chatham, IL 62629

Re: Village Board Meeting January 14, 2003

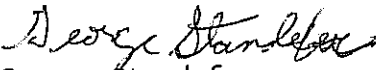
Dear Eldon:

As you know, we are on winter vacation in Texas, and therefore I am unable to sign our neighborhood petition regarding "no commercial intrusion" into our neighborhood in Chatham, I would be appreciative if you would have this letter placed with the petition to be presented to the Village Board at their January 14, 2003 meeting to register my strong objection.

The Board may or may not be aware, but we have always (over 30 years) had water problems in this area of Chatham during periods of heavy rain. Putting more blacktopped area will only add to our water problem. This area is an old, established residential area, and we feel it should remain that way. There is a place for commercial development in Chatham, but this neighborhood is not it.

If any member of the Board would like to talk to me about my objection to this commercial intrusion, simply dial 341-8000 at any time.

Sincerely,


George Standefer
Homeowner
314 E. Chestnut
Chatham, IL 62629

December 14, 2002

TO: The Chatham Village Board

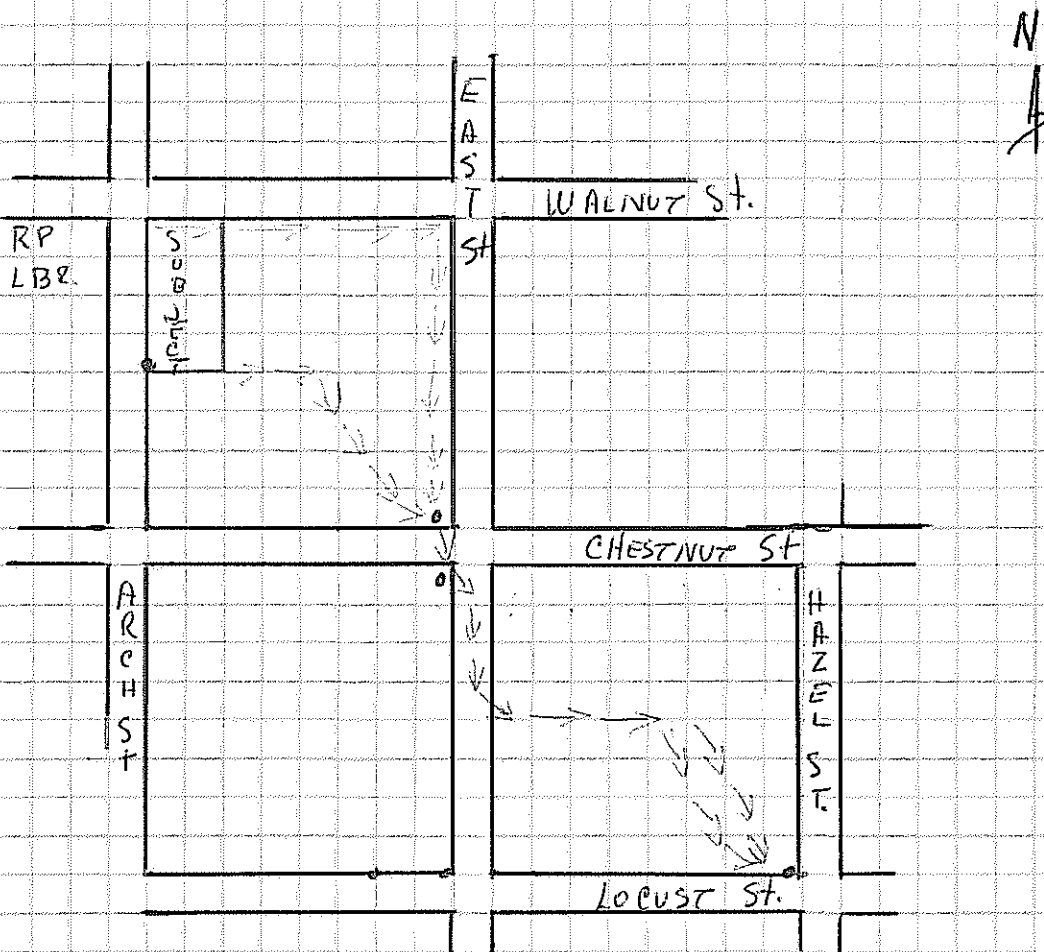
Thank you for the opportunity to voice our concerns to you. Please understand we have no personal problem with R. P. Lumber nor the McCully Family. We congratulate R. P. Lumber for searching for a solution to a problem. However, we are opposed to the rezoning of the property just East of R. P. Lumber to Commercial for the following reasons:

1. The subject property is in a long well established residential block. In recent years, the home owners in this block have made extensive improvements to their property. Once a portion of a residential area becomes commercial, more conversion to commercial is sure to follow thus destroying the residential atmosphere.
2. We did not know of the intended use of this property until the Zoning Board hearing. Therefore we did not offer our concerns about drainage. Paving of this lot will increase the amount of water run-off. At the present time the storm water leaves this area by ditch or across the block to the southeast corner of the block at East and Chestnut Streets. There is a storm sewer down well at that point. However, the storm drain is only a 4" or 6" clay tile. It is of insufficient capacity to handle the storm water in a heavy rain. When we have a heavy rain, the water runs across Chestnut to the south and then down East street to the alley between Chestnut and Locust streets. At that point it runs east down the alley and then southeast across residential lots to a down well at Locust and Hazel Streets. The result is that all this surface water floods the basements in this area. A paved lot will only increase the rate and total amount of water that must be handled by this inadequate storm sewer system. We know that there is a down well at the southwest corner of the subject property that presumably drains to the new storm sewer on the west side of Arch Street. However, the topography of this area drains very little water to this down well.
3. We question whether this parking lot is necessary. There is plenty of parking around the Chatham square. Millions of people walk two or more blocks to work every day.

We just do not believe this parking lot is necessary and permitting it would significantly disrupt the surrounding residential neighborhood.

Jillayne Robinson *Jane D. Coughle*
Dennis Johnson *Michael J. Mann*
Ronald Wood *Mark A. Myers*
Bonnie Wood *Jamie Myers*
Boyer Ford *Betty J. Greenwood*
Rickie E. Shultz *Edward Greenwood*
Jandra L. Shultz

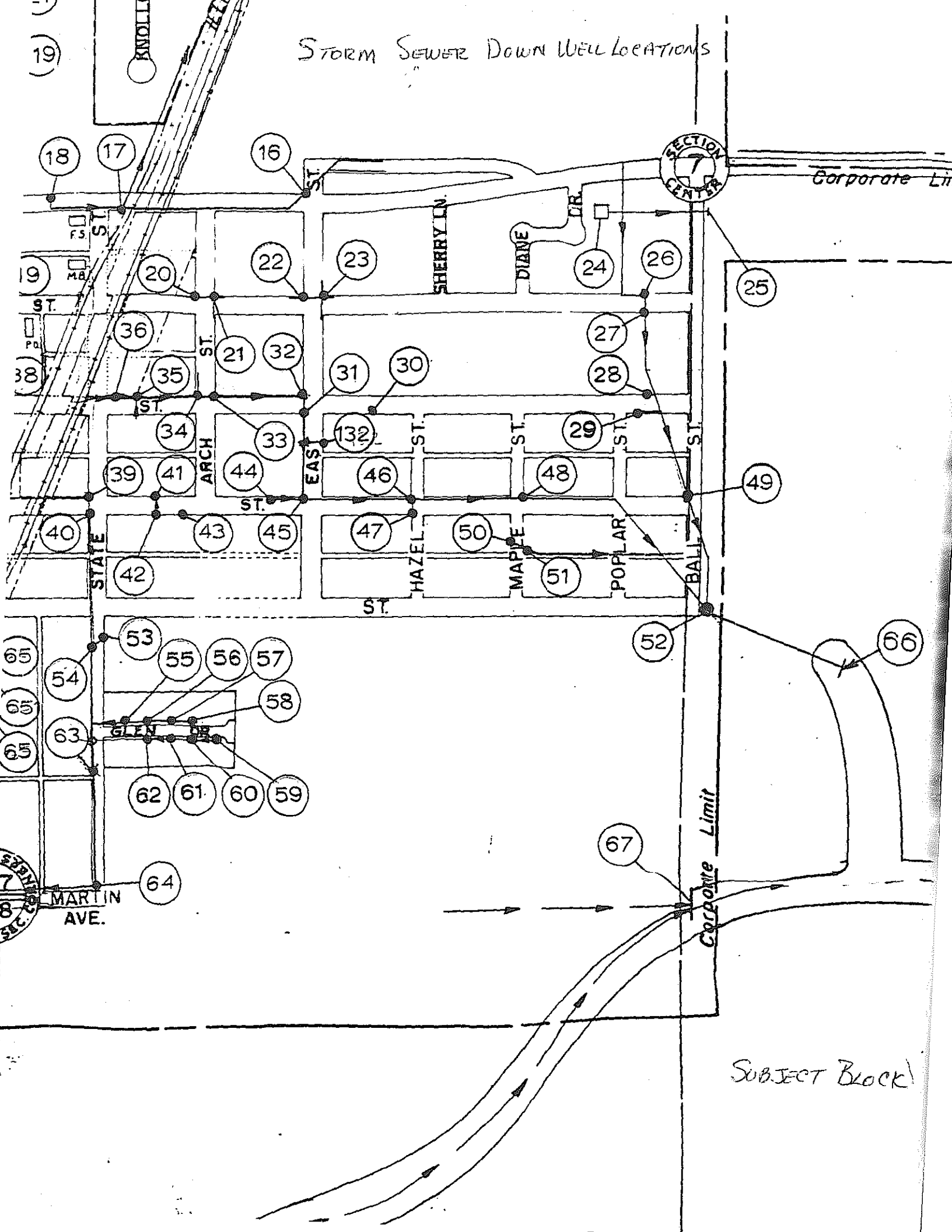
CURRENT DRAINAGE PLAT



LEGEND

- EXISTING DOWN WELL
- DRAINAGE FROM SUBJECT
- - - - - DRAINAGE FROM OVER FLOWING DOWN WELL

STORM SEWER DOWN WELL LOCATIONS



(19)

18 17

16

SECTION CENTER

Corporate Li

19 FS MB PD

38

39

65

65

65

SECTION CENTER

MARTIN AVE.

SUBJECT Block

ST.

ST.

ST.

ARCH ST.

EAST ST.

ST.

ST.

ST.

ST.

STATE ST.

ST.

HAZEL ST.

MAPLE ST.

POPULAR ST.

BALL ST.

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GLEN DR.

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