

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 22 - 35

**AN ORDINANCE APPROVING A REQUEST FOR ZONING AMENDMENT
BY THE VILLAGE OF CHATHAM TO REZONE CERTAIN PROPERTY
FROM B-1 TO R-3**

DAVE KIMSEY, Village President
DAN HOLDEN, Village Clerk

KRISTEN CHIARO
MEREDITH FERGUSON
JOHN FLETCHER
BRETT GERGER
TIM NICE
CARL TRY
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of

Chatham
on July 26, 2022

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, P.O. Box 5131, Springfield, IL
62705

ORDINANCE NO. 22-

**AN ORDINANCE APPROVING A REQUEST FOR ZONING AMENDMENT
BY THE VILLAGE OF CHATHAM TO REZONE CERTAIN PROPERTY
FROM B-1 TO R-3**

WHEREAS, the Village of Chatham, Sangamon County, State of Illinois, is a duly organized and existing Village created under the provisions of the laws of the State of Illinois; and,

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-13-14, allows for the amendment of the Village's Zoning Code and its districts; and,

WHEREAS, The Village of Chatham is the owner of record of certain real property legally described as L221 Oakbrook Est. Plat 16 PIN: 29-06.0-351-022 in Chatham, Illinois (hereinafter referred to as "Property"); and,

WHEREAS, the Village filed a Request for Zoning Amendment asking to have its Property rezoned from B-1 to R-3.

WHEREAS, the Village Zoning Board of Appeals held a duly noticed public hearing on the Request for Zoning Amendment on July 25, 2022; and,

WHEREAS, after the public hearing, the Zoning Board of Appeals voted unanimously to recommend rezoning the Property from B-1 to R-3; and,

WHEREAS, on July 26, 2022, the Zoning Board of Appeals presented its findings to the Corporate Authorities of the Village; and,

WHEREAS, the President and Board of Trustees of the Village have found and determined that it is in the best interests of the Village that the zoning request be granted and the Property be zoned in accordance with the Request for Zoning Amendment.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Chatham, Sangamon County, Illinois, as follows:

Section 1. Recitals. The foregoing recitals are hereby incorporated into, and made a part of, this Ordinance as findings of the Board of Trustees of the Village of Chatham.

Section 2. Description of the Property. The real property referenced herein has no common address and is legally described as L221 Oakbrook Est. Plat 16 PIN: 29-06.0-351-022 in Chatham, Illinois.

Section 3. Public Hearing. A public hearing was duly advertised and held on July 25, 2022, at which time the Zoning Board of Appeals voted to recommend approval of the zoning change requested.

Section 4. Change in Zoning from B-1 to R-3. The amendment to the Village Zoning Map requested in the Request for Zoning Amendment from B-1 to R-3 outlined herein is hereby granted.

Section 5. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

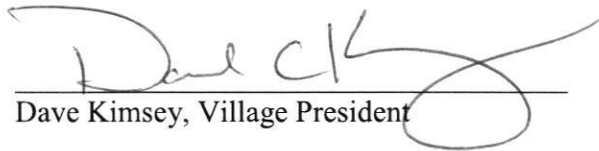
Section 6. Repeal and Savings Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, action, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this Ordinance.

Section 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

	AYE	NAY	ABSTAIN	ABSENT
KRISTEN CHIARO	✓			
MEREDITH FERGUSON	✓			
JOHN FLETCHER	✓			
BRETT GERGER				✓

TIM NICE	✓			
CARL TRY	✓			
DAVE KIMSEY				
TOTAL	5	0	0	1

APPROVED by the President of the Village of Chatham, Illinois this 26 day of July, 2022.


 Dave Kimsey, Village President

Attest:

 Dan Holden, Village Clerk

Notice of Public Hearing

Monday, July 25, 2022 at 6:00 p.m.

The Village of Chatham Zoning Board of Appeals will hold a public hearing on Monday, July 25, 2022, at 6:00 p.m. at the Chatham Municipal Hall located at 117 East Mulberry Street, Chatham, Illinois. The Zoning Board of Appeals will meet to hold a public hearing on a Petition by the Village of Chatham to rezone its property known as Lot 221 of Oakbrook Estates with PIN 29-06.0-351-022 as combined part of Lot 1001 as described in the Legal Description Lot 221 & Tract Survey Addition from B-1 to R-3. Any questions concerning this public hearing should be directed to Patrick McCarthy at 1-217-697-5809. A copy of the Legal Description Lot 221 & Tract Survey Addition is available from the Village. All persons interested may appear and speak at the hearing.



LEGAL DESCRIPTION
LOT 221 & TRACT SURVEY ADDITION

ALL OF LOT 221 OF OAKBROOK ESTATES SUBDIVISION PLAT NO. 16 RECORDED AS DOCUMENT NUMBER 2006R13177 IN THE SANGAMON COUNTY, ILLINOIS RECORDER'S OFFICE ALL BEING A PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN.

ALSO INCLUDING A PART OF LOT 1001 IN OAKBROOK ESTATES SUBDIVISION PLAT NO. 16 RECORDED AS DOCUMENT NUMBER 2006R13177 IN THE SANGAMON COUNTY, ILLINOIS RECORDER'S OFFICE ALL BEING A PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN WITH TRACT BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER LOT 221 OF SAID OAKBROOK ESTATES SUBDIVISION PLAT NO. 16; THENCE SOUTH 34 DEGREES 12 MINUTES 58 SECONDS EAST ON THE WEST LINE OF SAID LOT 221 A DISTANCE OF 181.85 FEET TO THE SOUTHWEST CORNER OF SAID LOT 221; THENCE SOUTH 71 DEGREES 31 MINUTES 12 SECONDS WEST ON THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 221 A DISTANCE OF 61.00 FEET; THENCE NORTH 34 DEGREES 12 MINUTES 58 SECONDS WEST PARALLEL WITH THE SAID WEST LINE A DISTANCE OF 181.85 FEET TO THE SOUTH RIGHT OF WAY LINE OF PLUMMER BLVD; THENCE NORTH 71 DEGREES 31 MINUTES 12 SECONDS EAST ON SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 61.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.245 ACRES (10,677 SQUARE FEET) MORE OR LESS WITH SAID TRACT SHOWN ON A TRACT SURVEY BY CRAWFORD, MURPHY & TILLY, INC. DATED JUNE 15, 2022.

EXPIRES 11/30/2022

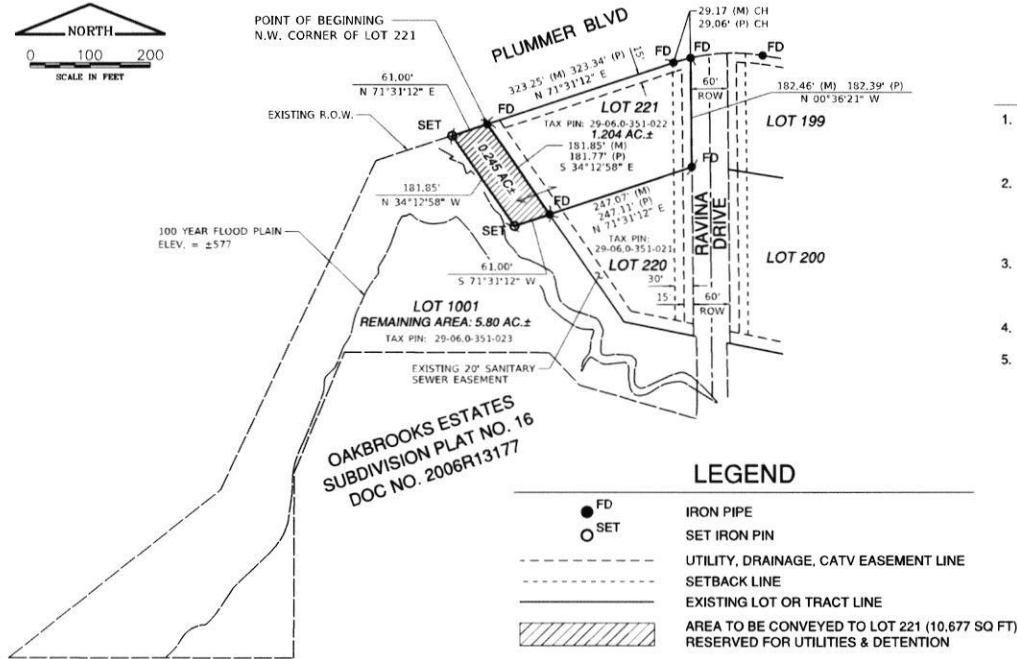
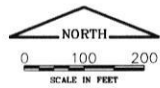


TRACT SURVEY

A PART OF LOT 1001 IN OAKBROOK ESTATES SUBDIVISION PLAT NO. 16 RECORDED AS DOCUMENT NUMBER 2006R13177 IN THE SANGAMON COUNTY, ILLINOIS RECORDER'S OFFICE ALL BEING A PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN WITH SAID TRACT BEING DESCRIBED AS FOLLOWS:

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SAID TRACT SHOWN ON A TRACT SURVEY BY CRAWFORD, MURPHY & TILLY, INC. DATED JUNE 15, 2022.



OAKBROOKS ESTATES
SUBDIVISION PLAT NO. 16
DOC NO. 2006R13177

LEGEND

- FD IRON PIPE
- SET SET IRON PIN
- UTILITY, DRAINAGE, CATV EASEMENT LINE
- - - SETBACK LINE
- EXISTING LOT OR TRACT LINE
- ▨ AREA TO BE CONVEYED TO LOT 221 (10,677 SQ FT) RESERVED FOR UTILITIES & DETENTION
- (M) MEASURED DISTANCE
- (P) PLAT DISTANCE
- ↔ COMMON OWNER

I HEREBY CERTIFY THAT THE ACCOMPANYING TRACT SURVEY CORRECTLY REPRESENTS THE RESULTS OF A LAND SURVEY MADE UNDER MY DIRECTION AND THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARD FOR A BOUNDARY SURVEY.

Michael E. Mizeur
PROFESSIONAL LAND SURVEYOR

JUNE 15th, 2022
DATE

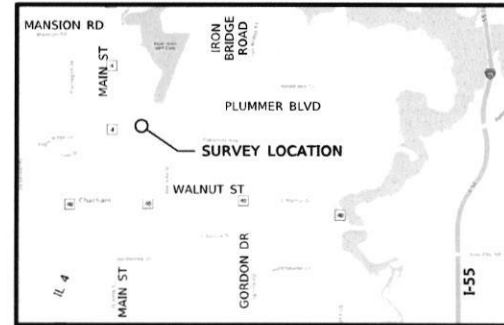
OWNER
VILLAGE OF CHATHAM
116 E. MULBERRY ST.
CHATHAM, IL 62629

ENGINEER / LAND SURVEYOR
CRAWFORD, MURPHY & TILLY, INC.
2750 W. WASHINGTON ST.
SPRINGFIELD, IL 62702
PH (217) 787-8050
LAND SURVEYOR: MICHAEL E. MIZEUR

RECORDING

NOTES

- ADJOINING TAXPAYER INFORMATION AND TAX PIN NUMBERS ARE BASED UPON SANGAMON COUNTY PARCEL VIEWER GIS AND SHALL BE VERIFIED PRIOR TO USE BY OTHERS.
- NO TITLE SEARCH AND/OR TITLE WORK/COMMITMENT WERE PROVIDED FOR THIS SURVEY WHICH MAY DISCLOSE EASEMENTS, RESERVATIONS, AGREEMENTS, RIGHT OF WAYS AND/OR OTHER SIMILAR MATTERS AND ENCUMBRANCES. NO SEARCH WAS MADE OF PUBLIC RECORDS IN THE PREPARATION OF THIS TRACT SURVEY.
- BASIS OF BEARINGS FOR SURVEY BASED ON THE ILLINOIS STATE PLANE WEST ZONE COORDINATE SYSTEM WITH REFERENCE BEING MADE TO THE SOUTHERLY RIGHT OF WAY OF PLUMMER BLVD AT N 71° 31' 12" E.
- FIELD WORK COMPLETED IN MAY OF 2022.
- LOT 221 TAX PARCEL: 29-06.0-351-022
LOT 1001 TAX PARCEL: 29-06.0-351-023



LOCATION MAP
NOT TO SCALE



License No. 154-000613 © Copyright CMT, Inc.

COORDINATES



SANGAMON COUNTY
CHATHAM, ILLINOIS

MARK	DATE	DESCRIPTION
PROJECT NO.:	2004460.00	
CAD DWG FILE:	MEM	
DESIGNED BY:	RAH	
DRAWN BY:	DSE	
CHECKED BY:	MEM	
APPROVED BY:		
COPYRIGHT:	CRAWFORD, MURPHY & TILLY, INC. 2022	

SHEET TITLE
TRACT SURVEY

SHEET 01 OF 01

Limited Rezoning Amendment Finding of fact
Public Hearing: Monday July 25, 2022 6:00 p.m.

To: Village of Chatham Board of Trustees

From: Zoning Board of Appeals

Re: Recommendation for Limited Rezoning Amendment for Parcel Pin #29060351022, owner Village of Chatham.

Date: July 26, 2022

On Monday, July 25, 2022, the Zoning Board of Appeals held a public hearing at 6:00 p.m. to hear a petition from the Village of Chatham for a Limited Rezoning Amendment for Lot 221 Oakbrook Estates (corner of Plummer Blvd. and Ravina Drive). The notice of public hearing was published in the Chatham Clarion on Thursday, July 7, 2022.

The Village of Chatham (owner of Lot 221 Oakbrook Estates), petitioned the Village of Chatham Zoning Board of Appeals for a Limited Rezoning Amendment for this lot. The LRA being sought by the Village was to rezone the newly-created Lot 221 which was the combination of the original lot and an additional .245 acres from B-1 to R-3 Multi-Family. This LRA is being sought to maximize the sale of the property to a developer which intends to build three, 6-unit residential buildings.

Based on the public hearing, the ZBA voted unanimously to approve the recommendation to the Board of Trustees, (5) yes to (0) No. Chairman Vaughn, Jeff Emrick, Chuck Herr, Todd Johnson and Steve Schroll were in attendance with Anthony Tolliver and Brian Stenke absent.

(D) Conduct of ZBA hearing and report.

(1) The ZBA shall conduct a public hearing in accordance with code section 158.113. At the hearing the ZBA shall take testimony as necessary and shall consider the following issues:

(a) Consistency with adopted Village Comprehensive Plan: **The petition is consistent with the Village Comprehensive Plan as it is intended to align with the Village's bulk use requirements as set forth in the petition.**

(b) Consistency with existing commitments and/or planned public improvements: **There was no testimony in this regard.**

(c) Benefit to the Neighborhood: **The proposed use of the vacant lot is to build three 6-unit apartment buildings, which is consistent with other apartment buildings in the surrounding area.**

(d) Occurrence of any land use changes that affect the original zoning of the subject area: **The property was previously rezoned from B1 to R3 to meet the requirements for apartment buildings to be built.**

(e) Any major changes in the condition of buildings and structures that affect the original zoning of the subject area: **There was no testimony in this regard.**

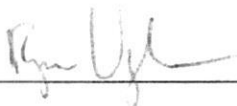
(f) Need for additional zoning amendments resulting by change requested: **There are no additional zoning amendments resulting from the amendment requested in the petition.**


(g) Adequate carrying capacity of existing servicing of utilities and streets: **There was no testimony in this regard.**

(h) Affect proposed change will have on vehicular and pedestrian traffic: **There was no testimony in this regard.**

(i) Impact proposed change will have on living conditions in the vicinity by changing environmental factors such as sun light, air and water quality or noise: **There was no testimony in this regard.**

The ZBA shall prepare and transmit to the Village Board of Trustees a written recommendation regarding the proposed amendment, along with a copy of its minutes.

Zoning Board of Appeals Chairperson: 

Zoning Administrator: 

Date: 7/26/2022

APPENDIX E: PETITION FOR LIMITED REZONING AMENDMENT

VILLAGE OF CHATHAM, ILLINOIS
PETITION FOR LIMITED REZONING AMENDMENT

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

Date: 7/21/2021

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

Date Set for Hearing 7/25/22 Fee \$ —

Notice published JULY 7, 2022 Date Paid —

Newspaper CHATHAM CLARION

Notice Mailed to Adjacent Landowners —

Notice Posted on Subject Property JULY 7, 2022

Planning Commission

Recommendation Approve Date 7/25/22 Village Board Action Deny Date —
 Approve Deny
 Deny Chairman Initials — Approved (Ordinance No. —)
 Approve with Modification

INSTRUCTION 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: Village of Chatham

ADDRESS OF APPLICANT: 117 E. Mulberry Street

PHONE NUMBER: — (H) 217-697-5802 (W)

Interest of Applicant In the Subject Property (if not owner): —

Chatham - Land Usage

- 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 221, Oakbrook Estates Plat No. 16
Lot, Block, Subdivision, Metes and Bounds--may be on attachment

2. Street Address of Property PIN- 29060351022

3. Area of land re-zoning requested for: 62,987 square feet.

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

(b) Requested New Zoning District Classification of subject Property: R-3

5. Present use of Property: Empty Lot

Proposed use of Property: Three six - unit residential

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

Village of Chatham
117 E. Mulberry St.
Chatham, IL 62629

- 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: 7-21-2022

SIGNATURE: Patrick M. McCarty

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

