

VILLAGE OF CHATHAM, ILLINOIS

ORDINANCE NO. 00 - 55

AN ORDINANCE GRANTING SPECIAL USE PERMIT
FOR TELEVISION STATION TOWER HEIGHT
PURUANT TO ORDINANCE 99-14

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF
CHATHAM, ILLINOIS THIS 26th DAY OF SEPTEMBER, 2000

Published in pamphlet form by the authority of the President and
Board of Trustees of the Village of Chatham, Sangamon County,
Illinois, this 26th day of September, 2000.

ORDINANCE NO. 00 - 55

**AN ORDINANCE GRANTING SPECIAL USE PERMIT
FOR TELEVISION STATION TOWER HEIGHT
PURSUANT TO ORDINANCE 99-14**

WHEREAS, on the 28th of August, 2000, a petition for a special use permit was filed by Mr. Rick Taylor, Superintendent on behalf of Ball Chatham Community Unit District Number Five on the following real property located within the corporate limits of the Village of Chatham, Illinois (the "Property"):

Part of the Northeast Quarter of the Southeast Quarter of Section 6, Township 14 North, Range 5 West of the third principal meridian: Described more particularly as follows: Beginning at a stone marking the Northwest corner of the Northeast Quarter of the Southeast Quarter of the aforementioned Section 6, thence South 89 degrees 35 minutes 25 seconds East along the Quarter Section line a distance of 255.00 feet to an iron pipe, thence South 00 degrees 11 minutes 20 seconds East a distance of 255.00 feet to an iron pipe, thence North 89 degrees 35 minutes 25 seconds West a distance of 255.00 feet to an iron pipe on the Quarter, Quarter Section line, thence North 00 degrees 11 minutes 20 seconds West along the Quarter, Quarter Section line a distance of 255.00 feet to the point of beginning. Said parcel contains 1.493 acres, more or less. All in the county of Sangamon, State of Illinois. Basis of bearing is South 89 degrees 35 minutes 25 seconds East along the Quarter Section line.

WHEREAS, said petition requested the Special Use of a Television Station Tower height of 300 feet with appropriate setback, see Exhibit A; and

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, 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 159 of Ordinance 99-14, An Ordinance Relating Wireless Telecommunication Towers and Antennas;

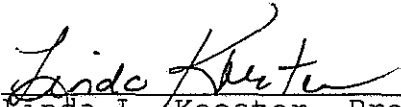
WHEREAS, on September 21, 2000 the Village of Chatham Plan Commission conducted a Public Hearing regarding the proposed Special Use and is recommended approval of the proposed Special Use.

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

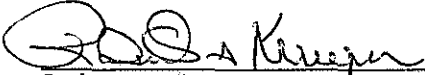
SECTION 1: The findings in the preamble hereto are hereby adopted.

SECTION 2: The Property is hereby granted the Special Use permit to allow a Television Station Tower of up to 300 feet in height, with setbacks of 50 feet for the tower. If the applicant determines it is technically infeasible to have fifty feet setback the applicant may request a smaller setback, which the Village Board will consider without further hearing of the Plan Commission.

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


Linda L. Koester, President
Village of Chatham

ATTEST:


Robert A. Krueger, Village Clerk

AYES:	<u>6</u>	PASSED:	<u>9-26-00</u>
NAYS:	<u>0</u>	APPROVED:	<u>9-26-00</u>
ABSENT:	<u>0</u>		

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the Ordinance attached hereto is a full, true, and exact copy of Ordinance No. 00-____, adopted by the President and Board of Trustees of said Village on the 26th day of September, 2000, said Ordinance being entitled:

AN ORDINANCE GRANTING SPECIAL USE PERMIT
FOR TELEVISION STATION TOWER HEIGHT
PURSUANT TO ORDINANCE 99-14

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this 26th day of September, 2000.

Robert A. Krueger, Village Clerk

EXHIBIT A

ATTACHMENT TO APPLICATION FOR SPECIAL USE PERMIT PURSUANT TO ORDINANCE 99-14

This Attachment is submitted by West Central Illinois Educational Telecommunications Corporation in connection with its Application dated August 27, 2000 submitted to the Chatham Planning Commission and the Village Board of Chatham, Illinois. Section references below are to the Sections of Ordinance 99-14.

I. Section 159.8. Special Use Permits.

(B) Towers.

(1) (i)

Location.

See attached site plan. (Exhibit A.) Exact final location will be set forth on construction plans.

Type.

Television relay tower.

Height.

Height will not exceed 300 feet.

On site land uses and zoning.

Currently vacant, zoned R-1.

Adjacent land uses and zoning.

School purposes, zoned agricultural.

Zoning classifications of all properties within the applicable separation distances set forth in Section 159.8 (B) (5).

Single family and agricultural.

Adjacent roadways.

Plummer Blvd.

Proposed means of access.

Plummer Blvd.

Setbacks from property lines.

Setback may be less than 75% of the height of the tower from any adjoining property line. In such an event, Applicant requests that a reduction of the setback standard requirement to the extent necessary to approve a special use permit.

Topography.

Flat land.

Parking.

See attached site plan. (Exhibit A.)

(1) (ii)

Legal description

See attached plat. (Exhibit B.)

(1) (iii)

Setbacks.

Setback may be less than 75% of the height of the tower from any adjoining property line. In such an event, Applicant requests that a reduction of the setback standard requirement to the extent necessary to approve a special use permit.

(1) (iv)

Separation distance.

Not applicable as inventory is only required unde Section 159.5(C) is if applicant has other towers or antennas within the jurisdiction of Chatham or within one mile of its borders, and Applicant has no such existing towers or antennas.

(1) (v)

Landscape plan.

The landscape plan will be shown on construction plans.

(1) (vi)

Fencing, finished color, method of camouflage and illumination.

The tower will comply with applicable Federal Aviation Authority regulations.

(1) (vii)

Description of compliance with:

Section 159.5 (C) Inventory of existing sites.

Not applicable as inventory is required only if applicant has other towers or antennas within the jurisdiction of Chatham or within one mile of its borders, and Applicant has no such existing towers or antennas.

Section 159.5 (D) Aesthetics.

The finish and design of buildings and related structures will be shown on construction plans.

Section 159.5 (E) Lighting.

The tower will comply with applicable Federal Aviation Authority regulations.

Section 159.5 (F) State or Federal requirements.

The tower will meet or exceed current standards and regulations of all applicable governmental regulations pertaining to towers.

Section 159.5 (G) Building codes; safety standards.

The tower will be maintained in compliance applicable Federal Aviation Authority regulations.

Section 159.5 (J) Public notice.

Public notice for this Application has been published by the Village of Chatham.

Section 159.5 (L) Building and support equipment.

Building and support equipment associated with the tower will comply with the requirements of Section 8.

Section 159.5 (M) Multiple antennas and towers.

Applicant only plans to erect one tower and, therefore, is submitting a single application.

(1) (viii)

Collocation of additional antennas.

Construction of the tower will accommodate collocation of additional antennas for future users, subject to stress analysis tests demonstrating suitability of any given additional antenna.

(1) (ix)

Backhaul network.

No entity is providing backhaul network for applicant as applicant will own and operate the tower and network system.

(1) (x)

Suitability of other towers, structures or technology.

No other existing tower or structure of sufficient height or strength is available and no other alternative technology is suitable for the needs of applicant.

(1) (xi)

Feasible location of future towers.

Applicant does not anticipate the need for any additional tower in Chatham.

(2) Factors considered in granting special use permit.

Applicant requests waiver or reduction of burden of one or more of the listed criteria to the extent necessary to approve a special use permit.

(3) Availability of suitable existing towers, other structures, or alternative technology.

No other existing tower or structure of sufficient height or strength is available and no other alternative technology is suitable for the needs of applicant.

(4) Setbacks.

Setback may be less than 75% of the height of the tower from any adjoining property line. In such an event, Applicant requests that a reduction of the setback standard requirement to the extent necessary to approve a special use permit.

(5) Separation.

The separation distance from the Off-site Use/Designated Area set forth in Table 1 of the Ordinance 99-14 will be complied with. To the extent separation requirements are not met, however, applicant requests a reduction of the standard separation distances to the extent necessary to approve a special use permit.

(6) Fencing.

Fencing will meet the applicable requirements and will be shown on construction plans and reviewed therewith.

(7) Landscaping.

Landscaping will meet the applicable requirements and will be shown on construction plans and reviewed therewith.

PLAT OF SURVEY

OWNER: BALL-CHATHAM COMMUNITY UNIT SCHOOL DISTRICT #5 TOWNSHIP: BALL

LEGAL DESCRIPTION LEASE PARCEL

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN; DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT A STONE MARKING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE AFOREMENTIONED SECTION 6, THENCE SOUTH 89 DEGREES 35 MINUTES 25 SECONDS EAST ALONG THE QUARTER SECTION LINE A DISTANCE OF 255.00 FEET TO AN IRON PIPE, THENCE SOUTH 00 DEGREES 11 MINUTES 20 SECONDS EAST A DISTANCE OF 255.00 FEET TO AN IRON PIPE, THENCE NORTH 89 DEGREES 35 MINUTES 25 SECONDS WEST A DISTANCE OF 255.00 FEET TO AN IRON PIPE ON THE QUARTER, QUARTER SECTION LINE, THENCE NORTH 00 DEGREES 11 MINUTES 20 SECONDS WEST ALONG THE QUARTER, QUARTER SECTION LINE A DISTANCE OF 255.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1.493 ACRES, MORE OR LESS, ALL IN THE COUNTY OF SANDGAMON, STATE OF ILLINOIS.

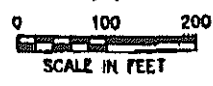
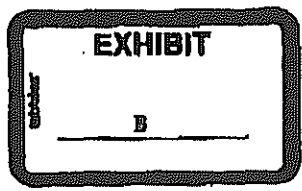
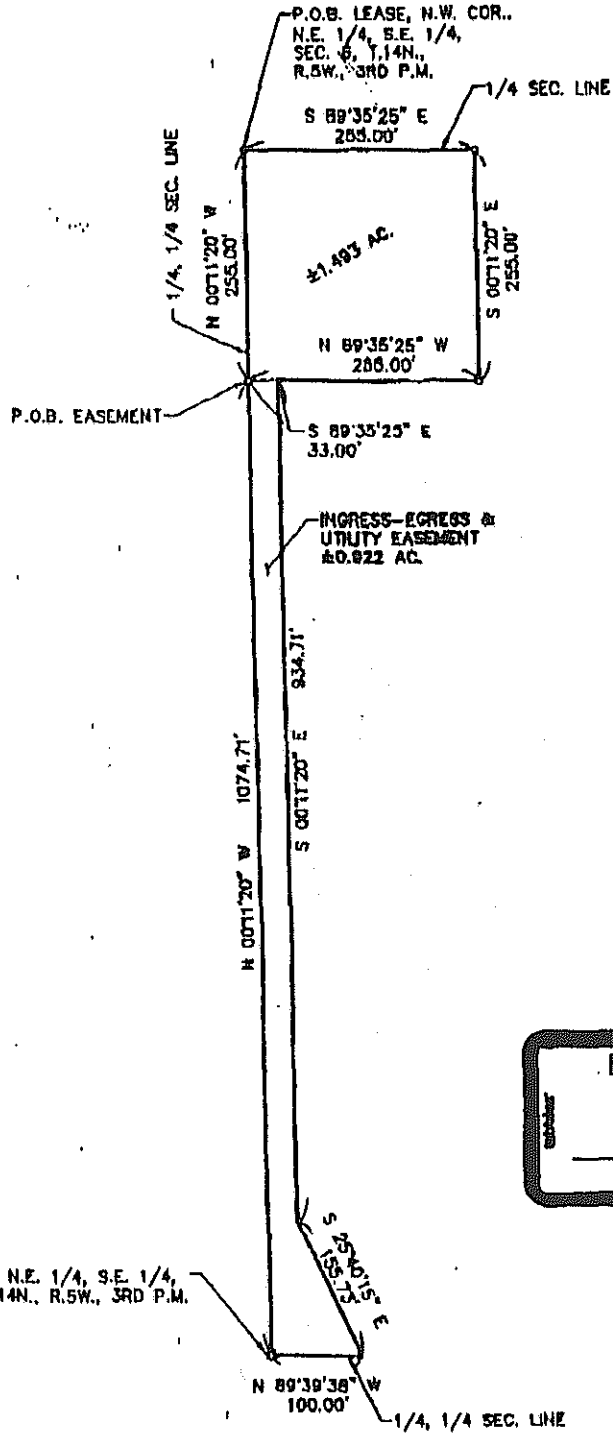
BASIS OF BEARING IS SOUTH 89 DEGREES 35 MINUTES 25 SECONDS EAST ALONG THE QUARTER SECTION LINE.

INGRESS-EGRESS & UTILITY EASEMENT

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN; DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT A STONE MARKING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE AFOREMENTIONED SECTION 6, THENCE SOUTH 00 DEGREES 11 MINUTES 20 SECONDS EAST ALONG THE QUARTER, QUARTER SECTION LINE A DISTANCE OF 255.00 FEET TO AN IRON PIPE MARKING THE TRUE POINT OF BEGINNING, THENCE SOUTH 89 DEGREES 35 MINUTES 25 SECONDS EAST A DISTANCE OF 33.00 FEET, THENCE SOUTH 00 DEGREES 11 MINUTES 20 SECONDS EAST A DISTANCE OF 934.71 FEET, THENCE SOUTH 25 DEGREES 40 MINUTES 18 SECONDS EAST A DISTANCE OF 155.73 FEET TO A POINT ON THE QUARTER, QUARTER SECTION LINE, THENCE NORTH 89 DEGREES 39 MINUTES 38 SECONDS WEST ALONG THE QUARTER, QUARTER SECTION LINE A DISTANCE OF 1074.71 FEET TO AN AXLE MARKING THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6, THENCE NORTH 00 DEGREES 11 MINUTES 20 SECONDS WEST ALONG THE QUARTER, QUARTER SECTION LINE A DISTANCE OF 1074.71 FEET TO THE TRUE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.922 ACRE, MORE OR LESS, ALL IN THE COUNTY OF SANDGAMON, STATE OF ILLINOIS.

BASIS OF BEARING IS SOUTH 00 DEGREES 11 MINUTES 20 SECONDS EAST ALONG THE QUARTER, QUARTER SECTION LINE.



PLUMMER BLVD

LEGEND

- STONE (FOUND) ○
- IRON PIPE (25") ○
- AXLE (FOUND) ○

I DO HEREBY CERTIFY THAT IN THE MONTH OF AUGUST, 2000 THAT A SURVEY OF THE ABOVE DESCRIBED PROPERTY WAS MADE UNDER MY DIRECT SUPERVISION AND THE FOREGOING PLAT CORRECTLY REPRESENTS THE RESULTS OF SAID SURVEY.



STATE PROFESSIONAL LAND SURVEYOR # 3348

Table with columns for Date and By, used for recording revisions.



GREENK & BRADFORD, INC. OF SPRINGFIELD CONSULTING ENGINEERS 3501 COMMERCE CENTER DRIVE SPRINGFIELD, ILLINOIS 62707 (317) 783-6244 (317) 789-8227 FAX

Table with project details: DATE 08-23, SHEET 08A, PLOT NO. 00, FIELD BOOK N, COVER SHEET 101.