

ORDINANCE NO. 00-65

AN ORDINANCE REZONING BALL PROPERTY ON SOUTH MAIN

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

The North 200 feet of the South 426.33 feet of the East Half of the Southeast Quarter of Section 12, Township 14 North, Range 6 West of the Third Principal Meridian lying southeasterly of the railroad right-of-way, and excepting the roadway right-of-way for South Main Street. The said tract contains 1.09 acres more or less, all in Sangamon County, State of Illinois. Said tract describes tax-id no. 28-12-483-006.

WHEREAS, said petition requested rezoning of the Property from B-1 to I-1;

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;

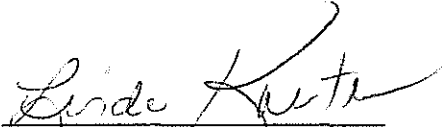
WHEREAS, on 11/27/2000 the Village of Chatham Zoning Board of Appeals held a Public Hearing regarding the proposed rezoning and is unanimously recommending the rezoning be approved.

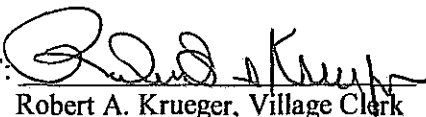
NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, ILLINOIS, AS FOLLOWS:

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

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

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: 6

PASSED: 11-24-00

NAYS: 0

APPROVED: 11-24-00

ABSENT: 0

Zoning Board of Appeals Minutes

November 27, 2000
Municipal Building

7:00 p.m.
Chatham, IL

Present: John Stutsman, John Moulton, Deb Murphy, Paul Stivers, Tim Scott, Ron Levine, Dave Johnson
Citizens Mr and Mrs. Ball (66 Axline Dr, Chatham, IL) Mr and Mrs. George Myers (Mini Storage)

This public hearing concerns the property at 407 S Main Street, Chatham, IL. Currently two ranch style duplexes are on the northside of stated properties and an empty lot to the south of the duplexes, owned by Mr and Mrs. Ball.

Mr and Mrs George Myers are intending to purchase the properties at 407 S Main Street. Mr Branham explained to Mr. Myers the situation at hand concerning changing the zoning from residential to I1. It was explained to him that the properties (rentals) will be "grandfathered" in if zoning passes. This means that the residential properties will remain unless the cost of refurbishment exceeds 50% of the value of the properties. If the rental properties are torn down, burned down or destroyed they WILL NOT be allowed to be resurrected. At that point the I1 zoning would over ride the original zoning of the property. It is the intent of the Myers' to keep the rentals for the time being.

Mr. Myers understands the situation and consequences. The neighbors were contacted by both Mr Ball and Mr Myers explaining to them what their intent was in changing the zoning. No citizens were present. The consensus of opinion of the neighborhood was that the storage buildings are better than more multiple family dwellings at that location.

At present Mr Myers has 174 storage units (7 buildings) the area is well cared for, well lit, fenced in and has specific hours of business. No night time traffic. He hopes to erect 2 more buildings by Spring with another 60 units (on the empty lot). The cable company is the only business that has materials outside of the storage units. They have a trencher and two spools of cable near the RR tracks to the rear of the property.

With no opposition from the neighborhood the Zoning Board of Appeals closed the Public Hearing.

Paul Stivers moved and Debbie Murphy seconded the motion to accept the zoning change as requested with the grandfathering clause included in the minutes.

Vote: J Moulton-yes, J. Stutsman-yes, T Scott-yes, P Stivers-yes, D Murphy-yes, D Johnson-yes
Motion passed.

Paul Stivers moved and Tim Scott seconded the motion to adjourn.

Respectfully submitted
Candice Stivers

zba 11 27 2000.doc

PS Meredith - I was unable to locate any notation in the Zoning book concerning a "grandfathering clause" so please include that info in the minutes and let Candy Stivers know of the exact location. Thank you.

*This is covered in the Village of Chatham Zoning Ord.
under section 6.04 Non-Conforming Structure*

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*Section 6.04 - Non-Conforming Structures in the
Chatham Zoning Ord.*

VILLAGE OF CHATHAM, ILLINOIS
PETITION FOR LIMITED REZONING AMENDMENT

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

Date: 11-6-00

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

Date Set for Hearing 11-27-00

Fee \$ \$150.00

Notice Published 11-9-00

Date Paid 11-6-00

Newspaper Chatham Clarion

pd.
mwb

Notice Mailed to Adjacent Landowners 11-6-00

Notice Posted on Subject Property 11-7-00

Zoning Board of Appeals

Recommendation

- Approve Date 11-27-00
- Deny Chairman Initials [Signature]
- 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 rezoning. 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: Doree Ball

ADDRESS OF APPLICANT: 66 Apple Dr. Chatham, IL

PHONE NUMBER: 483-2208 (H) _____ (W)

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

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.

Σ 1/2 SE 12-14
S.E.

LEGAL DESCRIPTION N 200-5426.33 TRF PCE Lying RR.
Lot, Block, Subdivision, Metes and Bounds—may be on attachment

2. Street Address of Property 407-409-411-413 S. Main

3. Area of land re-zoning requested for: 1.09 acres square feet.

4. (a) Present Zoning District Classification of subject and adjacent properties
(show zone district boundaries on plat): F1-S-B-1-N-R-1-E-R-3W
B-2-W

(b) Requested New Zoning District Classification of subject Property: _____

5. Present use of Property: Vacant and Duplex

Proposed use of Property: F1 - Storage Units

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

Doris Bell
66 Duplin Dr.
Chatham, FL 62679

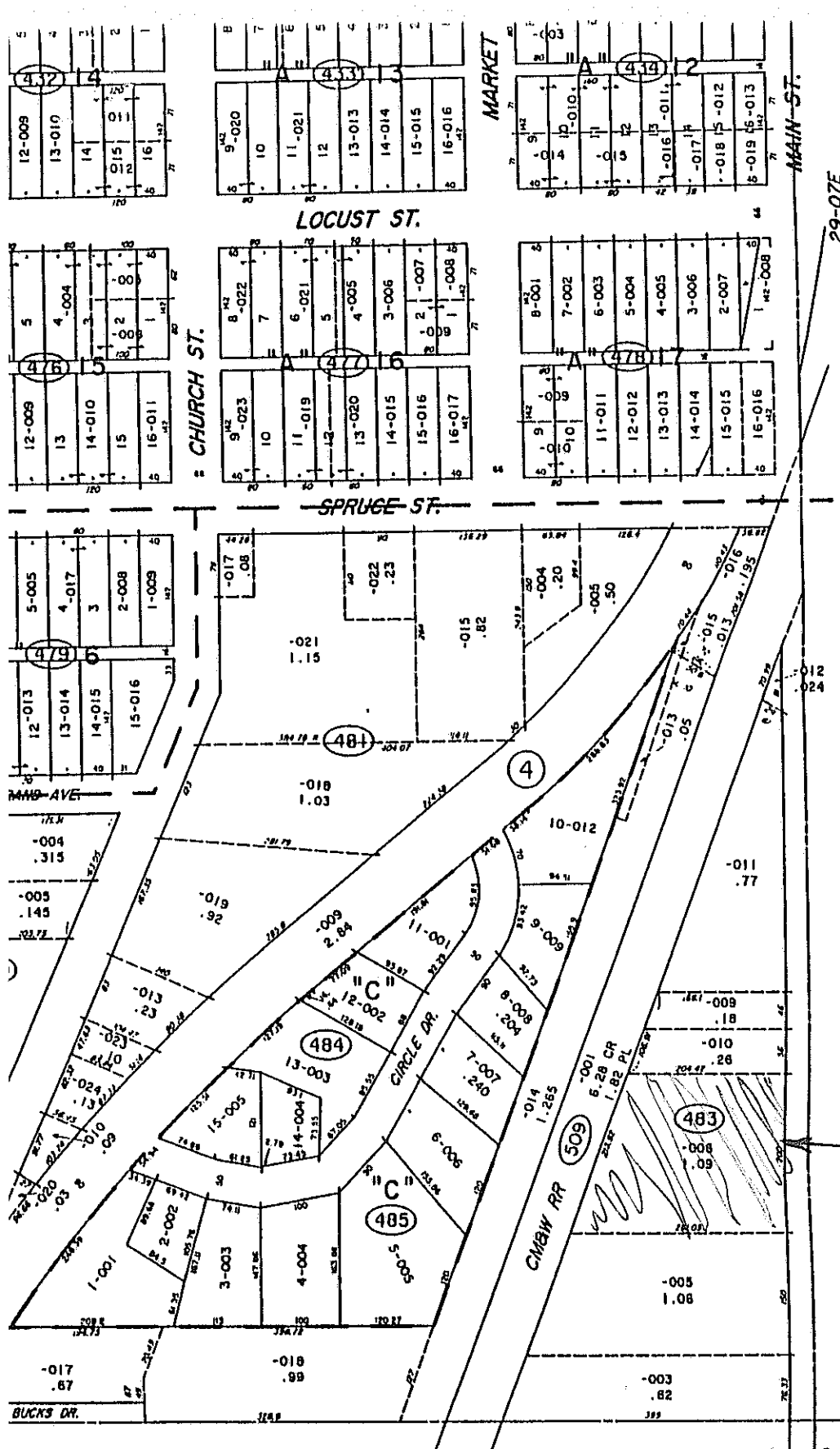
7. An amendment is requested to amend the Zone District Classification of certain described properties shown on the Zone District Map. A statement of the applicant's described reasons and factual information supporting the requested rezoning is attached.

DATE: 11-3-00

SIGNATURE: Abbie M. Bell

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



Subject Property

28-M

CHATHAM TWP.

E. 1/2 S.E. 1/4 SEC. 12 T.14N. R.6W.

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28-12H