

**TOWN OF CORTLAND  
DEKALB COUNTY, ILLINOIS**

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TOWN OF CORTLAND  
ORDINANCE NO. 2024-\_\_

AN ORDINANCE APPROVING THE REZONING OF CERTAIN VACANT LOTS  
LOCATED IN THE CHESTNUT GROVE-UNIT 1 SUBDIVISION OWNED BY THE TOWN  
OF CORTLAND, DEKALB COUNTY, ILLINOIS

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**ADOPTED BY THE  
MAYOR AND BOARD OF TRUSTEES  
OF THE TOWN OF CORTLAND**

**This \_\_\_\_ day of \_\_\_\_ 2024**

Published in pamphlet form by the authority of the President and Board of Trustees of the Town  
of Cortland, DeKalb County, Illinois, this \_\_\_\_ day of \_\_\_\_ 2024

ORDINANCE 2024-\_\_

AN ORDINANCE APPROVING THE REZONING OF CERTAIN VACANT LOTS  
LOCATED IN THE CHESTNUT GROVE SUBDIVISION OWNED BY THE TOWN OF  
CORTLAND, DEKALB COUNTY, ILLINOIS

**WHEREAS**, a request for zoning map amendment came before the Planning & Zoning Commission filed by the Town of Cortland (“Owner”), seeking the rezoning of fourteen (14) lots owned by the Town in the Chestnut Grove subdivision, being Lots 196-209 in Chestnut Grove-Unit 1 Subdivision which are currently zoned “R-3,” Two-Family Residence District with a Special Use Permit, consisting of approximately 2.8 acres in total and identified with the following Parcel Identification Numbers: 09-33-181-001, 09-33-181-002, 09-33-181-003, 09-33-181-004, 09-33-181-005, 09-33-181-006, 09-33-181-007, 09-33-181-008, 09-33-181-009, 09-33-181-010, 09-33-181-011, 09-33-181-012, 09-33-181-013, 09-33-181-014; and

**WHEREAS**, the request of the Owner for such zoning map amendment was made in accordance with the provisions of the Town Code; and

**WHEREAS**, public notice of a public hearing to consider the request for zoning map amendment was published in the *Daily Chronicle* on June 22, 2024, and proper notice was sent by mail to proximate property owners in accordance with Sec. 9-9-2.B of the Town Code; and

**WHEREAS**, the Planning Commission has recommended approval of the rezoning (zoning map amendment) from “R-3” Two-Family Residence with SUP to “P-1” Recreation & Open Space District.

**WHEREAS**, the Board of Trustees of the Town of Cortland, after examining said request, and recommendation in accordance with Section 9-9-2 of the Town Code, has determined that all requirements for the zoning map amendment have been met.

**WHEREAS**, the Board of Trustees adopts and incorporates the contents of the Recommendation Letter and Findings of Fact to the Town of Cortland Board of Trustees PC 24-04 attached hereto as Exhibit “A,”.

**NOW THEREFORE BE IT ORDAINED by the Board of Trustees of the Town of Cortland, Illinois, as follows:**

Section 1. That the zoning map amendments are hereby approved and the repealing of the existing “R-3” Two-Family Residence District zoning classification presently ascribed to the Property.

Section 2. The Town of Cortland shall rezone and classify the real estate as set forth below:

(a) Lots 196-209 of Chestnut Grove-Unit 1 Subdivision, according to the plat

thereof recorded February 20, 2007 as Document 2007003009 with the DeKalb County Recorder, PIN: 09-33-181-001 through 09-33-181-014 consisting of a total of 2.8 acres, will be rezoned from “R-3” Two-Family Residence District to “P-1” Recreation & Open Space District.

Section 3. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage and publication as provided by law.

**PASSED BY THE BOARD OF TRUSTEES** of the Town of Cortland, Illinois, at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_ 2024 and approved by me as Mayor on the same day.

AYE:  
NAY:  
ABSENT:

\_\_\_\_\_  
Mark Pietrowski  
Mayor

**ATTEST:**

\_\_\_\_\_  
Cheryl Aldis  
Town Clerk

**FINDINGS OF FACT AND RECOMMENDATION  
TO THE TOWN OF CORTLAND BOARD OF TRUSTEES  
PC 24-04**

**To:** Cortland Board of Trustees  
**From:** Cortland Planning Commission  
**Date:** July 19, 2024  
**Subject:** Request to Rezone Properties from R-3 Two-Family Residence with a Special Use Permit to P-1 Recreation & Open Space – E. Ashford Avenue, Cortland, IL 60112  
**Applicant/  
Owner:** Brandy Williams  
Town of Cortland  
59 S. Somonauk Road, PO Box 519  
Cortland, IL 60112

The Cortland Planning Commission conducted a Public Hearing on July 18, 2024, at 7:00 p.m. at the Cortland Town Hall, 59 S Somonauk Road, Cortland, Illinois. The purpose of the Public Hearing involved consideration of the request by the Town of Cortland as applicant and owner. The applicant has filed with the Town of Cortland a request for a map amendment of district boundaries in accordance with Title 9, Chapter 3 of the Cortland Town Code regarding property at E. Ashford Avenue, Cortland Illinois, PINs 09-33-181-001 through 09-33-181-014. The applicant is requesting rezoning of the subject property from R-3 Two-Family Residence with a Special Use Permit to P-1 Recreation & Open Space.

Public notice was given through publication in the Daily Chronicle.

The Planning Commission reviewed and considered the material and information presented at the public hearing. The Findings of Fact were read into the record by Chair Hedrick. A motion was made and seconded to accept the Findings of Fact. The motion passed. A second motion was made and seconded to recommend that the Town Board approve the rezoning from R-3 Two-Family Residence with a Special Use Permit to P-1 Recreation & Open Space.

Respectfully Submitted,



Mark Hedrick, Chairman  
CORTLAND PLANNING COMMISSION

## Findings of Fact Example

**a. Existing use(s) and zoning of the property in question.**

The Subject Property is unimproved, zoned R-3 Two-Family Residence with a Special Use Permit (SUP) for the Planned Unit Development (PUD) overlay.

**b. Existing use(s) and zoning of other lots in the vicinity of the property in question.**

The lands to the west and north, across East Ashford Avenue, are unimproved, zoned R-3 Two-Family Residence with Special Use Permit.

The land to the south and east of the subject property is zoned P-1 Recreation & Open Space and used as a recreational area with open water.

**c. Suitability of the property in question for uses already permitted under existing regulations.**

Developing the property for residential purposes is appropriate.

**d. Suitability of the property in question for the proposed use.**

The applicant intends to use the property as an expansion of the immediately adjacent recreation and open space area of Dragon Tail pond and park. The property is suitable for the proposed use. The existing road and driveway will provide any required infrastructure needs.

**e. The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last rezoned.**

The Subject Property has been zoned R-3 Two-Family Residence with SUP since 2007. There have been no recent changes in zoning. The use of the adjacent property changed from strictly storm water basin to the added use of recreational area, Dragon Tail Pond.

**f. The effect the proposed amendment would have on implementation of this Municipality's Comprehensive Plan.**

Approval of the rezoning request would be in concurrence with the Future Land Use Map included in the Comprehensive Plan. Granting the request would permit an expanded footprint of an immediately adjacent municipal use.