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**THE CITY OF ROCHELLE**  
**Ogle County, Illinois**

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**ORDINANCE**  
**NO. \_\_\_\_\_**

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**AN ORDINANCE APPROVING THE PRELIMINARY AND FINAL PLAT OF  
SUBDIVISION FOR THE PROPERTY LOCATED AT 1415 10th AVENUE,  
PARCELS 24-23-226-001 and 24-23-226-002**

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**JOHN BEARROWS, Mayor**  
**ROSE HUERAMO, City Clerk**

**TOM McDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**ROSAELIA ARTEAGA**  
**BEN VALDIVIESO**  
**City Council**

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Ottosen DiNolfo Hasenbalg & Castaldo, Ltd.  
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Ogle County, Illinois

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PARCELS 24-23-226-001 and 24-23-226-002**

**WHEREAS**, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle, Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

**WHEREAS**, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

**WHEREAS**, while “non-home rule municipalities have the authority to enact ordinances, such ordinances may in no event conflict with state law or prohibit what a state statute expressly permits . . . A local ordinance may impose more rigorous or definite regulations in addition to those enacted by the state legislature so long as they do not conflict with the statute.” (*Village of Wauconda v. Hutton*, 291 Ill. App. 3d 1058, 1060 (1997)); and

**WHEREAS**, St. Paul Lutheran Church (“Petitioner”), has petitioned to subdivide the property located at 1415 10th Avenue, Parcels 24-23-226-001 and 24-23-226-002 (the Legal Descriptions of which are attached herein as Exhibit A).

**WHEREAS**, The property is zoned R1 Single Family low density residential and is approximately 9.73 acres; and

**WHEREAS**, the Petitioner is seeking to subdivide the existing 9.73-acres into four parcels for single family homes. Lot one will be 4.53 acres, lot two will be .63 acres, lot three will have 1.16 acres and lot four will be 3.41 acres. The four lots will maintain the current zoning of R1 Single Family low density residential. All lots meet the minimum required lot area of 15,000 sq. ft.; and

**WHEREAS**, the petition for the Preliminary Plat and Final Plat was reviewed by the Planning and Zoning Commission at their meeting of June 2, 2025 and the Planning and Zoning Commission, by a vote of 6-0, recommended that Council approve the Preliminary Plat and Final Plat of Subdivision; and

**NOW THEREFORE BE IT ORDAINED** by the Mayor and City Council of the City of Rochelle, Ogle County, Illinois, as follows:

**SECTION ONE:** The foregoing recitals shall be, and are hereby, incorporated into and made a part of this Ordinance as if fully set forth in this Section One.

**SECTION TWO:** The Preliminary Plat, Exhibit B, and Final Plat, Exhibit C, for 1415 10th Avenue ("St. Paul Lutheran Church Subdivision), Rochelle, Illinois Parcel Numbers 24-23-226-001 and 24-23-226-002, are hereby approved by the Mayor and City Council.

**SECTION THREE:** That the Mayor and City Council of the City of Rochelle hereby approve and accept said Preliminary and Final Plats, attached hereto as Exhibit B and Exhibit C, and all necessary City Officials are hereby authorized to execute said Plats prior to the final recording, subject to review and revision as to form by the City Attorney and City staff.

**SECTION FOUR:** The City Clerk shall be and is hereby authorized and directed to cause a certified copy of this Ordinance with the attached Exhibit B and Exhibit C, to be recorded in the Office of the Ogle County Recorder.

**SECTION FIVE:** If any provision of this Ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

**SECTION SIX:** Where the conditions imposed by any provisions of this Ordinance are more restrictive than comparable provisions imposed Ordinance in any other local law, ordinance, resolution, rule or regulation, the regulations of this Ordinance will govern.

**SECTION SEVEN:** The City Clerk shall publish this Ordinance in pamphlet form.

**SECTION EIGHT:** This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED THIS 9<sup>th</sup> day of June, 2025.

AYES:

NAYS:

ABSENT:

APPROVED THIS 9<sup>th</sup> day of June, 2025.

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CITY MAYOR

ATTEST:

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CITY CLERK

**EXHIBIT A**  
**(Legal Description)**

**Parcels Identification Numbers: 24-23-226-001 and 24-23-226-002.**

The South 1/2 of Lots 7 and 8 of the Subdivision of the North East 1/4 of the North East 1/4 of Section 23, in Township 40 North, Range 1 East of the Third Principal Meridian, according to the Plat of said Subdivision recorded in Book E of Plats, page 60, in the Recorder's Office of Ogle County, Illinois.

The North 1/2 of Lots 7 and 8 of the Subdivision of the North East 1/4 of the North East 1/4 of Section 23, in Township 40 North, Range 1 East of the 3rd P.M., according to the plat recorded in Book E of Plats, page 60, in the Recorder's Office of Ogle County, Illinois, situated in the City of Rochelle.

EXHIBIT B – PRELIMINARY PLAT

PRELIMINARY PLAT  
"ST. PAUL LUTHERAN CHURCH SUBDIVISION"  
LOTS 7 & 8 OF THE SUBDIVISION OF  
NE 1/4 OF NE 1/4, SECTION 23, T40N, R1E, 3rd P.M.  
OGLE COUNTY, ILLINOIS



LOCATION MAP  
SCALE: 1"=300'  
Total Area = 9.74AC±

CURRENT ZONING:  
**R1 - SINGLE-FAMILY - LOW DENSITY RESIDENTIAL,**  
INTENDED ZONING: **R1 - SINGLE-FAMILY - LOW DENSITY RESIDENTIAL**  
PURPOSE OF LAND: **RESIDENTIAL DEVELOPMENT**

**OWNER / DEVELOPER**  
**ST. PAUL LUTHERAN CHURCH**  
1415 10TH AVE,  
ROCHELLE ILLINOIS, 61068

RECORD DESCRIPTIONS:  
The South 1/2 of Lots 7 and 8 of the Subdivision of the North East 1/4 of the North East 1/4 of Section 23, in Township 40 North, Range 1 East of the Third Principal Meridian, according to the Plat of said Subdivision recorded in Book E of Plats, page 80, in the Recorder's Office of Ogle County, Illinois.  
The North 1/2 of Lots 7 and 8 of the Subdivision of the North East 1/4 of the North East 1/4 of Section 23, in Township 40 North, Range 1 East of the Third Principal Meridian, according to the plat recorded in Book E of Plats, page 80, in the Recorder's Office of Ogle County, Illinois, situated in the City of Rochelle.

**SURVEYOR'S STATEMENT**  
I, Scott I. Immet, a Professional Land Surveyor in the State of Illinois, hereby state, at the Request of St. Paul Lutheran Church, this survey was made on the ground under my direction, that this plat represents the facts found at the time of the survey, that this professional service conforms to the current applicable Illinois State Laws and Standards for a Topographic Survey, and that the dimensions shown are given in feet and decimals of a foot upon said plat.  
Signed this 21st day of April, 2025.

Scott I. Immet, Illinois Professional Land Surveyor No. 35-3462  
Current expiration date: November 30, 2026

DATUM INFORMATION
VERTICAL CONTROL: NAVD 88 (BY VRS OBSERVATIONS)
HORIZONTAL CONTROL: NAD 83 STATE PLANE ILLINOIS WEST ZONE (GRID)
BENCHMARK INFORMATION
BM1 = REBAR WITH CAP N 1910869.11, E 2592622.98, ELEV 800.02
BM2 = CONCRETE MONUMENT N 1918934.09, E 2592663.56, ELEV 808.54

PLANNING COMMISSION CERTIFICATE

STATE OF ILLINOIS) SS  
COUNTY OF OGLE) SS

WE, THE UNDERSIGNED PLANNING COMMISSION OFFICERS OF THE PLANNING COMMISSION FOR THE CITY OF ROCHELLE, HEREBY CERTIFY APPROVAL OF THE PRELIMINARY PLAN OF AS SET FORTH ABOVE AND HEREON.

WE HEREBY RECOMMEND TO THE CITY BOARD THAT SAID PRELIMINARY PLAN BE APPROVED.

GIVEN UNDER OUR HANDS AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ A.D.

(Seal)

SECRETARY \_\_\_\_\_

PRESIDENT \_\_\_\_\_

CITY COUNCIL ACCEPTANCE RESOLUTION

STATE OF ILLINOIS) SS  
COUNTY OF OGLE) SS

NOW, THEREFORE IT BE RESOLVED BY THE CITY BOARD OF THE CITY OF ROCHELLE THAT THE PLAT HEREON BE ACCEPTED AND APPROVED SUBJECT TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES OF THE CITY OF ROCHELLE. THIS PRELIMINARY PLAT SHALL BE VALID FOR A PERIOD OF ONE YEAR FROM THE EXPIRATION DATE.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ A.D.

(Seal)

CITY CLERK \_\_\_\_\_

PRESIDENT \_\_\_\_\_

OWNER'S CERTIFICATE

I, DO HEREBY ACKNOWLEDGE RESPONSIBILITY FOR THE INSTALLATION OF ALL ITEMS IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS AS SET FORTH.

ST. PAUL LUTHERAN CHURCH

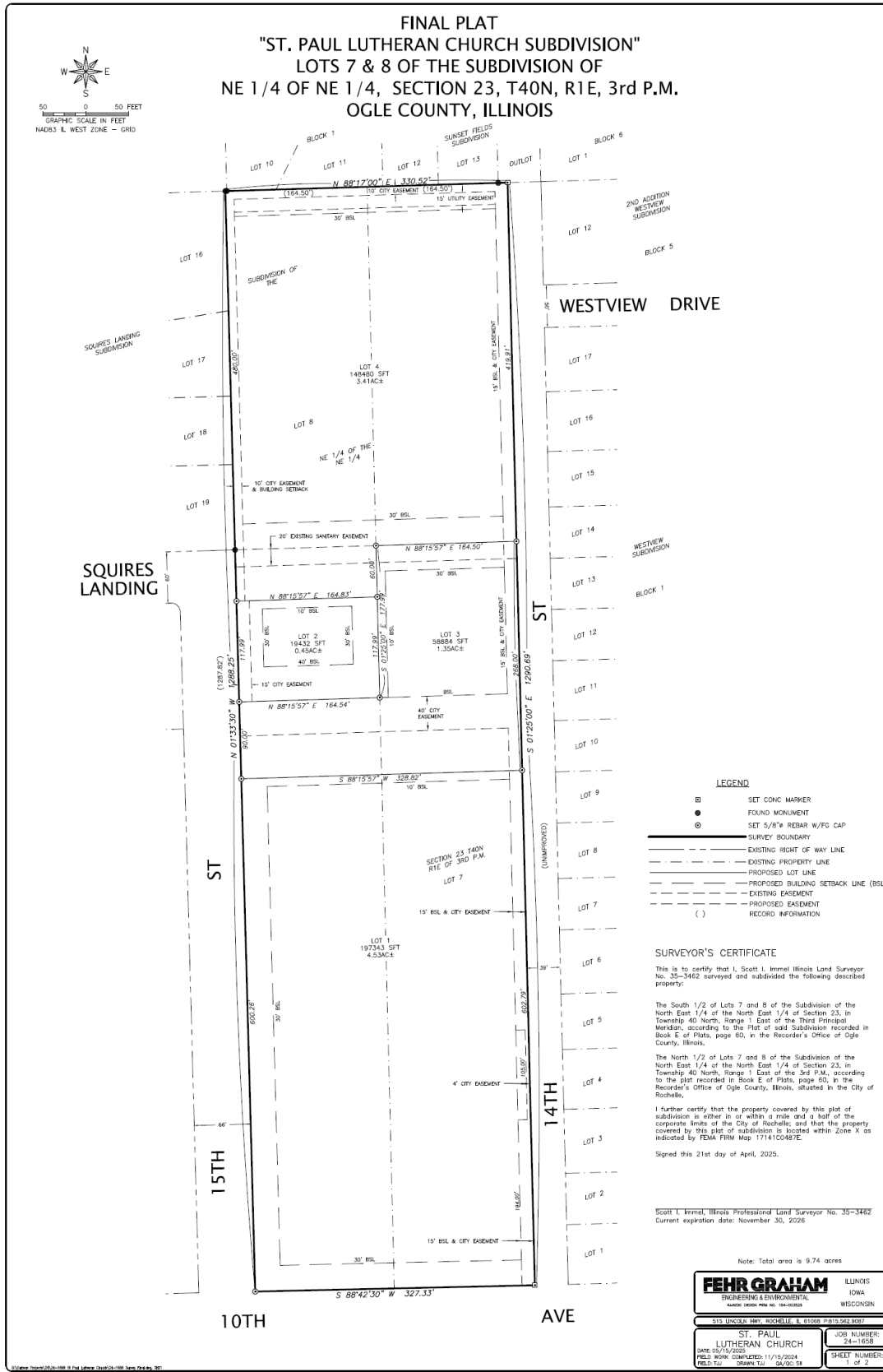
**FEHR GRAHAM**  
ENGINEERING & ENVIRONMENTAL  
ILLINOIS  
IOWA  
WISCONSIN

310 LINCOLN HWY, ROCHELLE, IL 61068 P.616.562.9087

ST. PAUL  
LUTHERAN CHURCH  
DATE: 02/15/2025  
FIELD WORK COMPLETED: 11/15/2024  
FIELD TOL: 0.00001' ±

JOB NUMBER:  
24-1558  
SHEET NUMBER:  
1 of 2

# EXHIBIT C – FINAL PLAT



STATE OF ILLINOIS       )  
                                      )  
COUNTY OF OGLE       )       SS.

CERTIFICATE

I, \_\_\_\_\_, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. \_\_\_\_\_, “AN ORDINANCE APPROVING THE PRELIMINARY AND FINAL PLAT OF SUBDIVISION FOR THE PROPERTY LOCATED AT 1415 10th AVENUE, PARCELS 24-23-226-001 and 24-23-226-002” which was adopted by the Mayor and City Council of the City of Rochelle on June 9, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 9<sup>th</sup> day of June, 2025.

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CITY CLERK