
THE CITY OF ROCHELLE
Ogle County, Illinois

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**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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KATE SHAW-DICKEY
DAN McDERMOTT
ROSAELIA ARTEAGA
BEN VALDIVIESO
City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
Ottosen DiNolfo Hasenbalg & Castaldo, Ltd.
1804 North Naper Boulevard, Suite 350, Naperville, Illinois 60563

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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 23rd day of June, 2025.

AYES:

NAYS:

ABSENT:

APPROVED THIS 23rd day of June, 2025.

CITY MAYOR

ATTEST:

CITY CLERK

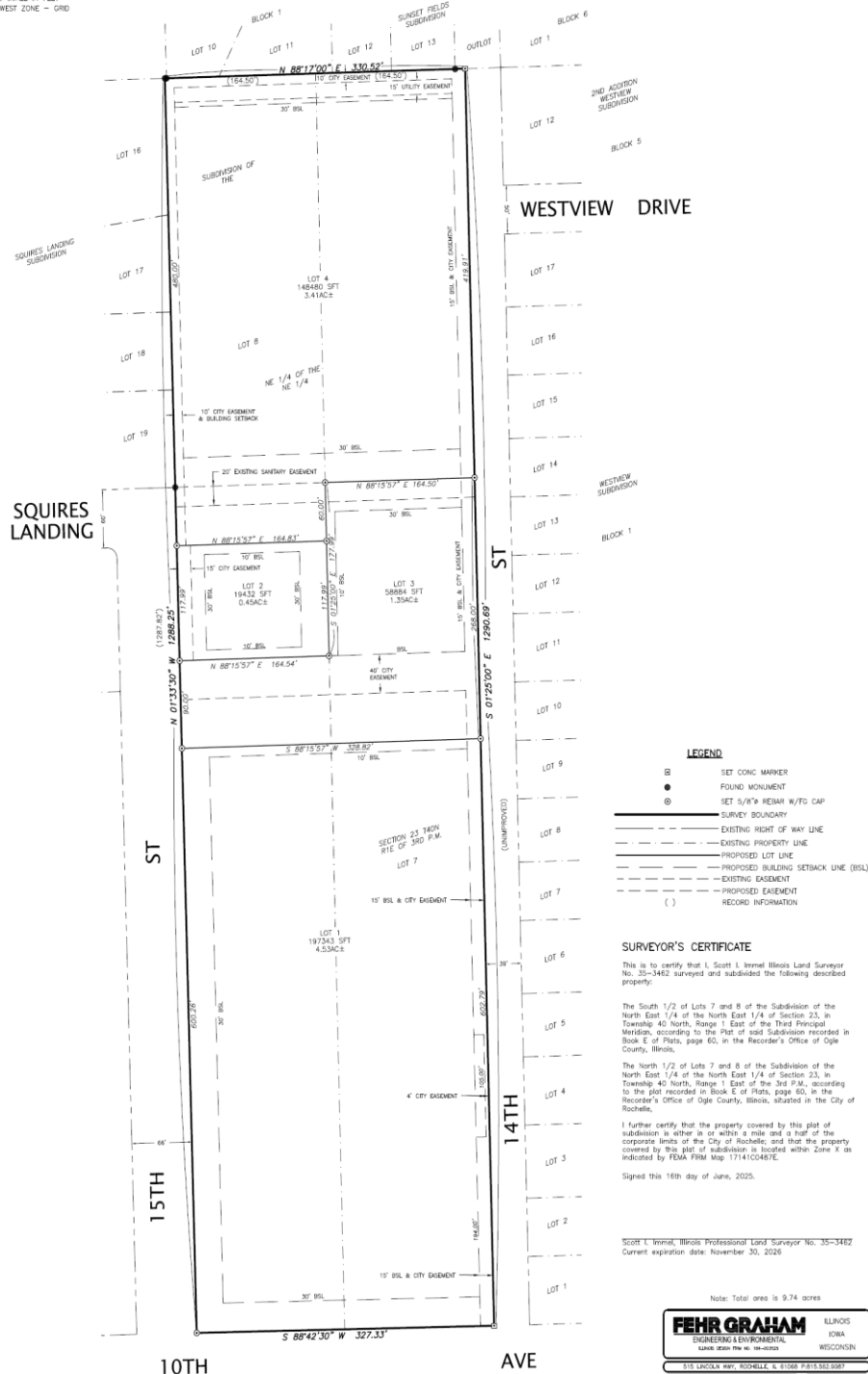
EXHIBIT A
(Legal Description)

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.

FINAL 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



SURVEYOR'S CERTIFICATE

This is to certify that I, Scott L. Immel Illinois Land Surveyor
No. 35-3462 surveyed and subdivided the following described
property:

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.

I further certify that the property covered by this plat of subdivision is either in or within a mile and a half of the corporate limits of the City of Rochelle; and that the property covered by this plat of subdivision is located within Zone X as indicated by FEMA FIRM Map 17141C0487E.

Signed this 16th day of June, 2025.

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

Note: Total area is 9.74 acres

FEHR GRAHAM ENGINEERING & ENVIRONMENTAL 15400 ZEPHYRUS HWY. NO. 154-000023		ILLINOIS IOWA WISCONSIN
515 LINCOLN HWY. ROCHELLE, IL 61068 P-815.562.9087		
ST. PAUL LUTHERAN CHURCH DATE: 06/16/2025 FIELD WORK COMPLETED: 11/15/2004 CHICAGO, ILL. 04/25/08	JOB NUMBER 24-1658	SHEET NUMBER 1 of 2

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 23, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 23rd day of June, 2025.

CITY CLERK