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

**ORDINANCE
NO. _____**

**AN ORDINANCE APPROVING A CONSTRUCTION MATERIAL VARIANCE FOR
WHEATLAND TUBE, LLC AT 1600 RITCHIE COURT**

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

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City Council**

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
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Ogle County, Illinois

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**AN ORDINANCE APPROVING A CONSTRUCTION MATERIAL VARIANCE FOR
WHEATLAND TUBE, LLC AT 1600 RITCHIE COURT**

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, Wheatland Tube, LLC (“Petitioner”) is the owner of property at 1600 Ritchie Court (“Subject Property”), PIN 25-32-201-001, and legally described in Exhibit A, attached herein; and

WHEREAS, the Subject Property is zoned I2, General Industry and is 34.9 acres; and

WHEREAS, Petitioner is seeking variance of Section 104.11 of the 2021 International Building Code regarding “alternative materials, design and methods of construction.” A copy of Petitioner’s Site Plan is included in Petitioner’s application for a variance, which is attached herein as Exhibit B; and

WHEREAS, pursuant to Section 104.11 of the International Building Code, alternative material, design method of construction shall be approved when the Building Official finds that the proposed alternative meets all of the following:

1. The alternative material, design or method of construction is satisfactory and complies with the intended provisions of this code,
2. The material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code as it pertains to the following:

- 2.1. Quality.
- 2.2. Strength
- 2.3. Effectiveness.
- 2.4. Fire Resistance.
- 2.5. Durability.
- 2.6. Safety.

WHEREAS, the Petitioner is seeking a variance to allow for the construction of a proposed 33,000 square foot fabric-covered hoop structure. The fully enclosed structure will be forty-eight (48) feet tall, one hundred ten (110) feet wide, and two hundred ninety-one and one half feet (291.5) long; and

WHEREAS, the intended use of the proposed fabric building is a drive-through loading area for trucks to load finished goods; and

WHEREAS, Petitioner's operation runs 24 hours a day, 7 days a week, with approximately 50 employees working in this area across 3 shifts; and

WHEREAS, Petitioner's proposal meets the required 30 pound snow load, anchoring and additional requirements set forth by the code; and

WHEREAS, pursuant to the public notice published in a newspaper of general circulation within the City as required by Sec. 110-32 of the Code of the City of Rochelle, the Planning and Zoning Commission held a public hearing on the Petition for a Variance on Monday, June 1, 2026; and

WHEREAS, after holding the public hearing and reviewing the Petitioner's request, the Planning and Zoning Commission determined that the Petitioner has met the standards for a variance as specified under Sec. 110-29(f) of the Code of Rochelle and voted 7-0 to recommend the approval of the variance.

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: That the Mayor and City Council of the City of Rochelle hereby approve and accept petitioners site plan as included in Exhibit B. The City hereby grants a variance in construction material to allow for a 33,000 square foot fabric-covered hoop structure at 1600 Ritchie Court, as reflected in the site plan.

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

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

SECTION SIX: 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 8th day of June, 2026.

AYES:

NAYS:

ABSENT:

APPROVED THIS 8th day of June, 2026.

CITY MAYOR

ATTEST:

CITY CLERK

EXHIBIT A – LEGAL DESCRIPTION

Lot 1 in Prologis Park Rochelle – Unit One, being a subdivision of part of the Northeast Quarter of Section 31, the Northwest Quarter and the Northeast Quarter of Section 32, Recorded in Plat File E on page 1 as document 201101102433 in the Recorder’s Office of Ogle County, Illinois. Situated in Dement Township, Ogle County, Illinois.

PIN 25-32-201-001

1600 Ritchie Court, Rochelle, Illinois

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, Rose Huéramo, 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 A CONSTRUCTION MATERIAL VARIANCE FOR WHEATLAND TUBE, LLC AT 1600 RITCHIE COURT,” which was adopted by the Mayor and City Council of the City of Rochelle on June 8, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 8th day of June, 2026.

CITY CLERK