
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE RE-ZONING PROPERTY LOCATED AT 450 WILLIS AVENUE,
ROCHELLE, ILLINOIS**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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ROSAELIA ARTEAGA
City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
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200 W. Adams, Suite 2125, Chicago, IL 60606

CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE NO. _____
Date Passed: September 12, 2022

**AN ORDINANCE RE-ZONING PROPERTY LOCATED AT 450 WILLIS AVENUE,
ROCHELLE, ILLINOIS**

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, the Seldal Properties LLC (“Petitioner”) is the owner of a certain property located at 450 Willis Avenue, Rochelle, Ogle County, Illinois and as legally described in Exhibit A (hereinafter “Property”); and

WHEREAS, the Petitioner has submitted a Petition (PZC-12-22) and a request has been made by the Petitioner to re-zone the property R-5 Multi-Family, High Density Residential District Zoning, and

WHEREAS, following due and proper publication of notice, the Planning and Zoning Commission held a public hearing on September 6, 2022 for the Petition, where it considered the re-zoning of the Property to provide for to R-5 Multi-Family, High Density Residential District Zoning from the currently Zoned B-2 Commercial Highway District Zoning for the Property and recommended the foregoing by a vote of 7-0; and

WHEREAS, all petitions, documents, agreements, notices, and other necessary legal requirements are in full compliance with the Illinois Municipal Code 65 ILCS 5/7-1-1; and

WHEREAS, the Mayor and City Council adopt the Report of Findings from the Planning and Zoning Commission from its September 6, 2022 public hearing; and

WHEREAS, the Mayor and City Council have determined that it is in the best interest of the City and its residents that the Property be re-zoned to R-5 Multi-Family, High Density Residential District Zoning; 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 Property shall be re-zoned High Density Residential District Zoning and the Director of the Community Development Department shall cause the Zoning District Map of the City of Rochelle to be amended to place the Property in the R-5 High-Density Residential District Zoning.

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 Ordinance 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 12th day of September, 2022.

AYES:

NAYS:

ABSENT:

APPROVED THIS 12th day of September, 2022.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT A

LEGAL DESCRIPTION

PARCEL: 24-36-127-001

Lot 5 in Lake Lida – Phase I in the City of Rochelle, according to the Plat thereof recorded in Plat File C, Page 54, in the recorder's office of Ogle County, Illinois.

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, Rose Hueramo, 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 RE-ZONING PROPERTY LOCATED AT 450 WILLIS AVENUE,
ROCHELLE, ILLINOIS” which was adopted by the Mayor and City Council of the City of
Rochelle on September 12, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 12th day of September, 2022.

CITY CLERK