

**ORDINANCE 2019-43**

**BE IT ORDAINED** by the Mayor and City Council of the City of Monticello, Piatt County, Illinois, THAT:

**AN ORDINANCE APPROVING REZONING, AND  
VARIANCE REQUESTS FOR  
John Ricketts, (owner)  
(827 E. Old Route 47)**

Shall be, and is hereby, adopted as follows:

Section 1. BACKGROUND.

John Ricketts ("**Owner**") is the owner of a single-family dwelling located at 827 E. Old Route 47 outside of the corporate limits of the City of Monticello, which is legally described as:

Lot 2 of a Subdivision of Lot B of Lot 1 of the East Half of the Northwest Quarter of Section 12, Township 18 North, Range 5 East of the Third Principal Meridian, in Piatt County, Illinois, except the following described real estate, to-wit; the Northeast part of Lot 2 of a Subdivision of Lot B of Lot 1 of the East Half of the Northwest Quarter of Section 12, Township 18 North, Range 5 East of the Third Principal Meridian, in Piatt County, Illinois, according to a plat made by J. Robert Bower, Illinois Land Surveyor, dated November 4, 1949, recorded in Book 3 of Plats at page 19 of the records in the Recorder's Office of Piatt County, Illinois, described as follows: Beginning at the Northwest corner of said Lot 2, thence Southwesterly along the East boundary of the right of way of State Route No. 47 a distance of 70 feet, thence Southeasterly on a line parallel to the Northeast boundary line of said Lot 2 to the South boundary line of said Lot 2, thence in an Easterly direction to the Southeast corner of said Lot 2, thence North along the East boundary line of said Lot 2 to the Northeast corner of said Lot 2, thence Northwesterly along the Northeast boundary line of said Lot 2 to the place of beginning, situated in the County of Piatt, and State of Illinois. Said real estate commonly known as 827 E. Old Route 47, Monticello, Illinois.

The Owner wishes to annex the parcel into city limits, to allow for connection to public utilities, which houses the existing structures (single family residence, and detached garage); rezone the property to a Suburban Residential zone (RS); and apply for two variances to bring the existing structures into compliance as they relate to minimum lot area and front yard setbacks.

Section 2. PUBLIC HEARING AND PUBLIC MEETING.

Notice of a public hearing on the Owner's request was published in the *Piatt County Journal Republican* on July 31<sup>st</sup>, 2019. A public hearing at the public meeting was convened by the Planning and Zoning Board ("**PZB**") on August 19<sup>th</sup>, 2019, on which date the PZB solicited public comment, and closed the public hearing. At its regular meeting, the PZB, pursuant to the findings of fact included as supporting documents to this Ordinance, recommended approval (7-0) of the requested rezoning and variations.

Section 3. APPROVALS.

A. Rezoning of 827 E. Old Route 47 from Urban Residential (RD) to Suburban Residential (RS). Pursuant to and in accordance with State Statute 65 ILCS 5/7-1-47, upon annexation, zoning designation would be assigned to the most restrictive designation. This action would amend the zoning designation from Urban Residential (RD) Suburban Residential (RS), allowing a more conforming designation to the area.

B. Variance Requests. Pursuant to and in accordance with §153.019, Lot Area, Yard and Bulk Regulations of the City of Monticello Zoning Ordinance, the following variances from the requirements in an RS zoned parcel, as they relate to existing structures.

- a. Reduce the minimum lot area for residential use from 18,500sf to 9,568sf
- b. Reduce the front yard setback from 30' to 10.7'

Section 4.            CONDITIONS.

The approvals set forth in Section 3.B of this Ordinance for the Property will be and are hereby expressly subject to and contingent upon each of the following terms, conditions, and restrictions:

A.     Compliance with Laws. The development, maintenance and operation of the Property must comply with all applicable State, County and City statutes, ordinances, codes, rules, and regulations.

B.     The approvals set forth in Section 3 are contingent upon annexation approval by the City Council.

Section 8.            EFFECTIVE DATE.

A.     This Ordinance will be effective upon the occurrence of the following events:

1.     Passage by the City of Monticello by a majority vote in the manner required by law;
2.     Publication in pamphlet form in the manner required by law;

Adopted this 26<sup>th</sup> day of August, 2019, by the following roll-call vote:

AYES:

NAYS:

ABSENT:

\_\_\_\_\_  
Clerk of the City of Monticello  
Piatt County, Illinois

Approved by the Mayor of the City of Monticello, Piatt County, Illinois this 26<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
Mayor of the City of Monticello  
Piatt County, Illinois

ATTEST:

\_\_\_\_\_  
Clerk of the City of Monticello,  
Piatt County, Illinois