

ORDINANCE NO. 2023-04

AN ORDINANCE APPROVING ZONING MAP AMENDMENT FOR PROPERTY COMMONLY KNOWN "630 MAIN STREET, PECATONICA, ILLINOIS", P.I.N, 09-28-301-002, VILLAGE OF PECATONICA, WINNEBAGO COUNTY, ILLINOIS

WHEREAS, the Village of Pecatonica is a municipality legally formed pursuant to statute, and has a population of more than 500 inhabitants and less than 500,000 inhabitants; and

WHEREAS, the applicant, DPI REALTY, LLC, is titleholder to the property commonly known as "630 Main Street, Pecatonica, Winnebago County, Illinois", PIN: 09-28-301-002, and is legally described in **Exhibit "A"**, attached hereto and incorporated herein by reference; and

WHEREAS, said parcel owner has filed an Application for Zoning Map Amendment pursuant to Title XV, Chapter 153, Sections 153.004(B) and 153.009(A) of the Village Code, and requesting that zoning for the Parcel be amended from R-1, Residential Single Family District, to CD, Commercial District; and

WHEREAS, the proposed use of the subject parcel as "office space with meeting room" is a permitted use for property zoned CD pursuant to Title XV, Chapter 153, Section 153.006(B) of the Village Code; and

WHEREAS, pursuant to applicable state statutes and village code provisions pertaining to notice of like applications the Planning and Zoning Commission did convene a hearing on February 9, 2023 at 6:00 pm at Village Hall at 405 Main Street, Pecatonica, Illinois to consider the application, conduct a hearing, take testimony from the applicant and/or any interested party or concerned citizen in attendance, deliberate based on the testimony and evidence produced and the application filed by the owner of record and consider findings of facts as required by law;

WHEREAS, on February 9, 2023, at 6:00 p.m. the Village Planning and Zoning Commission did convene a hearing, a quorum having been present, to determine whether the proposed zoning for commercial use was consistent with surrounding uses and therefore met the spirit and purposes of the village's zoning code;

WHEREAS, a motion was made and seconded to amend the zoning district for 630 Main Street from R-1 to CD, and by a vote of zero (0) "ayes", five (5) "nays", and two (2) "absent" failed to recommend said application for map amendment.

BE IT ORDAINED by the President and the Board of Trustees of Pecatonica, Illinois.

SECTION 1: The recitals as stated above are fully incorporated herein by reference.

SECTION 2: That the zoning for the property commonly known as "630 Main Street, Pecatonica, Illinois", PIN: 09-28-301-002 is hereby amended from R-1, Residential Single Family, to CD, Commercial District, and said property shall be subject to all ordinances and regulations of and for districts zoned CD, Commercial District.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED by the Board of Trustees this _____ day of _____, 2023.

APPROVED by the Village President this _____ day of _____, 2023.

BY: _____
THOMAS HEISTER, Village President
Village of Pecatonica, Illinois

ATTEST:

GWENN SHIRLEY, Village Clerk
Village of Pecatonica, Illinois

MOTION MADE BY: _____

MOTION SECONDED BY: _____

AYES: _____

NAYS: _____

ABSTAIN: _____

EXHIBIT "A"

Ordinance 2023-04

Legal Description for PIN 09-28-301-002

Dated this 22 day of December, 2022.

AFFIX TRANSFER TAX STAMP
OR
"Exempt pursuant to Section 31-45 <u>B</u>
of the Real Estate Transfer Tax Law.
<u>12/22/22</u> <u>Donald Knoup</u>
Date Buyer, Seller or Representative

CONNECTING POINT CHURCH, INC.

Donald Knoup
 BY: DONALD KNOUP, PRESIDENT

Maureen Cain
 BY: MAUREEN CAIN, TREASURER

STATE OF ILLINOIS)
) ss
Winnebago COUNTY)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that **DONALD KNOUP**, being the President of the Church and **MAUREEN CAIN**, being the Treasurer of the Church, whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such President and Treasurer of the Church and pursuant to authority given by the congregation of the Church, signed this document as their free and voluntary act, and as the free and voluntary act and deed of said Church, the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 22 day of December, 2022.



Kelli K. Cuttill
 Notary Public

Drafted by: Gary L. Ecklund/nn, 502 Calvin Park Blvd, Rockford, IL 61107
 Return to and future taxes to: DPI REALTY, LLC,
16961 Comly Rd., Pecatonica, IL 61063