

CITY OF COLUMBIA, ILLINOIS

ORDINANCE NO. 3146

**AN ORDINANCE APPROVING A REQUEST FROM PETER
AND JULIE INGOLD FOR A ZONING AMENDMENT FROM
CHAPTER 17.16, R-3 ONE FAMILY DWELLING DISTRICT
TO CHAPTER 17.26, C-1 NEIGHBORHOOD BUSINESS
DISTRICT WITH CHAPTER 17.34, HP HISTORIC
PRESERVATION OVERLY DISTRICT OF THE CITY OF
COLUMBIA ZONING CODE FOR PROPERTY LOCATED AT
11604 BLUFF ROAD**

**Adopted by the
City Council
of the
City of Columbia, Illinois
this 1st day of December, 2014**

**Published in pamphlet form by authority of
the City Council
of the City of Columbia,
Illinois this 1st day of December, 2014**

DEC - 1 2014


City Clerk

ORDINANCE NO. 3146

AN ORDINANCE APPROVING A REQUEST FROM PETER AND JULIE INGOLD FOR A ZONING AMENDMENT FROM CHAPTER 17.16, R-3 ONE FAMILY DWELLING DISTRICT TO CHAPTER 17.26, C-1 NEIGHBORHOOD BUSINESS DISTRICT WITH CHAPTER 17.34, HP HISTORIC PRESERVATION OVERLY DISTRICT OF THE CITY OF COLUMBIA ZONING CODE FOR PROPERTY LOCATED AT 11604 BLUFF ROAD

WHEREAS, Peter and Julie Ingold have requested a zoning amendment from Chapter 17.16, R-3 One Family Dwelling District to Chapter 17.26, C-1 Neighborhood Business District with Chapter 17.34, Historic Preservation Overlay District of the City of Columbia, Illinois (the "City") Zoning Code for their property located at 11604 Bluff Road; and

WHEREAS, prior to the presentation of this ordinance to the City Council, all hearings required to be held before agencies of the City took place pursuant to proper legal notice and all petitions, documents and other necessary legal requirements were fulfilled in compliance with the law in such cases made and provided, including Section 17.02.050 of the City's Municipal Code and Section 11-13-14 of the Illinois Municipal Code (65 ILCS 5/11-13-14), all pertaining to the zoning of property.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. That the following legally described land comprising 5.19 acres, more or less, located in the City of Columbia, in the County of Monroe and the State of Illinois, is hereby zoned C-1 (Neighborhood Business District) with HP, Historic Preservation Overlay District, and for the uses and purposes therein authorized and subject to the zoning regulations therein required to be complied with, to wit:

Tax Lot 2 of Survey 554, Claim 487 in T. 1 S., R. 10 W. of the 3rd P.M., Monroe County, Illinois, as shown on page 106 of the Surveyor's Official Plat Record "A" of Monroe County, Illinois records;

EXCEPTING, however, all of the above described tract lying Northwest of Bluff Road.

FURTHER EXCEPTING, however, the following described tract:

Beginning at the most Northerly corner of Tax Lot 2 of Survey 554, Claim 487 in T. 1 S., R. 10 W. of the 3rd P.M., Monroe County, Illinois, as shown on page 106 of the Surveyor's Official Plat Record "A" of Monroe County, Illinois, records; thence S. $28^{\circ}25'W$. 994 feet along the Westerly line of said Tax Lot 2 to a stone at the most Westerly corner of said Tax Lot 2; thence S. $61^{\circ}35'E$. 2191 feet along the Southerly line of said Tax Lot 2 to a post; thence N. $28^{\circ}25'E$. 998.5 feet to a post on the Northerly line of Survey 554, Claim 487; thence Northwesterly 2191 feet along the said Northerly line of Survey 554, Claim 487 to the place of beginning, and being part of Tax Lot 2 of Survey 554, Claim 487 in T. 1 S., R. 10 W. of the 3rd P.M., Monroe County, Illinois.

FURTHER EXCEPTING the tract conveyed June 10, 1964, to the State of Illinois for highway purposes as shown by deed of record in Deed Record 91 Page 7, Recorder's Office of Monroe County, Illinois, more particularly described as follows:

A tract of land in Tax Lot 2 of US Survey 554, Claim 487, T. 1 S., R. 10 W. of the 3rd P.M. in Monroe County, Illinois, more particularly described as follows: All of that portion of said Tax Lot 2 of US Survey 554, Claim 554, Claim 487, that lies northwesterly of the existing northwesterly right of way northwesterly of and parallel with the survey centerline of a highway designated as FA Route 182 as said centerline is now surveyed and staked out by the Department of Public Works and Buildings of the State of Illinois. FURTHER EXCEPTING, however, the following described tract:

Part of Tax Lot 2 of U.S. Survey 554, Claim 487 in T. 1 S., R. 10 W. of the 3rd P.M., Monroe County, Illinois, reference being had to the plat thereof recorded in the Recorders Office of Monroe County, Illinois, in Surveyor's Official Plat Record A on page 106, being more particularly described as follows: Commencing at an iron pin at the most southerly corner of said Tax Lot 2; thence on an assumed bearing of North $62^{\circ}44'54''$ West on the Southwesterly line of Tax Lot 2, a distance of 482.00 feet to the point of beginning of the tract of land herein described; thence continuing North $62^{\circ}44'54''$ West on the southwesterly line of Tax Lot 2, a distance of 672.05 feet; thence North $19^{\circ}20'39''$ East, a distance of 631.45 feet; thence North $22^{\circ}40'29''$ East, a distance of 374.91 feet to an iron pin on the northeasterly line of Tax Lot 2; thence South $62^{\circ}09'59''$ East on said line, a distance of 639.99 feet to the most northerly corner of Tax Lot 1 of said U.S. Survey 554, Claim 487; thence South $28^{\circ}15'31''$ West, a distance of 292.77 feet to a stone at the most westerly corner of said Tax Lot 1; thence South $62^{\circ}27'10''$ East on the southwesterly line of Tax Lot 1, a distance of 328.88 feet; thence South $27^{\circ}32'50''$ West, a distance of 123.09 feet; thence southwesterly on a curve to the right having a radius of 320.00 feet, an arc distance of 277.84 feet (chord = South $52^{\circ}25'14''$ West, 269.19 feet); thence Southwesterly on a curve to the left having a radius of 25.00 feet, an arc distance of 36.00 feet (chord

= South 36°02'29" West, 32.97 feet); thence South 05°12'41" East, a distance of 27.50 feet; thence South 84°47'19" West, a distance of 40.00 feet; thence southeasterly on a curve to the left having a radius of 170.00 feet, an arc distance of 80.02 feet (chord = South 18°41'47" East, a distance of 79.28 feet); thence South 52°12'49" West, a distance of 219.64 feet to the point of beginning, and lying within the corporate limits of the City of Columbia, Illinois. FURTHER EXCEPTING, however, the following described tract:

Part of Tax Lot 2 of U.S. Survey 554, Claim 487, in T. 1 S., R. 10 W. of the 3rd P.M., Monroe County, Illinois, reference being had to the plat thereof recorded in the Recorder's Office of Monroe County, Illinois, in Surveyor's Official Plat Record A on Page 106, being more particularly described as follows: Beginning at an iron pin at the most southerly corner of said Tax Lot 2; thence on an assumed bearing of N. 62° 44'54" W. on the Southwesterly line of Tax Lot 2, a distance of 482.00 feet to a concrete monument at the most southerly corner of Lot 23 of Indian Hills Estates, reference being had to the plat thereof recorded in the Recorder's Office of Monroe County, Illinois, In Plat Envelope 177A; thence N. 52°12'49" E., a distance of 219.64 feet to a concrete monument at the most easterly corner of Lot 22 of said Indian Hills Estates; thence northwesterly on the northeasterly line of Lot 22 on a curve to the right having a radius of 170.00 feet, an arc distance of 80.02 feet (chord = N. 18°41'47" W., 79.28 feet) to an iron pin; thence N. 05°12'41" on the Northeasterly line of Lot 22, a distance of 27.29 feet to an iron pin; thence northwesterly on the northeasterly line of Lot 22 on a curve to the left having a radius of 25.00 feet, an arc distance of 36.87 feet (chord = N. 47°27'44" W., 33.62 feet) to an iron pin on the southerly right-of-way line of Hickory Lane; thence S. 89°42'46" E. on said right-of-way line, a distance of 11.99 feet to a concrete monument; thence easterly on said right-of-way line on a curve to the left having a radius of 320.00 feet, an arc distance of 168.81 feet (chord = N. 75°10'32" E. 166.86 feet) to a concrete monument; thence S. 29°56'15" E., distance of 428.19 feet to a concrete monument on the southeasterly line of Tax Lot 2 of U.S. Survey 554, Claim 487; thence S. 27°36'13" West on said southeasterly line, a distance of 171.38 feet to the point of beginning, and lying within the corporate limits of the City of Columbia, Illinois.

FURTHER EXCEPTING, however, the following described tract:

Part of Tax Lot 2 of U.S. Survey 554, Claim 487 in T. 1 S., R. 10 W. of the 3rd P.M., Monroe County, Illinois, reference being had to the plat thereof recorded in the Recorder's Office of Monroe County, Illinois, in Surveyor's Official Plat Record A on Page 106, being more particularly described as follows: Commencing at an iron pin at the most southerly corner of said Tax Lot 2; thence on an assumed bearing of N. 27°36'13" E. on the southeasterly line of Tax Lot 2; a distance of 171.38 feet to a concrete monument at the most easterly corner of Lot 24 of "First Addition to Indian Hills Estates", reference being had to the plat thereof recorded in said Recorder's Office in Plat Envelope 2-3A, said monument being the point of beginning of the tract of land herein described; thence continuing N. 27°36'13" E. on the southeasterly line of Tax Lot 2, a

distance of 525.26 feet to a stone at the most southerly corner of Tax Lot 1 of U.S. Survey 554, also being the most southerly corner of Lot 17 of "Briarhill" subdivision, reference being had to the plat thereof recorded in said Recorder's Office in Plat Envelope 149-C; thence N. $62^{\circ} 27'10''$ W. on the Southwesterly line of Tax Lot 1, a distance of 311.43 (recorded 311.76) feet to a concrete monument at the most westerly corner of said Lot 17; thence S. $27^{\circ}32'50''$ W. on the Southeasterly right-of-way line of Hickory Land, a distance of 123.09 feet to an iron pin; thence southwesterly on said right-of-way line on a tangential curve to the right having a radius of 320.00 feet, an arc distance of 181.60 feet (chord = S. $43^{\circ}48'17''$ W. 179.17 feet) to a concrete monument at the most northerly corner of Lot 25 of the above referenced "First Addition to Indian Hills Estates"; thence S. $29^{\circ} 56'15''$ E. on the northeasterly line of said "First Addition to Indian Hills Estates", a distance of 428.19 feet to the point of beginning, and lying within the corporate limits of the City of Columbia, Illinois.

FURTHER EXCEPTING:

Part of Tax Lot 2 of U.S. Survey 554, Claim 487 in T. 1 S., R. 10 W. of the 3rd P.M., Monroe County, Illinois, reference being had to the plat thereof recorded in the Recorder's Office of Monroe County, Illinois, in Surveyor's Official Plat Record "A" on page 106, being more particularly described as follows: Commencing at an iron pin at the most southerly corner of said Tax Lot 2; thence on an assumed bearing of North $62^{\circ}44'54''$ West on the southwesterly line of Tax Lot 2, a distance of 482.00 feet to a concrete monument at the most southerly corner of Lot 23 of Indian Hills Estates, reference being had to the plat thereof recorded in the Recorder's Office of Monroe County, Illinois, in Plat Envelope 177A; thence North $52^{\circ}12'49''$ East, a distance of 219.64 feet to a concrete monument at the most easterly corner of Lot 22 of said Indian Hills Estates; thence Northwesterly on the northeasterly line of Lot 22 on a curve to the right having a radius of 170.00 feet, an arc distance of 80.02 feet (chord = North $18^{\circ}41'47''$ West, 79.28 feet) to an iron pin, the point of beginning of the tract of land herein described; thence North $05^{\circ}12'41''$ West on the northeasterly line of Lot 22, a distance of 27.29 feet to an iron pin; thence northwesterly on the northeasterly line of Lot 22 on a curve to the left having a radius of 25.00 feet, an arc distance of 36.87 feet (chord = North $47^{\circ}27'44''$ West, 33.62 feet) to a point on the southerly right-of-way line of Hickory Lane; thence South $89^{\circ}42'46''$ East on said right-of-way line, a distance of 11.99 feet to a point; thence easterly on said right-of-way line on a curve to the left having a radius of 320.00 feet, an arc distance of 30.72 feet (chord = North $87^{\circ}32'19''$ East, 30.71 feet) to a point on the centerline of the vacated "Shawnee Court" right-of-way; thence South $05^{\circ}12'41''$ East on said centerline, a distance of 49.55 feet to the terminus of said centerline; thence South $84^{\circ}47'19''$ West, a distance of 20.00 feet to the point of beginning.

Section 3. That the City Clerk or his designee is hereby authorized to note the zoning grant made by this Ordinance upon the official map of the City.

Section 4. That this Ordinance shall take effect upon its passage, approval and publication in pamphlet form, as provided by law.

Alderman Niemietz moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Holtkamp, and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Mathews, Reis and Holtkamp.

NAYS: None.

ABSENT: None.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED this 1st day of December, 2014.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



WESLEY J. HOEFFKEN, City Clerk
(Clerk)

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF MONROE)

CERTIFICATE OF PUBLICATION

I, Wesley J. Hoeffken, certify that I am the duly appointed City Clerk of the City of Columbia, Illinois.

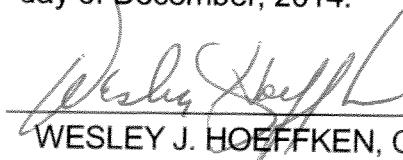
I further certify that on the 1st day of December, 2014, the Corporate Authorities of said municipality passed and approved Ordinance No. 3146 entitled:

"AN ORDINANCE APPROVING A REQUEST FROM PETER AND JULIE INGOLD FOR A ZONING AMENDMENT FROM CHAPTER 17.16, R-3 ONE FAMILY DWELLING DISTRICT TO CHAPTER 17.26, C-1 NEIGHBORHOOD BUSINESS DISTRICT WITH CHAPTER 17.34, HP HISTORIC PRESERVATION OVERLY DISTRICT OF THE CITY OF COLUMBIA ZONING CODE FOR PROPERTY LOCATED AT 11604 BLUFF ROAD"

which provided by its terms that it is to be published in pamphlet form.

The pamphlet form of Ordinance No. 3146 including the Ordinance and a cover sheet thereof was prepared, and a copy of said Ordinance was posted in the City Hall of the City of Columbia, Illinois, commencing on the 1st day of December, 2014, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the office of the City Clerk.

Dated at Columbia, Illinois, this 1st day of December, 2014.



WESLEY J. HOEFFKEN, City Clerk

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF MONROE)

CERTIFICATE OF TRUE COPY

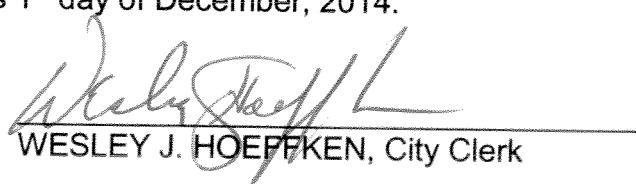
I, Wesley J. Hoeffken, hereby certify that I am the duly appointed City Clerk of the City of Columbia, Illinois and as such I am the keeper of the books, records, files and corporate seal of said City.

I do further certify that Ordinance No. 3146, entitled:

“AN ORDINANCE APPROVING A REQUEST FROM PETER AND JULIE INGOLD FOR A ZONING AMENDMENT FROM CHAPTER 17.16, R-3 ONE FAMILY DWELLING DISTRICT TO CHAPTER 17.26, C-1 NEIGHBORHOOD BUSINESS DISTRICT WITH CHAPTER 17.34, HP HISTORIC PRESERVATION OVERLY DISTRICT OF THE CITY OF COLUMBIA ZONING CODE FOR PROPERTY LOCATED AT 11604 BLUFF ROAD”

to which this certificate is attached, is a true, perfect, complete and correct copy of said ordinance as adopted at a regular meeting of the Columbia, Illinois City Council held on the 1st day of December, 2014.

IN WITNESS WHEREOF, I have made and delivered this certificate for the uses and purposes hereinabove set forth this 1st day of December, 2014.



WESLEY J. HOEFFKEN, City Clerk

(SEAL)