

## PUBLIC HEARING LEGAL NOTICE

The Charleston Board of Zoning Appeals and Planning will conduct a Public Hearing on Thursday, October 26, 2023 at 7:00 P.M. in the City Council Chambers of City Hall, 520 Jackson Avenue, Charleston, IL, to consider the petition of HRG Capital for a Major Amendment to the Rolling Meadows Planned Unit Development. This petition is in accordance with City Code Title 10, Chapter 4, Section 3(C)(4)(f) in order to modify the boundary of the Rolling Meadows Planned Unit Development.

All on a tract of land described as:

Rolling Meadows Planned Unit Development

More commonly known as:

901 A Street, 903 A Street, 905 A Street, 910-912 A Street, 916-918 A Street, 913 C Street, 915 C Street, 917 C Street, 919 C Street and 117 W Polk Avenue, Charleston, Illinois 61920 (PIN #02-2-12100-000)

Social distancing may limit physical attendance at City Hall. The public hearing will also be broadcast at the following link: **[charlestonillinois.org](http://charlestonillinois.org) (agendas, packets and videos for City Council and BZAP)**

Interested parties can participate in any of the following 3 ways:

**1. Submission of written comments before the public hearing:**

- Written comments may be emailed to **City Clerk Deborah Muller at [cityclerk@co.coles.il.us](mailto:cityclerk@co.coles.il.us)**
- Written comments received by 5:00 p.m. on Friday, October 20, 2023 will be included in the meeting packet sent to the Board of Zoning Appeals and Planning. This meeting packet is also posted on the City's website: **[www.charlestonillinois.org](http://www.charlestonillinois.org)**
- Written comments received after 5:00 p.m. on October 20, 2023 through 5:00 p.m. on October 25, 2022 will be emailed directly to the Board of Zoning Appeals and Planning but will not be included in the meeting packet or posted on the City's website.
- Written comments received after 5:00 p.m. on October 25, 2023 will be added to the case file.

**2. Participation during the public hearing:**

- If you wish to provide comment, testimony, questions, or cross examination on a petition, or otherwise address the BZAP on any public hearing matter before it, please email Deborah Muller, City Clerk at the following email addresses to register your participation before 5:00 p.m. on the day of the hearing: [cityclerk@co.coles.il.us](mailto:cityclerk@co.coles.il.us) Alternatively, you may obtain a registration form outside the public hearing room, fill the form out, and place it in the registration form box, which will be brought to the dais prior to the meeting.
- Individuals who do not wish to speak during the public hearing may simply indicate whether they support or are opposed to the application. The individual's name and their position on the application will be read aloud into the record at the hearing. Any written comments submitted by an individual in conjunction with their position will also be read into the record, subject to compliance with the City's public comment and public hearing rules and procedures.
- Individuals who register to speak in advance will receive an email from City staff with information about how to join the meeting.
- Individuals who fail to register in advance may participate in the hearing by following the instructions provided on the meeting agenda.

**3. Other methods of participation:** Any individual who would like to listen to the meeting by telephone or who may require an accommodation to listen to or participate in the meeting, should contact the **City Clerk Deborah Muller at 217-345-5650 and/or email [cityclerk@co.coles.il.us](mailto:cityclerk@co.coles.il.us)** as soon as possible.

To request a copy of the application or questions regarding the application, please contact the City of Charleston City Planner at 217-345-5650. Members of the public may be heard at the public hearing.

/s/ Deborah Muller  
City Clerk

-0-

***Publisher's Note:***


***Please publish one (1) time on Saturday, October 7, 2023***

# City of Charleston

Section 1-2

## APPLICATION TO APPEAR BEFORE THE CHARLESTON BOARD OF ZONING APPEALS AND PLANNING

### 1. APPLICANT INFORMATION:

APPLICANT: HRG Capital  David Lazarus Jr. DATE: 9/20/2023  
(print name) 09/20/23 (signed)  
 ADDRESS: 43902 Woodward Ave. PHONE No.: 810-627-1657  
 CITY / STATE / ZIP: Bloomfield Hills, MI 48302

### 2. TYPE OF APPLICATION:

(Check applicable box(es) and provide responses to corresponding exhibits attached herein. Please refer to the Charleston City Code for required information for sections that do not have specific exhibits included in this packet.)

Zoning Variance (exhibit 1) ☐ Planned Unit Development ☒  
 Conditional Use Permit (exhibit 2) ☐ Major Subdivision ☐  
 Zoning Map Amendment (exhibit 3) ☐ Appeal of Code Official's Decision ☐  
 Zoning Text Amendment (exhibit 3) ☐  
 Other (Please Describe): Amend plat to eliminate property encroachment.

Brief Project Description: Original plat has errors that create encroachments on property lines.

Zoning Classification: \_\_\_\_\_

### 3. REQUIRED DOCUMENTS (TO BE PROVIDED BY THE APPLICANT):

- A. Street Address of the Subject Property: 913 C Street, Charleston, IL 61920
- B. Subject Property Legal Description (to be provided to the City in electronic format as a Microsoft Word Document / email the subject property's legal description to: [cityplanner@co.coles.il.us](mailto:cityplanner@co.coles.il.us))
- C. Letter of Intent (a one page description of the project and the why the request is necessary)
- D. Plans ("blueprints" or similar plan sheets showing as applicable: site plan, elevations, floor plan)
- E. Provide any additional information as required and detailed in the Charleston City Code or as requested by the Charleston Code Official

FOR OFFICE USE ONLY			Application Number: _____		
Submitted Date:	Sent to Publish:	Published Date:	Hearing Date:	To Council Date:	Affected Zoning:

January 2015

**4. OWNER INFORMATION:**

A. Do you own this property fee simple (if yes, check yes and skip to #5)?

YES: ☒NO: ☐

B. If the applicant is not the owner of this property please provide the following:

OWNER \*: David Lazarus David Lazarus Jr.  
(print name) (signed)DATE: 09/20/23ADDRESS: 43902 Woodward Ave, Bloomfield Hills, MI 4830PHONE No.: 810-627-1657CITY / STATE / ZIP: Bloomfield Hills, MI 48302

C. If the property is owned by a land trust, who has beneficial interest in this property?

TRUST NAME \*: N/A

DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE No.: \_\_\_\_\_

CITY / STATE / ZIP: \_\_\_\_\_

TRUST'S REPRESENTATIVE: \_\_\_\_\_  
(print name) (signed)

DATE: \_\_\_\_\_

TRUST'S REPRESENTATIVE: \_\_\_\_\_  
(print name) (signed)

DATE: \_\_\_\_\_

TRUST'S REPRESENTATIVE: \_\_\_\_\_  
(print name) (signed)

DATE: \_\_\_\_\_

\* If Owner(s) is different than the Applicant, please attach a letter from the Owner(s) authorizing submittal of this Application to the Charleston Board of Zoning Appeals and Planning.

**5. APPLICANT'S REPRESENTATIVE:**

If the applicant is planning to be represented by a third party for purposes of this application and to appear on behalf of the applicant at the Charleston Board of Zoning Appeals and Planning meetings, please provide the Representative's contact information below:

REPRESENTATIVE: Kirk W. Swensen Kirk Swensen  
(print name) (signed)DATE: 09/20/23REPRESENTATIVE'S FIRM NAME (IF APPLICABLE) Century 21 KIMA PropertiesADDRESS: 705 W Lincoln AvePHONE No.: 217-273-8806CITY / STATE / ZIP: Charleston, IL 61920

## **Rolling Meadows PUD**

### **Summary of Proposed Amendment**

MAC Apartments, LLC currently owns the property known as "Rolling Meadows, PUD" (Coles County Assessor PIN 02-2-12100-000).

MAC Apartments, LLC also owns the property north of "Rolling Meadows, PUD" known as 16 W Harrison Avenue (Coles County Assessor PIN 02-1-04598-000)

The 16 W Harrison property has a barn that encroaches onto the PUD property. MAC Apartments wishes to transfer a portion of the PUD property to the 16 W Harrison property. This will require an amendment to "Rolling Meadows, PUD".

It is proposed that +/-0.535 acres be removed from the PUD. The western boundary being 12' west of the encroaching barn. The southern boundary being along an existing fence +/-14.5' north of the northern most apartment building. The northern and eastern boundaries will be along the existing boundaries of "Rolling Meadows, PUD".

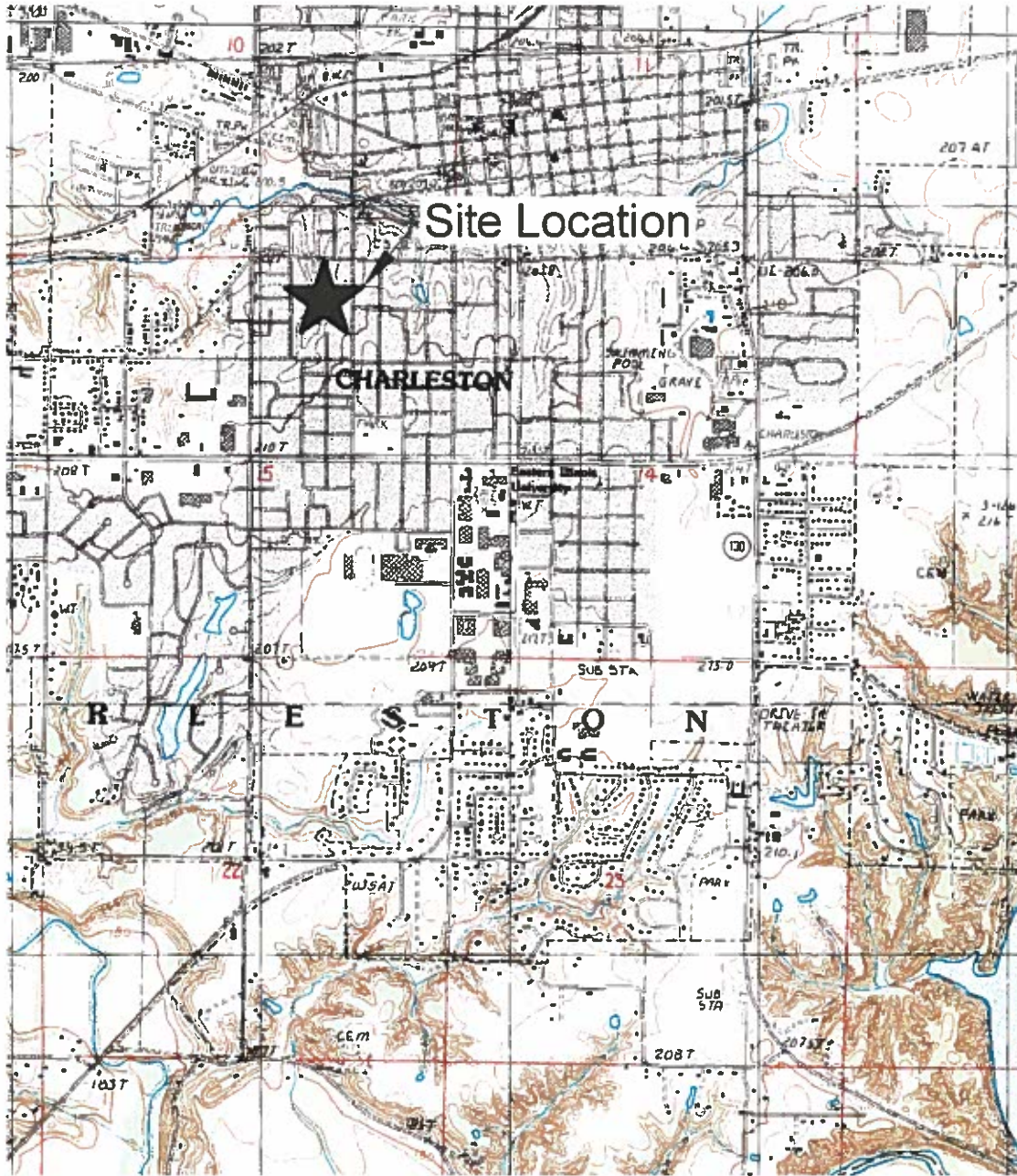
The underlying zoning for this area is R-1 with a rear yard setback of 25' and side yard setback of 6'. The new boundary line would be considered side yards in this proposal.

#### **Index of Sheets**

1. Summary of proposed amendment
2. Area map
3. Site Map
4. Detail of area to be removed
5. Plat of survey
6. Current recorded plat of PUD



## Proposed Amendment - Area Map



## RANKIN LAND SURVEYING

2412 Prairie Avenue - Mattoon, IL 61938 - 217 460 0825  
Illinois Professional Design Firm No. 184.007891-0008

Completed at the request of:

MAC Apartments, LLC c/o Kirk Swensen

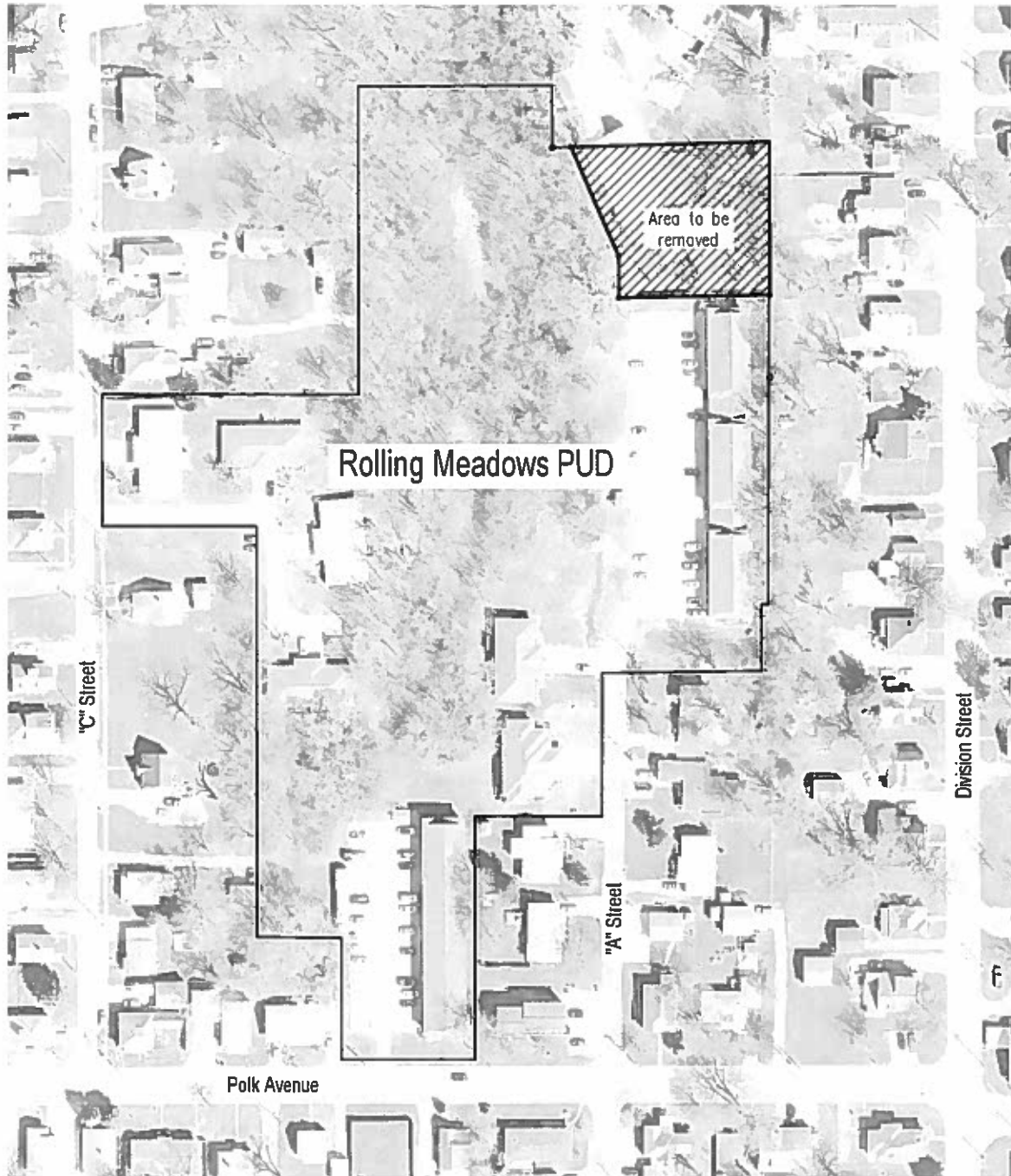
RLS File No. 189416123  
Sheet 2-1



Scale 1" = 150'

# Rolling Meadows PUD

## Proposed Amendment - Site Map



Completed at the request of:

**MAC Apartments, LLC c/o Kirk Swensen**

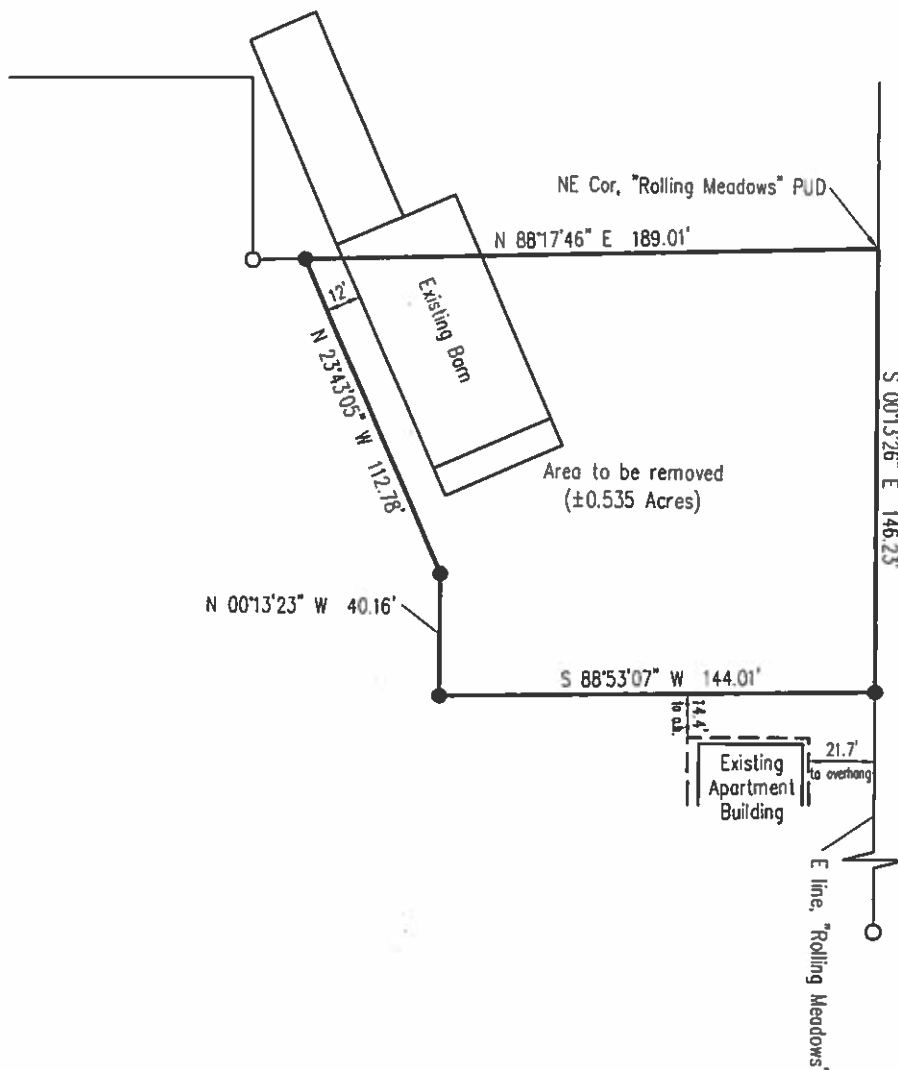
**RANKIN LAND SURVEYING**

2412 Prairie Avenue - Mattoon, IL 61838 - 217 460 0825  
Illinois Professional Design Firm No. 184 007891-0008

RLS File No. 189416123  
Sheet 3-1

# Rolling Meadows PUD

## Proposed Amendment Area to be Removed



### Legend

- Survey Marker Found
- Iron Pin set W/IPLS cap #3355
- Boundary of Property
- (0.00' r) Record measurement

**RANKIN LAND SURVEYING**

2412 Prairie Avenue - Mattoon, IL 61838 - 217 460 0825  
Illinois Professional Design Firm No. 184 007891-0008

Completed at the request of:

MAC Apartments, LLC c/o Kirk Swensen

RLS File No. 189416123  
Sheet 4-1



Space for Recorder

# Plat of Survey

## Description of Property Surveyed

A part of "Rolling Meadows" Planned Unit Development, City of Charleston, Coles County, Illinois being more particularly described as follows: Beginning at the Northeast Corner of "Rolling Meadows" Planned Unit Development, City of Charleston, Coles County, Illinois; thence South 00 degrees 13 minutes 26 seconds East along the east line of said Planned Unit Development a distance of 146.23 feet; thence South 88 degrees 53 minutes 07 seconds West a distance of 144.01 feet; thence North 00 degrees 13 minutes 23 seconds West a distance of 40.16 feet; thence North 23 degrees 43 minutes 05 seconds West a distance of 112.78 feet; thence North 88 degrees 17 minutes 46 seconds East a distance of 189.01 feet to the point of beginning containing 0.535 acres more or less.

### Surveyor notes:

1. Field work completed on June 23, 2022
2. No subsurface exploration was made.
3. No search was made for easements, vacations or dedications.
4. Bearings based on Illinois State Plane Coordinates, East Zone (NAD83) as determined by GPS Observation.
5. This plat is a true representation of a survey completed by me or under my direction.
6. This service conforms to the current Illinois Minimum Standards of Practice applicable to Boundary Surveys.

### Note:

The property described in this survey is part of Parcel 02-2-12100-000 as identified by the Assessor of Coles County.

Dated this 23<sup>RD</sup> day of JUNE 20 22

David C. Rankin

David C. Rankin  
Illinois Professional Land Surveyor No. 3355  
License Expires 11-30-2022

Survey Completed at the request of:

Kirk Swensen



Part of "Rolling Meadows"  
Planned Unit Development,  
City of Chareleston, Coles  
County, Illinois

**RANKIN LAND SURVEYING**

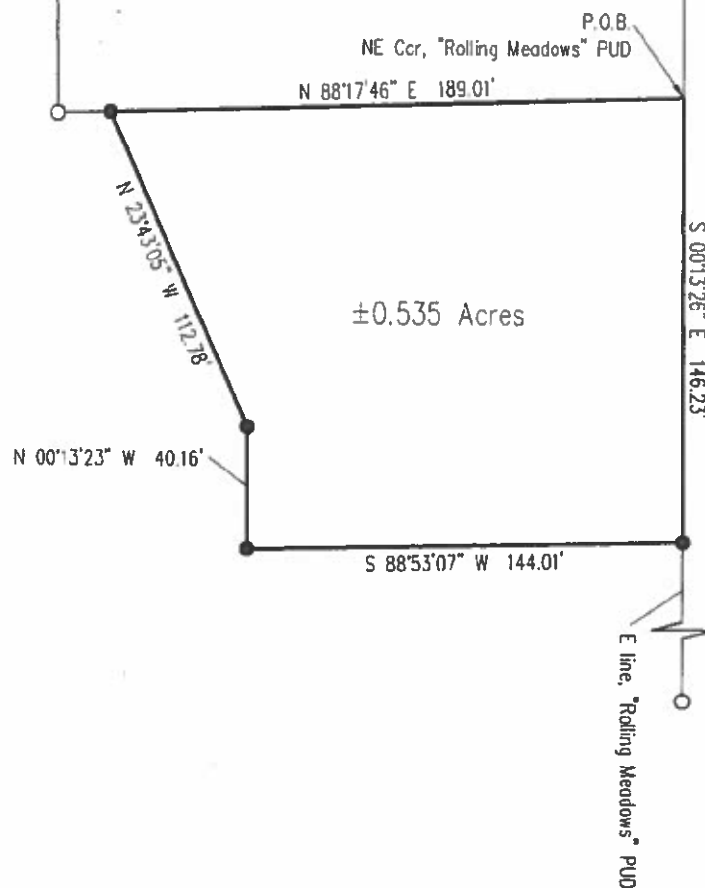
2412 Prairie Avenue - Mattoon, IL 61938 - 217 460 0825  
Illinois Professional Design Firm No. 184 007891-0008

RLS File No. 159408922  
Sheet 1 of 2

# Plat of Survey



Scale 1" = 60'



## Legend



Survey Marker Found



Iron Pin set W/IPLS cap #3355



Boundary of Property Surveyed

Survey Completed at the request of:

Kirk Swensen

**RANKIN LAND SURVEYING**

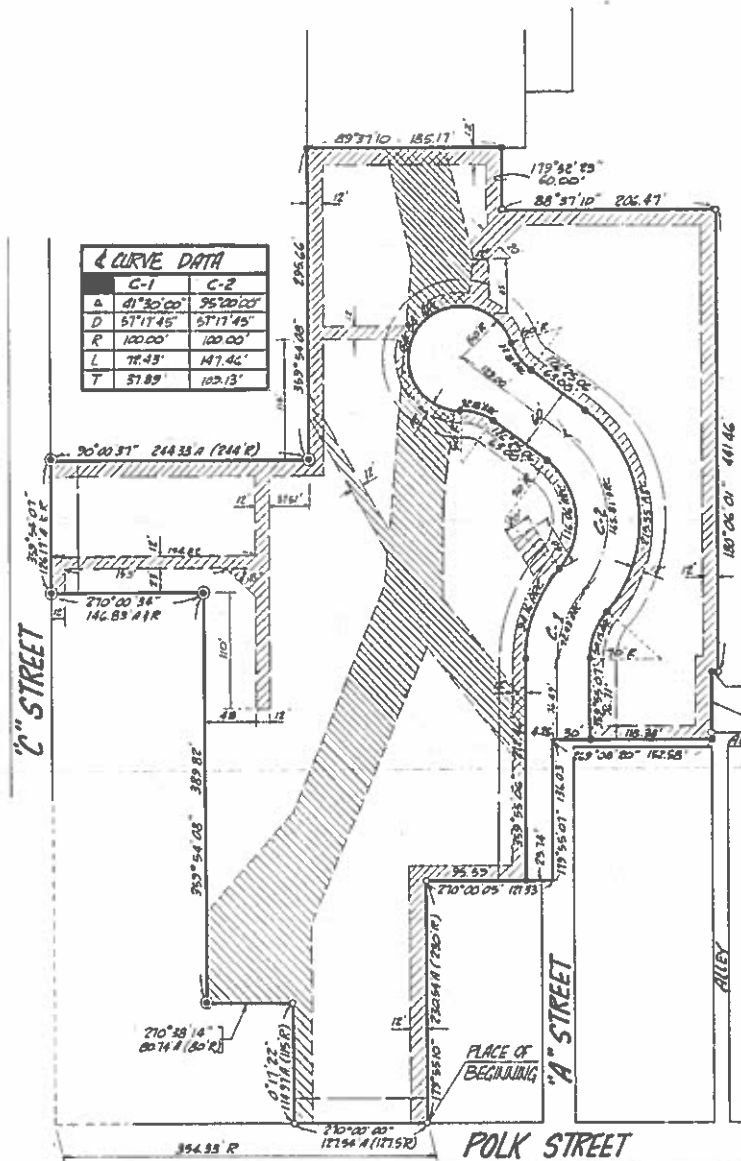
2412 Prairie Avenue - Mattoon, IL 61938 - 217 460 0825  
Illinois Professional Design Firm No. 184 007891-0008

RLS File No. 159408922

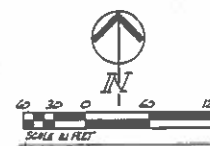
Sheet 2 of 2

# "ROLLING MEADOWS"

PLANNED UNIT DEVELOPMENT  
CHARLESTON, ILLINOIS



CURVE DATA	
C-1	C-2
A 41°30'00"	95°20'00"
D 51°17'45"	57°17'45"
R 100.00'	100.00'
L 78.43'	147.46'
T 57.89'	102.13'



- LEGEND
- EXISTING SURVEY MARKER
  - SURVEY MARKER SET
  - CONCRETE MONUMENT
  - EXIST 4" OR 6" CONCRETE MONUMENT
  - UTILITY EASEMENT
  - SEWER EASEMENT \*

ROLLING MEADOWS PLD  
CIVIL ENGINEER  
JAMES MICHAEL DAVIDSON  
J.E.S. #3384 & I.E.P. #3387



\* EXIST SEWER EASEMENT INFORMATION OBTAINED FROM  
EXIST CITY MAPS AND ACTUAL SEWER LOCATION

DEVELOPERS:  
MICHAEL A. CARLYLE  
BARBARA J. CARLYLE  
16 W. HARRISON ST.  
CHARLESTON, ILL. 61920

SOURCE OF TITLE  
MORTGAGE DEED BOOK  
PAGE  
COUNTY CLERK'S OFFICE  
COLES COUNTY, ILLINOIS

STATE OF ILLINOIS )  
COUNTY OF COLES ) S.S.

I, JAMES MICHAEL DAVIDSON, REGISTERED LAND SURVEYOR #2384 do hereby certify that, at the request of the developer of the hereinafter described tract of land surveyed and developed as shown on the attached plat, and said plat is a true representation of said development to Charleston, Illinois, which Planned Unit Development is to be known as "ROLLING MEADOWS" planned Unit Development.

The scale on the plat is as indicated. All lengths and distances are marked on the plat in feet and decimal parts of feet.

The description of the property to be subdivided and platted is as follows:

Beginning at an existing iron pin marking the Southeast corner of Lot #Seventeen (17) of County Clerk's Survey Number Four (4) of Lots #15 (15) to #Eighteen (18) inclusive, of Assessor's Subdivision of the West Half (1/2) of the Northwest Quarter (NW 1/4) of Section Fifteen (15), Township Twelve (12) North, Range Nine (9) East of the Third Principal Meridian, Coles County, Illinois, also being on the North line of Polk Street; Thence AS 270°-00'-00", along said North line 127.54 feet actual (127.54 feet record); Thence AS 8°-37'-23", 114.97 feet actual (114.97 feet record); Thence AS 270°-38'-14", 80.74 feet actual (80 feet record); Thence AS 269°-54'-48", 269.32 feet; Thence AS 270°-00'-34", 148.23 feet actual and record to the East line of "C" street; Thence AS 268°-54'-07", along said East line 126.17 feet actual and record; Thence AS 90°-00'-37", 264.52 feet actual (264 feet record); Thence AS 269°-54'-08", 238.68 feet; Thence AS 88°-37'-10", 146.17 feet; Thence AS 178°-53'-23", 60.00 feet; Thence AS 68°-37'-10", 208.47 feet; Thence AS 180°-00'-01", 441.46 feet; Thence AS 270°-19'-09", 6.00 feet; Thence AS 179°-08'-50", 82.33 feet actual and record; Thence AS 269°-00'-50", 132.88 feet; Thence AS 178°-54'-07", 136.62 feet; Thence AS 270°-00'-08", 131.33 feet; Thence AS 178°-54'-10", 330.84 feet actual (330 feet record) to the place of beginning containing 7.966 acres

I further certify that no part of the property covered by this plat or development is within 500 feet of any surface water course serving a tributary area of 640 acres or more, and to the best of my knowledge and belief the drainage of surface water will not be changed by the construction of this development.

Dated this 28th day of APRIL, 1989 A.D.

JAMES MICHAEL DAVIDSON I.L.S. #2384 & I.E.P. #3387

STATE OF ILLINOIS )  
COUNTY OF COLES ) S.S.  
CITY OF CHARLESTON )

Under authority provided by the Illinois Revised Statutes, and ordinances adopted by the City Council of the City of Charleston, Illinois, this plat was given approval by the Board of Zoning Appeals and Planning of the City of Charleston, as follows: Approved by the Board of Zoning Appeals and Planning at a meeting held this 24th day of February 1989 A.D.

ATTEST:  
SECRETARY  
Wm J. Hill

Under Authority provided by Illinois Revised Statutes, and ordinances adopted by the City Council of the City of Charleston, Illinois, this plat was given approval by the City of Charleston, Illinois at a meeting held this 18th day of April 1989.

ATTEST:  
CITY CLERK  
MAYOR

STATE OF ILLINOIS )  
COUNTY OF COLES ) S.S.

We, MICHAEL A. and BARBARA J. CARLYLE hereby certify that we are the legal owners of the premises above described in the certificate of the Surveyor and that we have caused the above described Real Estate to be surveyed and developed as shown on the attached plat by JAMES MICHAEL DAVIDSON, a Registered Illinois Land Surveyor, with a view of having the plat recorded as provided by law, that said development is to be known as "ROLLING MEADOWS" Planned Unit Development. This development is laid out and this plat is made, executed and delivered subject to all of the lot deed restrictions and protective covenants recorded on separate documents in Book # N/A, page # N/A in the Recorder's office of Coles County, Illinois. In testimony whereof, I have caused these present to be signed this day of

MICHAEL A. CARLYLE

BARBARA J. CARLYLE

STATE OF ILLINOIS )  
COUNTY OF COLES ) S.S.

I the undersigned, a NOTARY PUBLIC in and for the said County and State aforesaid, do hereby certify that the aforesaid signed OWNER is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, owned, and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 28th DAY OF APRIL, 1989 A.D.

NOTARY PUBLIC

STATE OF ILLINOIS )  
COUNTY OF COLES ) S.S.

I, BETTY COFFIN do hereby certify that I am the duly elected, qualified and acting County Clerk of the County of Coles and State of Illinois, and I further certify that I have examined the records of the aforesaid County which show the general taxes and special assessments, current and delinquent, on real estate located in Coles County aforesaid, and that I find no delinquent general taxes or special assessments, not unpaid current general taxes or special assessments against the tract of land described in the upon which this statement is rendered.

Dated This 28th day of April 1989 A.D.

COLES COUNTY CLERK

J.M. Davidson & Associates  
Civil Engineers  
Structural Engineers  
Land Surveyors  
6175 2nd Street  
Charleston, IL 61920

### **Description of Property Surveyed**

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