



ORDINANCE NO. 802

AN ORDINANCE GRANTING A VARIANCE TO CHERYL M.
GILBERT FOR PROPERTY LOCATED AT 106 TAZEWELL
STREET TO EXCEED THE SIZE LIMITATIONS OF AN
ACCESSORY STRUCTURE

Published in pamphlet form by authority of the Village
President and Board of Trustees of the Village of
Mackinaw

March 8, 2010

ORDINANCE NO. 802

AN ORDINANCE GRANTING A VARIANCE TO CHERYL M. GILBERT
FOR PROPERTY LOCATED AT 106 TAZEWELL STREET TO EXCEED
THE SIZE LIMITATION OF AN ACCESSORY STRUCTURE

WHEREAS, an application has properly been submitted by Cheryl M. Gilbert for a variance to exceed the size limitation of an accessory structure as stated in Section 153.052 of the Village Code of the Village of Mackinaw to build an accessory structure 30 feet x 36 feet.

WHEREAS, the proper procedure has been in all respects followed under the Village Code of the Village of Mackinaw.

WHEREAS, the Zoning Board of Appeals of the Village of Mackinaw conducted a hearing on the proposed requested variance on February 9, 2010 at the Village of Mackinaw Municipal Building at 7:30 P.M. Cheryl M. Gilbert and John Jackson appeared in support of the variance. No person, firm, or entity appeared to object to the proposed requested variance.

WHEREAS, the Zoning Board of Appeals of the Village of Mackinaw recommends that the variance be granted.

WHEREAS, the granting of the request for variance is desirable.

WHEREAS, that special conditions and circumstances exist which are not applicable to other lands or structures in the same district.

WHEREAS, literal interpretation of the provisions of the Zoning Ordinance of the Village of Mackinaw would deprive the applicant of rights commonly enjoyed by other lands or structures in the same district.

WHEREAS, the special conditions and circumstances do not result from the actions of the applicant.

WHEREAS, the granting of the variance requested will not confer on the applicant any special privilege that is denied by the zoning ordinance of the Village of Mackinaw to other lands or structures in the same district.

NOW THEREFORE BE IT ORDAINED, by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois, as follows:

SECTION 1: The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.


SECTION 2: The applicant, Cheryl M. Gilbert, is hereby granted a variance to allow the construction of a 30 foot x 36 foot accessory structure.

SECTION 3: The zoning officer may issue a building permit that allows the proposed development on the foregoing described property pursuant to the variance that is herein granted but in all other respects the building permit shall not waive or modify the provisions of the Zoning Code of the Village of Mackinaw and the applicant for any such building permit shall comply with the Zoning Ordinance of the Village of Mackinaw.


SECTION 4: This Ordinance shall be effective upon passage.

PASSED by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois, on the 8th day of March, 2010.

APPROVED: 


Craig Friend, President of the Board of Trustees

ATTEST:


Austen Wood, Village Clerk

AYES: 6

NAYS: 0

ABSENT: 0

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) SS
VILLAGE OF MACKINAW)

CERTIFICATE OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the 8th day of March, 2010, insofar as same relates to the adoption of Ordinance No. 802, entitled:

"An Ordinance granting a variance to Cheryl M. Gilbert for property located at 106 Tazewell Street to exceed the size limitation of an accessory structure."

a true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of Ordinance No.802, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on March 10, 2010 and continuing for at least ten days thereafter. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by six members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this 24th day of March, 2010.



[Redacted Signature]

Village Clerk