

ORDINANCE NO. 942

AN ORDINANCE GRANTING A VARIANCE TO LEEANN COTTON FOR PROPERTY LOCATED AT 202 EAST FRANKLIN, MACKINAW, ILLINOIS TO ALLOW A SIDE SETBACK OF FIVE FOOT SIX INCHES, A REDUCTION OF FOUR FOOT SIX INCHES FROM THE REQUIRED SETBACK OF TEN FEET.

WHEREAS, an application has properly been submitted by LeeAnn Cotton for a variance to permit a side setback of five foot six inches, a reduction of four foot six inches from the required setback of ten feet on the applicant's property at 202 East Franklin, Mackinaw, Illinois;

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. No person, firm or entity appeared to object to the proposed requested variance;

WHEREAS, the Zoning Board of Appeals of the Village of Mackinaw recommended that the variance be granted;

WHEREAS, the granting of the requested variance is desirable;

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

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

WHEREAS, that 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 recitations and findings contained in the preamble to this Ordinance and the finding of the Zoning Board of Appeals of the Village of Mackinaw attached hereto as Exhibit A are found to be true and correct and are hereby adopted as part of this Ordinance.


SECTION 2. LeeAnn Cotton is hereby granted a variance for its property at 202 East Franklin, Mackinaw, Illinois, to allow a side setback of five foot six inches, a reduction of four

foot six inches from the required setback of ten feet, as requested in the application for variance attached hereto as Exhibit B.

SECTION 3. This Ordinance shall be effective upon passage.

PASSED by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois, this 26<sup>th</sup> day of June, 2017.

APPROVED:

  
Craig Friend, President of the Board Trustees

ATTEST:

  
Lisa Spencer, Village Clerk

AYES: 6

ABSENT: 0


NAYES: 0

STATE OF ILLINOIS            )  
  )ss.  
TAZEWELL COUNTY            )  
  )  
VILLAGE OF MACKINAW        )

CERTIFICATION

I, Lisa Spencer, Village Clerk of the Village of Mackinaw, Tazewell County, Illinois, do hereby certify that as such officer, I am the Clerk of the Board of Trustees of said Village, the keeper and custodian of the books, papers, records, reports, ordinances and minutes of the meetings of the Board of Trustees of said Village; and that the instrument attached hereto is a full, true and correct copy of the original Ordinance adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting thereof on the 26<sup>th</sup> day of June, 2017, approved by the Board, 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 26th day of June, 2017.

  
\_\_\_\_\_  
LISA SPENCER, Village Clerk  
Village of Mackinaw  
Tazewell County, Illinois



**FINDINGS OF FACT OF THE ZONING BOARD  
OF THE VILLAGE OF MACKINAW, ILLINOIS**

WHEREAS, an application for a variance pursuant to Section 153.165 of the Village Code of the Village of Mackinaw has been submitted by LeeAnn Cotton and Jack Richardson of 202 E Franklin St, requesting a variance to permit any yard, court, buffer strip, setback line or spacing between buildings of less than required by the applicable regulation as stated in Section 153.055 of the Village Code.

WHEREAS, the request will apply to the following described real estate within the Village of Mackinaw: 202 E Franklin St. located in the Village of Mackinaw.

WHEREAS, the Village Board may grant a variance, by ordinance, in a specific case and after a public hearing before the Zoning Board, in accordance with the procedure hereinafter set forth in Section 153.165 of the Village Code when it appears:

(a) That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other lands or structures in the same district

WHEREAS, this cause was called for hearing on June 7, 2017 at the Village of Mackinaw Municipal Building at the hour of 7:35 p.m. for the purpose of considering the request from Jack Richardson and notice had been given pursuant to Village Code Section 153.165 (F) of the Village Code of the Village of Mackinaw by publication in the Pekin Daily Times, a copy of which has been filed with the Zoning Board of the Village of Mackinaw.

WHEREAS, the Zoning Board makes the following findings of fact and recommendations to the Village Board of the Village of Mackinaw:

The conditions set fourth in Section 153.165 have been met by the applicant and it is the recommendation of the Zoning Board that the applicant be granted the aforementioned variance to permit the side yard depth to be 5'6" instead of 10'.

Passed and approved this 7<sup>th</sup> day of June 2017.

AYES:

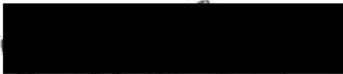
6


NAYS:

0

ABSENT:

1

  
Ted Laidig, Chairman

  
Josh Mathis, Zoning Officer

# VILLAGE OF MACKINAW

COUNTY OF TAZEWELL  
STATE OF ILLINOIS

TO: Zoning Board of Appeals of the Village of Mackinaw, County of Tazewell,  
State of Illinois.

## APPLICATION FOR VARIANCE


Application is hereby made for a variance under Section 153.165, Code of Ordinances for the Village of Mackinaw, Illinois.

1. State the applicant's name LeeAnne Cotten, and address 202 E. Franklin
2. State the location of the property for which the variance is requested:
  - a. Street address: 202 E. Franklin
  - b. Legal description of property: Small home on property of 150 ft X 55 ft
  - c. Tax ID #: \_\_\_\_\_
3. The Village Board may grant a variance, by ordinance, in a specific case and after a public hearing before the Zoning Board, in accordance with the procedure hereinafter set forth when it appears:
  - a. That special conditions and circumstances exist which are not applicable to other lands or structures in the same district;
  - b. That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other lands or structures in the same district;
  - c. That the special conditions and circumstances do not result from the actions of the applicant;
  - d. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands or structures in the same district.

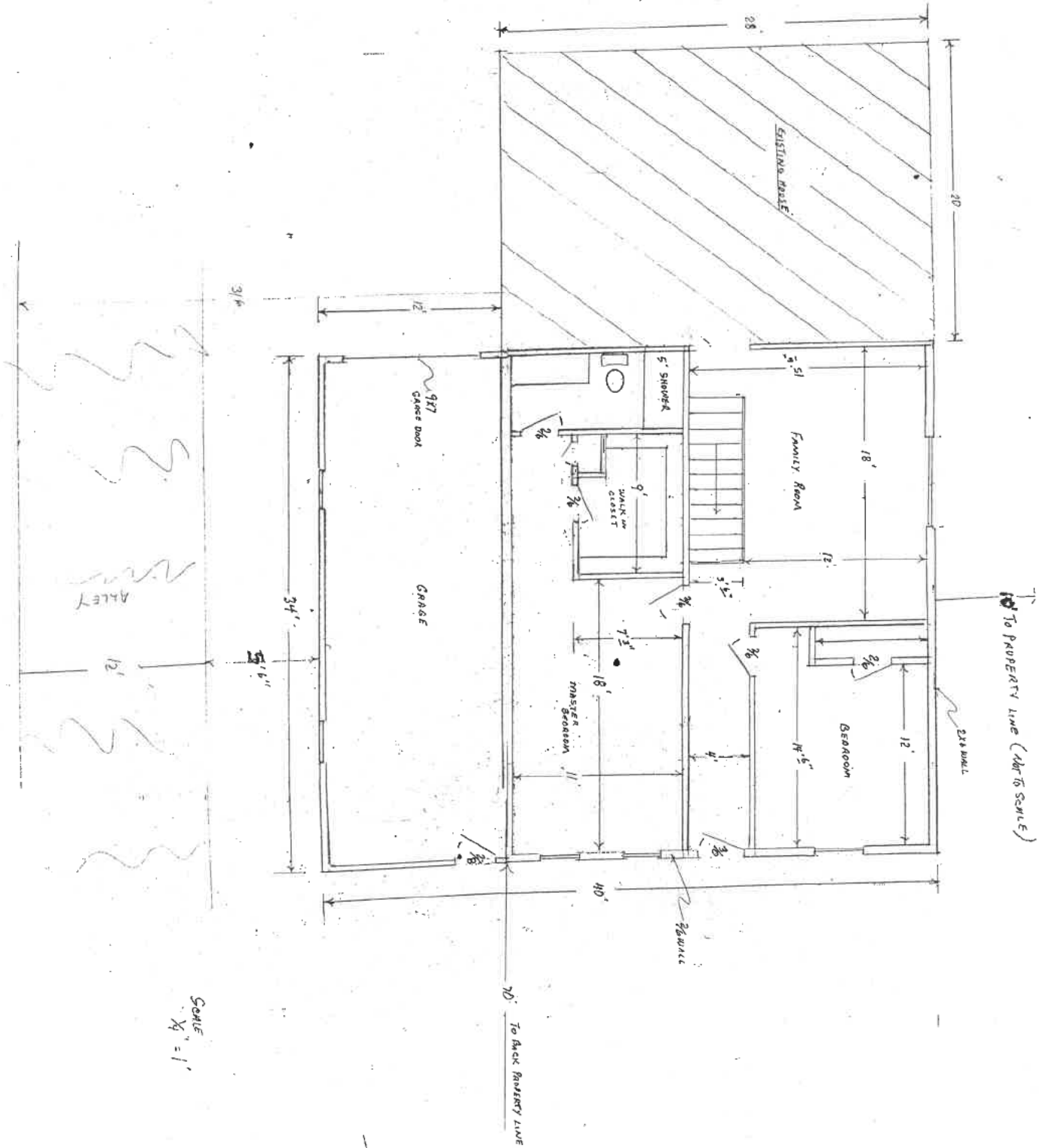
State the facts which the applicant believes bring him within the requirements set forth above: I would like to add a small addition as well as a single stall garage to my home. It won't affect any obstruction to the street in front of my home as well as the east alley used mainly by utility vehicles.

Dated this 31 day of May, 2017.

  
Signature of Applicant

  
Phone Number

The original copy of such application shall be retained by the Zoning Officer. The duplicate copies shall be transmitted by the Zoning Officer to the applicant and to the Village Office to be kept on file for the Village of Mackinaw.



*Handwritten signature or scribble at the bottom of the page.*

