

ORDINANCE NO. 956

AN ORDINANCE GRANTING A VARIANCE TO PAUL LYNCH FOR PROPERTY
LOCATED AT 305 E FAST AVENUE, MACKINAW, ILLINOIS TO ALLOW A
REDUCTION IN THE MINIMUM OR AN INCREASE IN THE MAXIMUM FLOOR AREA
RATIO

WHEREAS, an application has properly been submitted by Paul Lynch for a variance to permit a reduction in the minimum or an increase in the maximum floor area ratio about or in connection with the applicants use of the property at 305 E Fast Avenue, 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 are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2. Paul Lynch is hereby granted a variance for his property at 305 E Fast Avenue, Mackinaw, Illinois, as requested in the application for variance attached hereto.

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 11th day of December, 2017.

APPROVED:



Craig Friend, President of the Board Trustees

ATTEST:



Lisa Spencer, Village Clerk

AYES: 6

ABSENT: 0

NAYES: 0

NOV 15 2017

VILLAGE OF MACKINAW

COUNTY OF TAZEWELL
STATE OF ILLINOIS

CHECK # _____ \$ _____
CC# 2500
CASH _____

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 Paul Lynch, and address 305 E First Ave
2. State the location of the property for which the variance is requested:
 - a. Street address: 305 E First Ave
 - b. Legal description of property: _____
 - 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: Due to parking limitations I would like to add on to the garage to increase parking


4. When it appears that the conditions set forth in # 3 above have been satisfied, the Zoning Board shall not recommend that the Village Board grant a variance except in the following instances:

- a. To permit any yard, court, buffer strip, setback line or spacing between buildings of less dimension than required by the applicable regulation;
- b. To permit a reduction in the minimum or an increase in the maximum floor area ratio imposed by the applicable regulations;
- c. To permit any structure to exceed the height limitations imposed by the applicable regulations;
- d. To permit greater coverage than required by the applicable regulation;
- e. To permit the use of a lot for a use otherwise prohibited solely because of the insufficient area of the lot;
- f. To permit a reduction in the minimum habitable floor area of a dwelling unit or a lodging unit;
- g. To permit a reduction in the minimum or an increase in the maximum floor areas of building as imposed by the applicable regulations;
- h. To permit a reduction in the number of off-street parking spaces or loading berths required about or in connection with a use;
- i. To permit the reconstruction of a nonconforming structure which has been destroyed or damaged to an extent of more than 50% of its value by fire, an act of God or the public enemy, where the Zoning Board shall find some compelling necessity requiring a continuance of the nonconforming structure;
- j. To permit in a Residential District the creation of new lots having areas less than the minimum specified for the district, where such new lots conform with the size of lots directly across the street from and immediately adjacent on either side, the tract being subdivided; provided, that the tract is located in an area which has been partially subdivided prior to the enactment of this chapter, it being the purpose of this variance to allow the logical completion of a subdivision plan already in progress and not to permit the extension of smaller lot sizes to surrounding lands.

Request in detail a variance restricted to one or more of the situations described above. Specify which subparagraph you believe is the basis for a variance.

would like to expand the garage larger than the
allowed 24x30. The new size would be 24x44
the

Dated this 31st day of October, 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.

