

**VILLAGE OF MT. ZION
MACON COUNTY, ILLINOIS**

Ordinance No.
2021-11

AN ORDINANCE PERMITTING A VARIANCE FOR CERTAIN PROPERTY LOCATED AT
2560 LAKE REUNION PARKWAY WITHIN THE VILLAGE OF MT. ZION,
MACON COUNTY, ILLINOIS

CERTIFICATE

State of Illinois)
)
)
County of Macon)

I, Dawn Reynolds, duly appointed Village Clerk of the Village of Mt. Zion, Macon County, State of Illinois, and as such, custodian of all Village records, do hereby certify that the attached Ordinance No. 2021-11, is a true and correct copy of AN APPROVED ORDINANCE OF THE VILLAGE OF MT. ZION, MACON COUNTY, ILLINOIS that was adopted by the Mt. Zion Village Board on April 19, 2021.

In witness whereof, I hereby set my hand and affix the seal of the Village of Mt. Zion on this 19th day of April, 2021.

Seal



Dawn Reynolds, Village Clerk

ORDINANCE NO. 2021-11

**AN ORDINANCE PERMITTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT 2560 LAKE REUNION PARKWAY
WITHIN THE VILLAGE OF MT. ZION, MACON COUNTY, ILLINOIS**

WHEREAS, On the 6th day of April 2021 the Mt. Zion Planning Commission & Zoning Board of Appeals, upon notice held a public hearing on the petition for a Variance for Chris Cuddy for property located at 2560 Lake Reunion Parkway within the corporate limits of Mt. Zion, Illinois and legally described below in connection with a Petition for Variance to encroach 3-feet on the 8-foot adjacent structure setback to construct a detached accessory building; and

Lot 31, Craycroft 2nd Addition of the Village of Mt. Zion, as per plat recorded of the Recorders Office of Macon County, Illinois. More commonly described as 2560 Lake Reunion Parkway, Decatur, Illinois 62521

WHEREAS, public notice of the aforesaid meeting of the Mt. Zion Planning Commission and Zoning Board of Appeals was duly given as required by law; and

WHEREAS, Section 150.130-150.134 permits the Village Board to approve variations from the Zoning Code; and

WHEREAS, the Village of Mt. Zion Board of Trustees has received and considered the summary findings of the Mt. Zion Planning Commission and Zoning Board of Appeals and the recommendation of approval by the Zoning Administrator, and the Village Board of Trustees believes that sufficient circumstances exist to warrant the granting of such variance, and that the granting of such variance is in the best interest of the Village.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MT. ZION, MACON COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The foregoing recitals shall be and are hereby incorporated into and made part of this Ordinance as if fully set forth in this Section 1.

SECTION 2: *Findings of Fact*

- A. Special Circumstances Not Found Elsewhere.** The property has a unique condition, one not typically found in the same zoning district, relating to the width, depth or shape of the lot, its topography, or other exceptional circumstances not created by an owner or the application.
- B. Unnecessary Hardship.** The strict application of the Zoning Ordinance and setback requirement would result in practical difficulties, as distinguished from a mere inconvenience, which would deprive the owner of the reasonable use of the property.
- C. Preserves Rights Conferred By The Village.** It is likely that the use and value of real estate adjacent to the subject site will not be affected in a substantially adverse manner by allowing the requested variance.
- D. Necessary For Use Of The Property.** Detached accessory use buildings are allowed in all residential zones.

- E. Consistency With Local Area And Comprehensive Plan.** Granting the variance is consistent with principles provided in the Comprehensive Plan. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.
- F. Minimum Variance Recommended.** The petitioner may construct an accessory structure no closer than five (5) feet to principal structure.

SECTION 3: The Mt. Zion Planning Commission and Zoning Board of Appeals recommended to the Village Board of Trustees the approval of the requested variance to allow an encroachment of three (3) feet on the eight (8) foot setback for the erection of an accessory building at 2560 Lake Reunion Parkway.

SECTION 4: The variance is hereby granted to Chris Cuddy to allow for the construction of an accessory building within five (5) feet of the principal structure as described by the applicant and as attached in Exhibit A.

SECTION 6: The variance granted herein is contingent and subject to the following conditions:

- A. The accessory building shall be constructed in a manner consistent with Exhibit A.

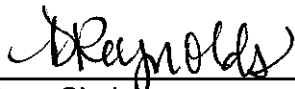
SECTION 7: This variance is hereby granted and is made subject to the applicable provisions and regulations of the Zoning and Building Codes as contained in the Code of Ordinances.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage, approval, and publications as required by law.

PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MT. ZION, MACON COUNTY, ILLINOIS, ON THE 19th DAY OF APRIL 2021.


KERNAN	<u>YEA</u>
RITCHIE	<u>YEA</u>
FRITZSCHE	<u>YEA</u>

MOSE	<u>ABSENT</u>
SIUDYLA	<u>YEA</u>
SCALES	<u>YEA</u>



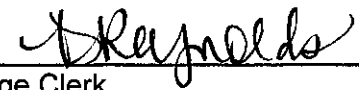
 Village Clerk

APPROVED:



 Village President

ATTEST:



 Village Clerk