

CITY OF LEROY
COUNTY OF MCLEAN
STATE OF ILLINOIS

ORDINANCE NO. 614

AN ORDINANCE APPROVING VARIANCE AS REQUESTED ON REAL ESTATE AS
DESCRIBED HEREIN

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS 17th

DAY OF July, 1995.

PRESENTED: July 17, 1995

PASSED: July 17, 1995

APPROVED: July 17, 1995

RECORDED: July 17, 1995

PUBLISHED: July 17, 1995

In Pamphlet Form

Voting "Aye" 5

Voting "Nay" 0

The undersigned being the duly qualified and acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned ordinance and that such ordinance was presented, passed, approved, recorded and published as above stated.

(SEAL)

X *Juanita Angley*
City Clerk of the City of LeRoy,
McLean County, Illinois

Dated: July 17, 1995.

ORDINANCE NO. 614

AN ORDINANCE APPROVING VARIANCE AS REQUESTED ON REAL ESTATE AS DESCRIBED HEREIN

WHEREAS, a petition for zoning variances was filed with the City of LeRoy on July 3, 1995, by Charles Epperson, Donna Epperson and Mark Haeffele, in regard to the real estate described hereinafter; and

WHEREAS, a public hearing was held by the Zoning Board of Appeals of the City of LeRoy, Illinois on July 13, 1995, at 7:10 p.m., at a regular meeting, at the City Hall, LeRoy, Illinois, in accordance with the laws of the State of Illinois and the ordinances of the City of LeRoy, McLean County, Illinois, to consider the aforesaid petition, after due notice was given in accordance with all applicable laws and ordinances; and

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, and Illinois municipal corporation, have received the written findings and recommendations of the Zoning Board of Appeals of the City of LeRoy, upon the conclusion of the aforesaid hearing; and

WHEREAS, the Mayor and City Council of the City of LeRoy have duly considered the information presented by the Zoning Board of Appeals in its written summary of the hearing and the recommendation of said Board of Appeals and find that it is in the best interests of the City and its residents that said variances be approved as requested; and

WHEREAS, all things required by law and by ordinance to be done in regard to the petition for zoning relief of the hereinafter described property have been completed;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of LeRoy, Illinois, in lawful meeting assembled as follows:

Section 1. The real estate described as follows:

See Attached Exhibit A

is hereby granted variances for the purposes as requested in the aforesaid petition, said variances being set forth in Exhibit B attached hereto and incorporated herein by reference.

Section 2. The City Clerk of the City of LeRoy, McLean County, Illinois, is hereby directed to see that copies of this ordinance are distributed as appropriate, including a certified copy to the Petitioner.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as required by law

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by
Ronnie Litherland _____, seconded by _____ Lois Parkin _____

_____, by roll call vote on the 17th day of July, 1995, as follows:

Aldermen elected 6 Aldermen present 5

VOTING AYE:

David McClelland, Lois Parkin, Ronnie Litherland, Dawn Thompson, George Cook

(full names)

VOTING NAY:

None

(full names)

ABSENT, ABSTAIN, OTHER:

Fred Dodson absent

(full names)

and deposited and filed in the office of the City Clerk in said municipality on the 17th day of
July, 1995.

X Juanita Dagley
Juanita Dagley, City Clerk of the City of LeRoy,
McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 17th day of
July, 1995.

X Jerry C. Davis
Jerry C. Davis, Mayor of the City of LeRoy,
McLean County, Illinois

ATTEST: (SEAL)

X Juanita Dagley
Juanita Dagley, City Clerk, City of LeRoy,
McLean County, Illinois

Lots 1 thru 9 (not including Lots 9A & 9B), and Lots 10 thru 27, all in Countryside Estates Subdivision to the City of LeRoy, all in accordance with an unrecorded plat dated July 3, 1995, and approved by the City Council of the City of LeRoy, on July 17, 1995, in McLean County, Illinois;

(The previously described real estate having formerly been described as a resubdivision of lots 1, 2, 6, 7, 11 and 12 of Central Prairies Commercial Park in the East 1/2 of Section 29, Township 22 North, Range 4 East of the Third Principal Meridian as shown on the plat recorded April 16, 1981 as Document No. 81-3119, and being situated in the City of LeRoy, McLean County, Illinois, EXCEPT that portion of the aforesaid resubdivision described as Lots 28 and 29 of Countryside Estates Subdivision, and being situated in LeRoy, McLean County, Illinois;

Said first described real estate having also been described as Lots 6,7,8,11 and 12 in Central Prairies Commercial Park Subdivision of the City of LeRoy and the East approximate 150 feet of Lot 2 in Central Prairies Commercial Park Subdivision of the City of LeRoy and the East approximate 350 feet of Lot 1 in Central Prairies Commercial Park Subdivision of the City of LeRoy, all as more specifically shown in the attached Exhibit 1, with the portions of Lots 1 and 2 of Central Prairies Commercial Park Subdivision of the City of LeRoy to remain zoned C-2, Highway Commercial, being shown in "cross-hatch" markings and the portions of the aforesaid lots in Central Prairies Commercial Park Subdivision of the City of LeRoy to be rezoned R-1 shown with horizontal line-type markings.)

EXHIBIT A

(All "section" references are to the particular sections of the City of LeRoy Zoning Ordinance, as amended. As to the lot areas and lot widths, see Sections 21.09 (e) 1., and 21.09 (e.) 2., respectively. As to side-yard setback requirements see Section 21.09 (e) 3.)

Specifically, as to each numbered lot shown on Attachment No. 2, variances are approved as follow:

- As to Lot 1 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 8,940 square feet as to said lot;
- (2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 65 feet;
- (3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the south side of said lot of zero feet.
- As to Lot 2 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 8,450 square feet as to said lot;
- (2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 65 feet;
- (3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the north side of said lot of zero feet.
- As to Lot 3 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 6,300 square feet as to said lot;
- (2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the south side of said lot of zero feet.

As to Lot 4 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,760 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the north side of said lot of zero feet.

As to Lot 5 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,670 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09(e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the south side of said lot of zero feet.

As to Lot 6 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,670 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the north side of said lot of zero feet.

As to Lot 7 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,670 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the south side of said lot of zero feet.

- As to Lot 8 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,670 square feet as to said lot;
- (2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;
- (3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the north side of said lot of zero feet.
- As to Lot 9 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 6,562 square feet as to said lot;
- (2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 35 feet;
- (3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the north side of said lot of zero feet.
- As to Lot 10 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 6,562 square feet as to said lot;
- (2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 35 feet;
- (3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the south side of said lot of zero feet.
- As to Lot 11 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 6,900 square feet as to said lot;
- (2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 60 feet;
- (3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the west side of said lot of zero feet.
- As to Lot 12 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,175 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the east and west sides of said lot of zero feet.

As to Lot 13 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,750 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum a triangular shaped lot with dimensions of approximately 115 feet on the east side, north and south, 110 feet on the south side, east and west, and approximately 145 feet on the street side, being the third side of the triangle with the right angle of the triangle being at the intersection of the east and south boundary lines;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the east side of said lot of zero feet.

As to Lot 14 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 4,400 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the south side of said lot of zero feet.

As to Lot 15 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 4,800 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the north side of said lot of zero feet.

As to Lot 16 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 6,500 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 50 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the north side of said lot of zero feet.

As to Lot 17 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 7,000 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 52 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the south side of said lot of zero feet.

As to Lot 18 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,400 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the north side of said lot of zero feet.

As to Lot 19 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,400 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the south side of said lot of zero feet.

As to Lot 20 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,400 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the north side of said lot of zero feet.

As to Lot 21 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,400 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the south side of said lot of zero feet.

As to Lot 22 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 7,500 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 51 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the north side of said lot of zero feet.

As to Lot 23 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 6,525 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the south side of said lot of zero feet.

As to Lot 24 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 6,120 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the north side of said lot of zero feet.

As to Lot 25 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,825 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the south side of said lot of zero feet.

As to Lot 26 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,625 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 45 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the north side of said lot of zero feet.

As to Lot 27 (1) a variance is approved from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 7,500 square feet as to said lot;

(2) a variance is approved from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 60 feet;

(3) a variance is approved from the requirements of Section 21.09 (e) 3., minimum side-yard setback of 10 feet, to allow minimum side-yard setback on the south side of said lot of zero feet.

A variance is hereby approved for construction of a permanent sign to be constructed in the following location: a square of 11 feet on each side from the north corner of Lot 1; said sign to be of dimension no greater than: 2 feet by 2 feet, said sign to be constructed of wood.

CERTIFICATE

I, Juanita Dagley, certify that I am the duly elected and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

I further certify that on July 17, 1995, the Corporate Authorities of such municipality passed and approved Ordinance No. 614, entitled:

AN ORDINANCE APPROVING VARIANCE AS REQUESTED ON REAL ESTATE AS DESCRIBED HEREIN,

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 614, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building,

commencing on July 17, 1995, and continuing for at least ten

days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 17th day of July, 1995,

(SEAL)

Juanita Dagley
Municipal Clerk

STATE OF ILLINOIS)
) SS:
COUNTY OF McLEAN)

I, Juanita Dagley, do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE APPROVING VARIANCE AS REQUESTED ON REAL ESTATE AS DESCRIBED HEREIN.

I do further certify said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the ____ day of _____, 1995, and prior to the making of this certificate the said ordinance was spread at length upon the permanent records of said City where it now appears and remains as a faithful record of said ordinance in the record books.

Dated this _____ day of _____, 1995.

X _____
 City Clerk

(SEAL)