

CITY OF LEROY
COUNTY OF MCLEAN
STATE OF ILLINOIS

ORDINANCE NO. 696

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

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS 19th
DAY OF August, 1996.

PRESENTED: August 19, 1996

PASSED: August 19, 1996

APPROVED: August 19, 1996

RECORDED: August 19, 1996

PUBLISHED: August 19, 1996


In Pamphlet Form

Voting "Aye" 6

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 
Acting City Clerk of the City of LeRoy,
McLean County, Illinois

Dated: August 19, 1996.

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 9, 1996, 1996, by RFMS, Inc., 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 11, 1996, at 7:05 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, said hearing was continued to the next regular meeting of the aforesaid Zoning Board of Appeals, said next regular meeting being August 8, 1996, at 7:00 p.m. at the City Hall, LeRoy, Illinois, said continued hearing being held in accordance with the laws of the State of Illinois, and the ordinances of the City of LeRoy, McLean County, Illinois, to further consider the aforesaid petition, after due notice was given in accordance with all appropriate laws and ordinances; and

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, an 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 recommendations 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 for 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:

Proposed to be Lots 1 through 13 of LeRoy Estates Section 1, a subdivision of part of Outlot "Z" in Belvue Subdivision said LeRoy Estates Section ONE being, a subdivision proposed to be platted on that real estate described as follows, and the final plat of said subdivision having been approved for that real estate described as follows:

Part of Lots 15 through 21 and a part of Outlot "Z", all being formerly a part of Belvue Subdivision of the City of LeRoy, McLean County, and State of Illinois, now being described as a part of Outlot "Z" in Belvue subdivision of the City of

LeRoy, County of McLean and State of Illinois, being more particularly described as follows:

Commencing at the Northwest Corner of said Outlot "Z" as the point of beginning of the tract to be described; thence North 88 degrees 39 minutes 30 seconds East along the North line of said Outlot "Z", a distance of 477.02 feet; thence South 0 degrees 00 minutes 41 seconds East, a distance of 7.02 feet; thence South 18 degrees 14 minutes 54 seconds East, a distance of 47.06 feet; thence South 0 degrees 00 minutes 41 seconds East, a distance of 136.46 feet; thence South 45 degrees 00 minutes West, a distance of 55.73 feet; thence South 0 degrees 00 minutes 41 seconds East, a distance of 45 feet; thence South 89 degrees 47 minutes 32 seconds West, a distance of 452.52 feet to a point on the East Right-of-way line of Buck Road; thence North 0 degrees 0 minutes along the East Right-of-Way line of Buck Road, a distance of 262.97 feet to the point of beginning, in the City of LeRoy, McLean County, Illinois.

is hereby granted variances for the purposes as requested in the aforesaid petition, said variances being set forth in Schedule A, 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

Bill Swindle, seconded by Dawn Thompson

by roll call vote on the 19th day of August, 1996, as follows:

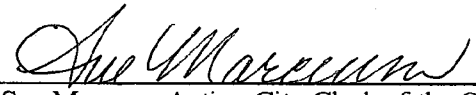
Aldermen elected 6 Aldermen present 6

VOTING AYE: Ron Litherland, Dave McClelland, Lois Parkin, Fred Dodson, Dawn Thompson,
(full names) Bill Swindle

VOTING NAY: None
(full names)


ABSENT, ABSTAIN, OTHER: None
(full names)

and deposited and filed in the office of the Acting City Clerk in said municipality on the 19th day of August, 1996.

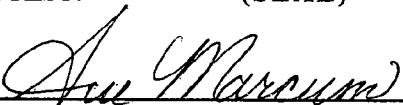
X 
Sue Marcum, Acting City Clerk of the City of
LeRoy, McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 19 day of

August, 1996.

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

ATTEST: (SEAL)

X 
Sue Marcum, Acting City Clerk, City of
LeRoy, McLean County, Illinois

The applicant has proposed to construct a residential development on thirteen (13) numbered lots. Applicant proposes to construct "single family" residences on each lot. Variances in minimum lot widths, side-yard setbacks, front and rear yard setbacks, as to each lot, and a variance in the minimum required square footage per lot, are granted, all as hereinafter stated. All "section" references are to the particular sections of the City of LeRoy Zoning Ordinance, as amended. As to requirements for minimum lot areas and minimum lot widths, see Sections 21.09 (e) 1., and 21.09 (e.) 2., respectively. As to minimum requirements for front and rear-yard setback requirements and side-yard minimum setback requirements, see Section 21.09 (e) 3.

Specifically, as to each numbered lot shown below, variances are granted as follow:

- As to Lot 1
- (a) a variance is granted from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 6,588 square feet as to said lot;
 - (b) a variance is granted from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 72 feet;
 - (c) a variance is granted from the requirements of Section 21.09 (e) 3., minimum front-yard depth of 25 feet, to allow minimum front-yard depth of 20 feet;
 - (d) a variance is granted from the requirements of Section 21.09 (e) 3., minimum rear-yard depth of 25 feet, to allow minimum rear-yard depth of 18 feet;
 - (e) a variance is granted 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 2
- (a) a variance is granted from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,247 square feet as to said lot;
 - (b) a variance is granted from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 58 feet;
 - (c) a variance is granted from the requirements of Section 21.09 (e) 3., minimum front-yard depth of 25 feet, to allow minimum front-yard depth of 20 feet;
 - (d) a variance is granted from the requirements of Section 21.09 (e) 3., minimum rear-yard depth of 25 feet, to allow minimum rear-yard depth of 18 feet;
 - (e) a variance is granted 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 3 (a) a variance is granted from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,280 square feet as to said lot;
- (b) a variance is granted from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 58 feet;
- (c) a variance is granted from the requirements of Section 21.09 (e) 3., minimum rear-yard depth of 25 feet, to allow minimum rear-yard depth of 15 feet;
- (d) a variance is granted 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 4 (a) a variance is granted from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,077 square feet as to said lot;
- (b) a variance is granted from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 58 feet;
- (c) a variance is granted from the requirements of Section 21.09 (e) 3., minimum front-yard depth of 25 feet, to allow minimum front-yard depth of a line connected by 25 feet at the northwest corner of the lot to 13 feet at the northeast corner of the lot;
- (d) a variance is granted from the requirements of Section 21.09 (e) 3., minimum rear-yard depth of 25 feet, to allow minimum rear-yard depth of 15 feet;
- (e) a variance is granted 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 5 (a) a variance is granted from requirements of Section 21.09(e) 1, minimum lot size of 9,000 square feet to allow minimum lot size of 7,823 square feet as to said lot;
- (b) a variance is granted from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 63 feet;
- (c) a variance is granted from the requirements of Section 21.09 (e) 3., minimum rear-yard depth of 25 feet, to allow minimum frony-yard depth of 12.62 feet;
- (d) a variance is granted from the requirements of Section 21.09 (e) 3., minimum rear-yard depth of 25 feet, to allow minimum rear-yard depth of 8 feet;
- (e) a variance is granted 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 6 (a) a variance is granted from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 4,609 square feet as to said lot;

(b) a variance is granted from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 42 feet;

(c) a variance is granted from the requirements of Section 21.09 (e) 3., minimum front-yard depth of 25 feet, to allow minimum front-yard depth of 12.62 feet;

(d) a variance is granted from the requirements of Section 21.09 (e) 3., minimum rear-yard depth of 25 feet, to allow minimum rear-yard depth of 8 feet;

(e) a variance is granted 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 and south sides of said lot of zero feet.

As to Lot 7 (a) a variance is granted from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 4,273 square feet as to said lot;

(b) a variance is granted from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 58 feet;

(c) a variance is granted from the requirements of Section 21.09 (e) 3., minimum front-yard depth of 25 feet, to allow minimum front-yard depth of 12.62 feet;

(d) a variance is granted from the requirements of Section 21.09 (e) 3., minimum rear-yard depth of 25 feet, to allow minimum rear-yard depth of 8 feet;

(e) a variance is granted 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 (a) a variance is granted from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 4,985 square feet as to said lot;

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

(c) a variance is granted from the requirements of Section 21.09 (e) 3., minimum front-yard depth of 25 feet, to allow minimum front-yard depth of 12.62 feet;

(d) a variance is granted from the requirements of Section 21.09 (e) 3., minimum rear-yard depth of 25 feet, to allow minimum rear-yard depth of 8 feet;

(e) a variance is granted 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 (a) a variance is granted from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 6,661 square feet as to said lot;

(b) a variance is granted from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 55 feet;

(c) a variance is granted from the requirements of Section 21.09 (e) 3., minimum front-yard depth of 25 feet, to allow minimum front-yard depth of 12.62 feet;

(d) a variance is granted from the requirements of Section 21.09 (e) 3., minimum rear-yard depth of 25 feet, to allow minimum rear-yard depth of 8 feet;

(e) a variance is granted 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 10 (a) a variance is granted from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,078 square feet as to said lot;

(b) a variance is granted from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 58 feet;

(c) a variance is granted from the requirements of Section 21.09 (e) 3., minimum front-yard depth of 25 feet, to allow minimum front-yard depth of a line connected by 25 feet at southwest corner to 13 feet at southeast corner of said lot;

(d) a variance is granted from the requirements of Section 21.09 (e) 3., minimum rear-yard depth of 25 feet, to allow minimum rear-yard depth of 15 feet;

(e) a variance is granted 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 11 (a) a variance is granted from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,282 square feet as to said lot;

(b) a variance is granted from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 58 feet;

(c) a variance is granted from the requirements of Section 21.09 (e) 3., minimum rear-yard depth of 25 feet, to allow minimum rear-yard depth of 15 feet;

(d) a variance is granted 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 12 (a) a variance is granted from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 5,248 square feet as to said lot;

(b) a variance is granted from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 58 feet;

(c) a variance is granted from the requirements of Section 21.09 (e) 3., minimum front-yard depth of 25 feet, to allow minimum front-yard depth of 20 feet;

(d) a variance is granted from the requirements of Section 21.09 (e) 3., minimum rear-yard depth of 25 feet, to allow minimum rear-yard depth of 18 feet;

(e) a variance is granted 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 13 (a) a variance is granted from the requirements of Section 21.09 (e) 1., minimum lot size of 9,000 square feet, to allow minimum lot size of 6,563 square feet as to said lot;

(b) a variance is granted from the requirements of Section 21.09 (e) 2., minimum lot width of 75 feet, to allow minimum lot width of 72 feet;

(c) a variance is granted from the requirements of Section 21.09 (e) 3., minimum front-yard depth of 25 feet, to allow minimum front-yard depth of 20 feet;

(d) a variance is granted from the requirements of Section 21.09 (e) 3., minimum rear-yard depth of 25 feet, to allow minimum rear-yard depth of 15 feet;

(e) a variance is granted 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.

CERTIFICATE

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

I further certify that on August 19, 1996, the Corporate Authorities of such municipality passed and approved Ordinance No. 696, 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. 696, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on August 19, 1996, 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 19th day of August, 1996.

(SEAL)



Acting Municipal Clerk


STATE OF ILLINOIS)
) SS:
COUNTY OF McLEAN)

I, Sue Marcum, 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 19th day of August, 1996, 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 19th day of August, 1996.



Acting City Clerk

(SEAL)