

CITY OF LEROY  
COUNTY OF MC LEAN  
STATE OF ILLINOIS

ORDINANCE NO. 865

AN ORDINANCE GRANTING A VARIANCE TO THE CITY ZONING CODE, CHAPTER  
21, MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS 1975 (as amended)

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY  
THIS 15th DAY OF November, 1999

PRESENTED: November 1, 1999

PASSED: November 1, 1999

APPROVED: November 1, 1999

RECORDED: November 1, 1999

PUBLISHED: November 1, 1999

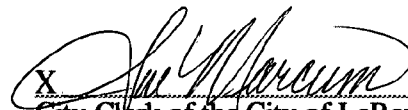
In Pamphlet Form

Voting "Aye" 4

Voting "Nay" 1

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

Dated: November 1, 1999

ORDINANCE NO. 865

AN ORDINANCE GRANTING A VARIANCE TO THE CITY ZONING CODE, CHAPTER 21, MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS 1975 (as amended)

WHEREAS, the Zoning Board of Appeals of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, held a hearing on October 7, 1999, at 8:07 p.m., at the City Hall, City of LeRoy, Illinois, regarding a petition by Jack Gassaway, of 402 East Green Street, LeRoy, Illinois, requesting a variance as to Lot 4 in Block 103 of Conkling's Addition in the City of LeRoy, McLean County, Illinois, said application being for variance to permit the construction of a three-car garage on a now vacant lot, without first having constructed a principal structure thereon; and

WHEREAS, the Mayor and City Council of the City of LeRoy have reviewed and considered the report of the Zoning Board of Appeals regarding the aforesaid hearing, have reviewed the findings of fact and reasons suggested both in favor of granting the variance and against granting the variance, said reasons having been formulated by the aforesaid Zoning Board of Appeals, and have considered the recommendation of said Zoning Board of Appeals to grant the variance; and

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, have determined that Lot 4 in Block 103 of Conkling's Addition in the City of LeRoy, McLean County, Illinois, is owned by Jack Gassaway and is under common ownership with the East 32 feet of Lot 8 and the West 34 feet of Lot 9, both said lots being also in Block 103 of Conkling's Addition in the City of LeRoy, McLean County, Illinois, and thus the aforesaid portions of Lots 8 and 9 and all of Lot 4 are owned by the same person or persons; and

WHEREAS, the Mayor and City Council of the City of LeRoy have determined that the aforesaid Lot 4, by itself, is too small to meet the current minimum zoning requirements to permit the construction of a house or other principal structure thereon in accordance with the requirements of the R-1, ONE- and TWO- FAMILY RESIDENTIAL DISTRICT,

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

Section 1. The LeRoy City Council finds that Lot 4 in Block 103 of Conkling's Addition in the City of LeRoy, McLean County, Illinois, is currently vacant, and has been for a number of years, and that is currently under common ownership with parts of Lots 8 and 9 in the aforesaid Block 103.

Section 2. A variance of Sections 21.09 (b), and 21.03 (f), all of the Municipal Code of the City of LeRoy, Illinois 1975 (as amended), is hereby granted to Jack Gassaway and his successor owners in interest for so long as the aforesaid Lot 4 and the aforesaid portions of Lots 8 and 9, all in Block 103, as previously described herein, are under common ownership. At such time as the common ownership of all of Lot 4 and the aforesaid portions of Lots 8 and 9 shall cease, the variance granted herein shall cease and a principal structure located on Lot 4 or located on lots adjacent to Lot 4, and under common ownership with Lot 4, shall be required in order for the accessory structure (the garage as previously described herein) to continue to be located upon Lot 4 as requested in the zoning petition for a variance.

Section 3. Any ordinance, or parts thereof, or resolutions, or parts thereof, in conflict with this ordinance shall be and the same are hereby repealed to the extent of such conflict, and this ordinance shall be in full force and effect as set forth hereafter.

Section 4. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5. 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 \_\_\_\_\_  
Ron Litherland \_\_\_\_\_, seconded by Dawn Thompson \_\_\_\_\_, by  
roll call vote on the 1st day of November \_\_\_\_\_, 1999, as follows:

Aldermen elected 6 Aldermen present 5

VOTING AYE:  
Dawn Thompson, Ryan Miles, Steve Dean, Ron Litherland  
(full names)

VOTING NAY:  
Dave McClelland

.....  
(full names)

ABSENT:

Dick Oliver

.....  
(full names)

ABSTAIN:

.....  
(full names)

OTHER:

.....  
(full names)

and deposited and filed in the office of the City Clerk in said municipality on the 1st day of  
November, 1999.

X 

.....  
Sue Marcum, City Clerk of the City of  
LeRoy, McLean County, Illinois

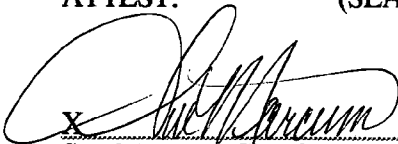
APPROVED BY the Mayor of the City of LeRoy, Illinois, this 1st day of

November, 1999.

X 

.....  
Robert Rice, Mayor of the City of LeRoy,  
McLean County, Illinois

ATTEST: (SEAL)

X 

.....  
Sue Marcum, City Clerk of the City  
of LeRoy, McLean County, Illinois

CERTIFICATE

I, Sue Marcum, 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 November 1st, 1999, the Corporate Authorities of such municipality passed and approved Ordinance No. 865, entitled:

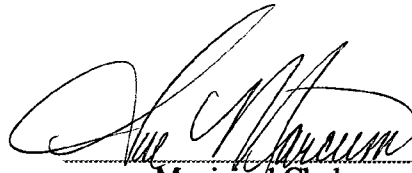
**AN ORDINANCE GRANTING A VARIANCE TO THE CITY ZONING CODE, CHAPTER 21, MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS 1975 (as amended),**

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

The pamphlet form of Ordinance No. 865, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on November 1, 1999, 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 1st day of November, 1999.

(SEAL)

  
Municipal Clerk

STATE OF ILLINOIS        )  
                                  ) SS:  
COUNTY OF McLEAN        )

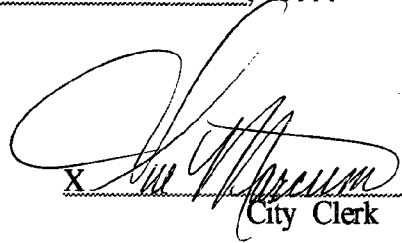
I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy , McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

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

**AN ORDINANCE GRANTING A VARIANCE TO THE CITY ZONING CODE, CHAPTER 21, MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS 1975 (as amended).**

I do further certify said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the 1st day of November , 1999, 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 1st day of November , 1999.

  
X \_\_\_\_\_  
City Clerk

(SEAL)