

BOARD OF TRUSTEES
VILLAGE OF TOLONO, ILLINOIS

ORDINANCE APPROVING VARIANCE FOR 701 E. LARMON

Ordinance No. 2014-O-9

Adopted and approved by the Village Board of Trustees and the President of the Village Board of Trustees and published in pamphlet form this 19th day of June, 2014.

TOLONO BOARD OF TRUSTEES

ORDINANCE APPROVING VARIANCE FOR 701 E. LARMON

Ordinance No. 2014-O-_____

WHEREAS:

- A. The Village of Tolono, pursuant to the Illinois Municipal Code and other statutes, has the authority to regulate land use by enacting ordinances; and
- B. Pursuant to that authority, the Village adopted its Zoning and Use Regulations Ordinance, Village of Tolono, Illinois; and
- C. The Village received a petition from the owners of 701 E. Larmon Tolono, Illinois requesting a variance pursuant to the terms of the Village Ordinances; and
- D. Pursuant to that Ordinance the Village Board of Trustees has deemed it appropriate to adopt the within Ordinance making the findings of fact contained herein and granting said variance as further referenced herein; and
- E. The Village previously considered this matter holding a public hearing on June 17, 2014 having duly continued it until June 19, 2014 at 5:30 p.m.

NOW THEREFORE, BE IT HEREBY ORDAINED AS FOLLOWS:

I. FINDINGS OF FACT

Upon a regular meeting of the Board of Trustees duly held pursuant to appropriate notice, the Board met at 5:30 p.m. having continued previous hearings to this date and time to consider a petition for a variance as identified herein.

The Board considered the petition of the property owner(s) for the following variance at property described as 701 E. Larmon located in the Village of Tolono situated in Champaign County, Illinois.

The Tolono Zoning Board of Appeals has no members and the Board of Trustees proceeded to take action upon the matter holding its public hearing held at 6:30 p.m. on June 17, 2014 as previously continued and again held this date at a continued meeting all pursuant to publication which was duly made. Upon public discussion and consideration by the Board of petitioner's petition, the building permit application on file, testimony by the Village Building Inspector who's report is by reference incorporated herein, public

testimony, and all other matters, the Board of Trustees made the following Findings of Facts:

1. That the property in question cannot be economically used under the conditions allowed by the regulations because a swimming pool is a reasonable use of a residential property in this particular locale and state statutes and regulations require decking and fencing requiring the variance. Absent the variance this use would be prohibited.
2. That the plight of the owner is due to unique circumstances because of the unique requirements of statutes as they regulate residential pools.
3. That the variation, if granted, will not alter the essential character of the locality, impair adequate supply of light and air to adjacent property, increase the condition of traffic, diminish or impair property values in all localities because pool use is consistent with residences in the area.
4. The Board of Trustees hereby finds that the petition for variance be allowed consistent with the terms of the petition and building permit application on file and by reference incorporated herein.

II. GRANT OF VARIANCE

Approval of the requested variance is hereby granted consistent with the terms of the petition and building permit application on file and by reference incorporated herein.

This Ordinance shall be effective upon its adoption and publication in pamphlet form. The Village Clerk is hereby directed and authorized to publish this Ordinance in pamphlet form in accordance with applicable law.

The foregoing Ordinance was moved by *Dreg Kimpton*, seconded by *Beth Creen* and approved by a roll call vote.

Approved this 19th day of June 2014.

Village of Tolono Board of Trustees

Pat J. Hall
Village Board President

Attest

Dixie S. Phillips
Village Clerk