

ORDINANCE NO. 04 - 29

AN ORDINANCE GRANTING VARIANCE TO THE ZONING ORDINANCE

WHEREAS, on the 12th of April, 2004 a petition for a variance to the Village of Chatham Zoning Ordinance was filed by Helene M. Leonard on the following real property located within the corporate limits of the Village of Chatham, Illinois (the "Property"):

Lot 104 Hurstbourne 4th Addition , 2400 Hurstbourne Lane, the Village of Chatham, Illinois.

WHEREAS, said petition requested a variance to the bulk requirements of the Square Footage requirement of 12,000 to 11,372 on the above property; and

WHEREAS, notice was given of the petition, the relief requested therein, the name of the petitioner and the time and place of the hearing by posting on petitioner's land, by publishing a notice thereof, in a newspaper published within the Village of Chatham, Illinois, and by giving written notice by mail to adjacent property owners, all as required in Section VIII (h)(3) of the Zoning Ordinance of the Village of Chatham;

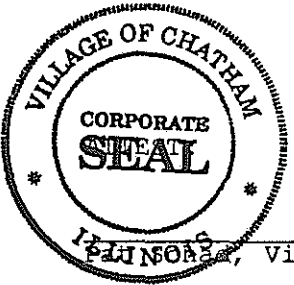
WHEREAS, on May 10, 2004 the Zoning Board of Appeals conducted a Public Hearing regarding the proposed variance and is recommending denial of the proposed variance request;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, ILLINOIS, AS FOLLOWS:

SECTION 1: The findings in the preamble hereto are hereby adopted.

SECTION 2: The Property is hereby granted the variance to Section V of the Zoning Ordinance of the Village of Chatham, Illinois.

SECTION 3: This Ordinance is effective upon its passage and approval.



Thomas S. Gray, President
Village of Chatham

Village Clerk

AYES: _____ PASSED: _____
NAYS: _____ APPROVED: _____
ABSENT: _____

WITHDRAWN AT THE REQUEST OF THE PROPERTY OWNER AT 5/25/04 REGULAR VILLAGE BOARD MEETING
[Signature]

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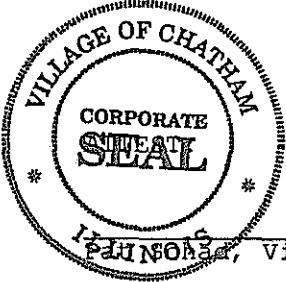
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Thomas S. Gray, President
Village of Chatham

AYES: _____

NAYS: _____

ABSENT: _____

PASSED: _____

APPROVED: _____

WITHDRAWN AT THE REQUEST OF THE PROPERTY OWNER AT 5/25/04 REGULAR VILLAGE BOARD MEETING
[Signature]

Trustee McCarthy motioned, seconded by Trustee Kavanagh, to act on Ordinance 04-29, An Ordinance Approving a Zoning Variance. This ordinance was withdrawn at the request of the property owner during debate. A vote was not taken.

L. CALENDAR OF EVENTS

Administration	-----	June 01	6:00 PM
Planning Commission	-----	June 17	7:00 PM
Public Property	-----	June 01	6:45 PM
Public Works	-----	June 01	7:00 PM
Regular Village Board	-----	June 08	6:30 PM

M. ADJOURNMENT @ 7:40 PM

Having no further business to come before the board, Trustee Kavanagh, motioned, seconded by Trustee McAdams, to adjourn. Motion passed by voice vote.

Committee reports are written by Committee Chairmen. They are scanned then inserted, as typed by Committee Chairmen, into the minutes by the Village Clerk with minor editing.

These minutes are not a verbatim account of the regular village board meeting. An audiotape is available via the Freedom of Information Act if a written request, addressed to the Village Clerk, is received after minute approval.

Respectfully Submitted,
Pat Schad, Village Clerk

ZONING BOARD OF APPEALS MINUTES

Municipal Building
Chatham, IL. 62629

May 10, 2004
Monday, 7:00 p.m.

Chairman Dave Johnson called the meeting to order and asked the clerk to call roll.

Present: John Stutsman, Dave Johnson, Bob Strothmann, Paul Stivers, and B.J. Murray

Absent: John Moulton, Deborah Murphy

Others Present: Meredith Branham

Agenda

Hearing to accept or deny a request by Helene Leonard to be granted a variance from the bulk regulation in R-1 Single Family of 12,000 sq. ft. per yard to 11,372 sq. ft of her yard located at 2400 Hurstbourne Lane, Chatham, IL.

Paul Leonard, 2404 Hurstbourne Lane, spoke to the board. He stated that he would like to put a house on the lot at 2400 Hurstbourne. He owns the lot adjacent to this lot. Mr. Leonard stated that he had previously built a garage on the adjacent lot and needed additional land for the garage so he purchased this lot for the extra footage. He said that he could slice out the 630 sq. ft. from his lot at 2404 Hurstbourne and add it to this lot and make it an "L" shape or flag plat to meet the regulation but was hoping a variance would be simpler.

Pat Gough, 2701 Hastings Road, stated that as President of the homeowners association, he could not find anything in the covenants that prohibits a smaller lot.

Mike Serbonia, 2401 Hurstbourne Lane, stated that he felt the 12,000 sq. ft. should be required before a house can be constructed.

Cindy & Greg Fischer, 2308 Hurstbourne Lane, likes the empty lot next door and is concerned about low property values if the 12,000 sq. ft. requirement is waved.

B.J. Murray noted that there are no other houses on lots less than 12,000 sq. ft. in Hurstbourne.

Meredith Branham noted that the homeowners' covenants do not apply towards the Zoning Board decision for a variance. That would be a separate issue taken up by the homeowners association.

Paul Stivers made a motion to deny the variance request from the bulk regulation of 12,000 sq. ft. to an 11,372 sq. ft. classification. John Stutsman seconded the motion. Clerk called for a vote, Paul Stivers-yes, John Stutsman-yes, Dave Johnson-yes, Bob Strothmann-yes, and B.J. Murray-no, motion to deny the petition passed by a roll call vote: 4-yes, 1-no, 2-absent.

With there being no further business, Chairman Dave Johnson closed the meeting.
Meeting adjourned at 7:15 p.m.

Respectfully Submitted,
Karl E. Todt, Deputy Clerk