
THE VILLAGE OF CHATHAM

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER *15-42*

**AN ORDINANCE APPROVING A 40 FOOT FREESTANDING SIGN AT 105
INDEPENDENCE BOULEVARD IN THE VILLAGE OF CHATHAM**

THOMAS S. GRAY, Village President
PAT SCHAD, Village Clerk

KEN BOYLE, JR.
MARK CLAYTON
DAVID KIMSEY
NINA LINDHORST
MATT MAU
JOE SCHATTEMAN
Village Trustees

Published in pamphlet form by authority of the Mayor and Board of Trustees of the Village of Chatham
on *10/13*, 2015

Sorling Northrup. – 1 North Old State Capitol Plaza, Suite 200, Springfield, IL 62701

ORDINANCE NO. 15-42

AN ORDINANCE APPROVING A 40 FOOT FREESTANDING SIGN AT 105 INDEPENDENCE BOULEVARD IN THE VILLAGE OF CHATHAM

WHEREAS, the Village of Chatham ("Village"), Sangamon County, State of Illinois, is a duly organized and existing municipality operating under and pursuant to the Illinois Municipal Code; and

WHEREAS, the Village's Zoning Code provides that signs in all zoning districts shall be governed by the Village's Sign Ordinance when such ordinance is passed and approved; and

WHEREAS, Jerry Meyerscough has requested the ability to erect a 40 foot free standing sign for his planned commercial development at 105 Independence Boulevard in the Village of Chatham and such is higher than the existing limit; and

WHEREAS, a public hearing was noticed and duly held by the Chatham Zoning Board of Appeals on October 8, 2015; and

WHEREAS, the Planning and Zoning Commission met on October 8, 2015, and by a vote of 5 to 1, voted to recommend that the Village Board approve the variance to the Zoning Code; and

WHEREAS, Section 158.121 of the Zoning Code permits the Village Board to approve variations from the Zoning Code in certain circumstances, including to permit a height greater than allowed; and

WHEREAS, the Village Board of Trustees and the Mayor of the Village of Chatham believe it is in the best interests of the Village to grant the requested variance.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Chatham, Sangamon County, Illinois, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Findings of Fact. The Village Board adopts the findings of fact of the Zoning Board of Appeals and further finds that: (a) the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; (b) that the plight of the owner is due to unique circumstances; and (c) that the variance, if granted, will not alter the essential character of the locality.

Section 3. Description of the Property. The property is legally described as follows:

LOT 115 FOX CREEK ESTATES PLAT 3 EXCEPT WEST 188.08'.

Common Address: 105 Independence Boulevard, Chatham, IL

Section 4. Public Hearing. A public hearing was advertised in the Chatham Clarion on September 17, 2015, and held by the Zoning Board of Appeals on October 8, 2015, at which time the Zoning Board of Appeals voted 5 to 1 to recommend approval of the variance requested.

Section 5. Variance. The variation requested in the August 28, 2015, Variance Application to the Zoning Code, outlined herein, and recommended at the October 8, 2015, Zoning Board of Appeals meeting, is hereby granted to allow the construction of a 40 foot freestanding sign.

Section 6. Severability. In the event a court of competent jurisdiction finds this Ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this Ordinance and the application thereof to the greatest extent permitted by law.

Section 7. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this Ordinance.

Section 8. Effectiveness. This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this 13 day of OCTOBER, 2015, at Chatham, Sangamon County, Illinois.

	YES	NO	ABSENT	PRESENT
KEN BOYLE, JR.	✓			
MARK CLAYTON	✓			
DAVID KIMSEY		✓		
NINA LINDHORST		✓		
MATT MAU	✓			
JOE SCHATTEMAN	✓			
THOMAS S. GRAY	NA			
TOTAL	4	2	0	0

APPROVED by the President of the Village of Chatham, Illinois this 13 day of

OCT, 2015.


Thomas S. Gray, Village President

Attest:


Pat Schad, Village Clerk

APPENDIX D: PETITION FOR ZONING VARIANCE

VILLAGE OF CHATHAM, ILLINOIS
PETITION FOR ZONING VARIANCE

TO: Zoning Board of Appeals and
Village Board
Village Hall
Chatham, IL 62629

Date: 8/28/15

(DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY)

Date Set for Hearing 10/8/15

Fee \$ 200.00

Notice published 9-17-15

Date Paid 8/28/15

Newspaper CHATHAM CLARION

Notice Mailed to Adjacent Landowners 9-2-15 (RLP DEV) (ST. JOHNS LUTHERAN CHURCH)
(PATRICIA BOYLE)

Notice Posted on Subject Property WED, 9-23-15 4:00PM

Zoning Board of Appeals
Recommendation
 Approve Date 10/9/15
 Deny Chairman Initials _____
 Approve with Modification
Paul B. Johnson

Village Board Action Date 10/13/15
 Denied
 Approved (Ordinance No. 15-42)
Pat Schulz
Chair

INSTRUCTIONS TO APPLICANTS: All information required by this Application must be completed and submitted herewith. Applicants are encouraged to visit the Village office for any assistance needed in filling out this form. An applicant for variance must show that (a) the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone; (b) the plight of the owner is due to unique circumstances; (c) the variation, if granted, will not alter the essential character of the locality. The burden of providing substantiating evidence is on the applicant. See Section 7.11 of the 1994 Zoning Ordinance for further details.

NAME OF APPLICANT: JERRY MEYERSCOUGH
ADDRESS OF APPLICANT: 683 CASTLE DR. CHARLESTON, ILL. 61920
PHONE NUMBER: 217-246-2844(H) (W)

Interest of Applicant In the Subject Property (if not owner): GC of Project

- 1. This application must be filed with an accurate legal description and one copy of a plat map of the property showing the location of all existing and proposed structures and setbacks, and structures on all adjacent properties drawn to scale not less than one (1) inch equals Two Hundred (200) feet.

LEGAL DESCRIPTION LOT 115 FOX CREEK ESTATES PLAT 3 EXCEPT West 188.08'
Lot, Block, Subdivision, Metes and Bounds--may be on attachment

2. Street Address of Property 105 INDEPENDANCE ST CHATHAM, ILL

3. Area of land variance requested for 1.178 acres - square feet. 51,313

4. (a) Present Zoning District Classification of subject and adjacent properties (show zone district boundaries on plat): B-2

(b) Nature of requested variance: FREE STANDING SIGN 40' TALL

5. Present use of Property: FARM GROUND

6. Names, addresses and phone numbers of all owners of record:

JERRY MEYERSCOUGH
683 CASTLE DR. CHARLESTON, ILL 61920 217-246-2844
DAVID NEELY - CONST. MANAGER FOR MEYERSCOUGH
108 N. ALLEN RIVERTON, ILL. 62561 217-899-4747

- 7. A variance is requested to vary the requirements of the Zoning Ordinance with respect to the property described herein. A statement of the applicant's described reasons and factual information supporting the requested variance is attached.

DATE: 8/28/15

SIGNATURE: David Neely

OWNER'S CONSENT

[This part need be signed only if the applicant is different from the owner or if there is more than one owner of record]

David Neely -

I consent to this requested zoning change
