

SANGAMON COUNTY, ILLINOIS

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ORDINANCE  
NUMBER 21 - 38

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**AN ORDINANCE AUTHORIZING A VARIANCE TO ALLOW FOR A REDUCTION IN  
BULK USE REQUIREMENTS FROM 3,500 SQ. FT. TO 2,914 SQ. FT. FOR PIN: 29-  
06.0-351-022**

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DAVE KIMSEY, Village President  
DAN HOLDEN, Village Clerk

KRISTEN CHIARO  
ANDREW DETMERS  
MEREDITH FERGUSON  
BRETT GERGER  
MATT MAU  
PAUL SCHERSCHEL  
Village Trustees

No Action- Item Removed  
from Consideration by Consent

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of

Chatham  
on October 26, 2021

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, P.O. Box 5131, Springfield, IL  
62705



**ORDINANCE NO. 21-\_\_\_\_\_**

**AN ORDINANCE AUTHORIZING A VARIANCE TO ALLOW FOR A REDUCTION IN BULK USE REQUIREMENTS FROM 3,500 SQ. FT. TO 2,914 SQ. FT. FOR PIN: 29-06.0-351-022**

**WHEREAS**, the Village of Chatham, Sangamon County, State of Illinois, is a duly organized and existing Village created under the provisions of the laws of the State of Illinois; and,

**WHEREAS**, The Village of Chatham is the owner of record of certain real property legally described as L221 Oakbrook Est. Plat 16 PIN: 29-06.0-351-022 in Chatham, Illinois (hereinafter referred to as "Property"); and,

**WHEREAS**, the Village filed for a variance at the Property to reduce the bulk use requirements for not more than one dwelling unit per 3,500 sq. ft. to not more than one dwelling unit per 2,914 sq. ft.; and,

**WHEREAS**, a public hearing was duly noticed by publication and held by the Chatham Zoning Board of Appeals on October 21, 2021; and,

**WHEREAS**, the Zoning Board of Appeals met on October 21, 2021, and did not make a recommendation either for or against granting the variance request; and,

**WHEREAS**, Section 158.121 permits the Village Board to approve variations from the Zoning Code to authorize a use of land where an amendment to the village zoning district classification causes practical difficulties or hardships; and,

**WHEREAS**, the Village Board of Trustees and the President 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 President 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. Regarding the need for all of the variations requested by Petitioner, the Board of Trustees find as follows:

- A. **Reasonable Return.** Due to the unique size, shape and location of the lot, the strict application of the regulations set forth in the Zoning Code would result in an unnecessary and undue hardship, and the property could not 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. **Unique Circumstances.** The variance is necessary solely as a result of the location of the lot and is unique to the property.
- C. **Not Alter Local Character.** The lot is surrounded by other R-3 zoned parcels and vacant, undeveloped land owned by the Village. Accordingly, the variance, if granted, will not alter the essential character of the locality.

**Section 3.** Description of the Property. The property is located at the corner of Plummer and Ravina Drive in Chatham, Illinois. The property has a PIN #29-06.0-351-022 and is legally described as follows:

L 221 Oakbrook Est. Plat 16

**Section 4.** Public Hearing. A public hearing was duly advertised in the Chatham Clarion and held by the Zoning Board of Appeals October 21, 2021, at which time the Zoning Board of Appeals made no recommendation either for or against approval of the variance.

**Section 5.** Variance. The variations requested in the Petition for Zoning Variance to the Zoning Code, outlined herein, is hereby granted as follows:

- A. A variance allowing construction a reduction in the bulk use requirements from not more than one dwelling unit per 3,500 sq. ft. to not more than one dwelling unit per 2,914 sq. ft.

**Section 6.** Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

**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, action, 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 its passage, approval, and publication in pamphlet form as provided by law.

SO ORDAINED this \_\_\_ day of \_\_\_\_\_, 2021, at Chatham, Sangamon County, Illinois.

	AYE	NAY	ABSTAIN	ABSENT
KRISTEN CHIARO				
ANDREW DETMERS				
MEREDITH FERGUSON				
BRETT GERGER				
MATT MAU				
PAUL SCHERSCHEL				
DAVE KIMSEY				
TOTAL				

**APPROVED** by the President of the Village of Chatham, Illinois this \_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
 Dave Kimsey, Village President

Attest:

\_\_\_\_\_  
 Dan Holden, Village Clerk