

ORDINANCE: 2016-52
An Ordinance Granting a Variance
Seth & Julie Melton (Owner) – 133 S. Piatt Street

Whereas, on July 17, 2017, the Planning & Zoning Board of the City of Monticello, Illinois held and conducted a public hearing in the City Council Chambers in connection with an Application for Variance filed Set & Julie Melton, owners of the following described property:

Pt Ne Sec 18-18-6 Comm 18' S Of Sw Cor Lot 3 Of Sub N 1/2 Nw Ne Per Plat Deed Bk 26 Pg 43 Th S 77', Said property commonly known as 133 S. Piatt Street, Monticello, Illinois.

Are seeking a variance to the setback regulations for a deck or patio in an Urban Residential- RD zoned district.

WHEREAS, the variation required is as follows:

A variance reducing the setback requirements to allow a deck or patio within 1' from the property line;

Whereas, public notice of the aforesaid meeting of the Planning & Zoning Board was duly given as required by law; and

Whereas, the Planning & Zoning Board voted for approval of said Application, and

Whereas, the City Council of the City of Monticello has received and considered the summary of testimony and findings of the Planning & Zoning Board, a copy of which is attached hereto, and the recommendations of the Zoning Administrator, and the City Council believes that sufficient circumstances exist to warrant the granting of such variation, and that the granting of such variation is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTICELLO, PIATT COUNTY, ILLINOIS, as follows:

1. That the recitals set forth hereinabove are incorporated in this paragraph as if set forth in haec verba.
2. That the requested variance is hereby granted
3. That except as hereby provided, all ordinances of the City of Monticello shall apply to the aforesaid real estate and its use by applicants, their successors and assigns.
4. That pursuant to Section 6-1020(e) of the City's Zoning regulations; the City Council makes the following findings in connection with the granting of this variation, to wit:
 - a. That special circumstances or conditions apply with respect to the said real estate for which the variation is sought and that those circumstance or conditions do not apply generally in the district;
 - b. That the special circumstances or conditions have not resulted from any acts of the

applicants;

c. That the strict application of the provisions of the City's Zoning Regulations would deprive the applicants of the reasonable, beneficial use of their land;

d. That the variation requested is the minimum adjustment necessary for the reasonable use of the land; and

e. That the granting of the variation is in harmony with the general purposes and intent of the City's Zoning regulations and will not be injurious to the neighborhood, detrimental to the public health or in conflict with the City.

5. That this Ordinance shall be effective forthwith upon its passage and approval by the City Council and its publication in pamphlet form, as required by law.

Adopted this 24th day of July, 2017, by the following roll-call vote:

AYES:

NAYS:

ABSENT:

Clerk of the City of Monticello
Piatt County, Illinois

Approved by the Mayor of the City of Monticello, Piatt County, Illinois this 24th day of July, 2017.

Mayor of the City of Monticello
Piatt County, Illinois

ATTEST:

Clerk of the City of Monticello,
Piatt County, Illinois

CERTIFICATE OF PUBLICATION

I, _____, City Clerk of the City of Monticello, Piatt County, Illinois do hereby certify that the foregoing and attached “AN ORDINANCE GRANTING A VARIANCE TO SETH AND JULIE MELTON (owners) – 133 S. PIATT STREET” is a true and correct copy of said Ordinance duly adopted and enacted by the City Council of Monticello, Illinois, at its regular meeting on the 24th of July, 2017, by the following roll-call vote: ayes ; nays ; absent ; and that the same was published by publication in pamphlet form on the 25th day of July, 2017.

City Clerk of the City of Monticello
Piatt County, Illinois