

MOTION FOR MONTICELLO PLANNING & ZONING BOARD

Side yard setback Variance - 520 N Charter Street

WHEREAS, the City of Monticello, pursuant to the authority conferred by the Statutes of the State of Illinois, has established certain standards and procedures for zoning and the use of land within the Corporate Limits of the City of Monticello; and

WHEREAS, Mr. Scott Woods and Mrs. Rachel Caldwell of 520 N Charter, Monticello, IL, 61856, owner(s) of property legally described as:

Section 07, Township 18N, Range 6E, Block 2 E 110' Lot 6 & S 1/2 Lot 5 & N 10' Lot 7 Lodge's First Addition To Monticello 52 7 45, in the City of Monticello, Piatt County, Illinois. Found in the Piatt County Recorder's Office, in the City of Monticello, Piatt County, Illinois. The Common address is 520 N Charter, Monticello, IL, 61856.

WHEREAS, the owner is seeking a Variance to be granted under the terms of the Monticello Zoning Regulations to adjust the side yard setback from 9.4' to 5' under City of Monticello Code of Ordinances Title XV (Zoning Regulations) Section 153.019 Table II. The parcel is zoned RD – Urban Residential; and

WHEREAS, the City of Monticello Zoning Administrator has reviewed the petitioner's request for the variance, and has submitted the petition and supporting documents to the Planning & Zoning Board; and

WHEREAS, the Planning & Zoning Board has held a public hearing on August 15th, 2022 concerning these matters and comment from the public was solicited and received; and

WHEREAS, the Planning & Zoning Board has reviewed the evidence submitted, including a report from the City of Monticello Zoning Administrator, and the supporting documents, and has considered all the available testimony and facts regarding the subject request.

BE IT THEREFORE RESOLVED this 15th day of August 2022, that the City of Monticello Planning & Zoning Board makes the following recommendation to the City Council of the City of Monticello:

The Planning & Zoning Board has determined whether the applicant meets the following criteria regarding the requested Variance to zoning regulations;

1. All procedural matters have been properly complied with.
2. The City of Monticello Zoning Administrator has prepared and submitted background information relevant to this case.
3. That special circumstances or conditions apply to the land for which a variation is sought, and that those conditions do not apply generally in a RD (Urban Residential) zone.

4. Any special circumstances have not resulted from an act of the applicant subsequent to the adoption of the Zoning Ordinance.
5. Special circumstances do exist such that a strict application of the provisions of the Zoning Ordinance would deprive the applicant of reasonable use of their land.
6. The variation requested is necessary for a reasonable use of the land for the desired purpose.
7. The variation requested is in general harmony with the general purposes of intent of the Zoning Ordinance.
8. The variation granted will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with other City ordinances or codes.

The Planning & Zoning Board hereby recommends (*circle one*) **Approval** **Denial** of the variance request at 520 N Charter Street, Monticello Il 61856 to adjust the side yard setback from 9.4' to 5' under City of Monticello Code of Ordinances.

Chairman, Planning & Zoning Board
City of Monticello