
THE VILLAGE OF SHERMAN
SANGAMON COUNTY, ILLINOIS

ORDINANCE NUMBER 2019-03

AN ORDINANCE AUTHORIZING A VARIANCE TO 10-9-7(A) "LOCATION OF SPACES" OF THE VILLAGE OF SHERMAN TO ALLOW A PORTION OF ONE PARKING SPACE TO BE LOCATED IN THE FRONT YARD TO FARM CREDIT SERVICES OF ILLINOIS, FCLA FOR PROPERTY PARCEL NUMBER 06-36-300-044, SHERMAN, ILLINOIS AS RECOMMENDED BY THE ZONING BOARD OF APPEALS IN A MEETING HELD MAY 6, 2019

TREVOR J. CLATFELTER, Village President
MICHAEL STRATTON, Acting Village Clerk

PAM GRAY
BRET HAHN
BRIAN LONG
KIM ROCKFORD
KEVIN SCHULTZ
JAY TIMM
Village Trustees

Ordinance No. 2019-03

AN ORDINANCE AUTHORIZING A VARIANCE TO 10-9-7(A) "LOCATION OF SPACES" OF THE VILLAGE OF SHERMAN ORDINANCE TO ALLOW A PORTION OF ONE PARKING SPACE TO BE LOCATED IN THE FRONT YARD TO FARM CREDIT SERVICES OF ILLINOIS, FCLA FOR PROPERTY PARCEL NUMBER 06-36-300-044, SHERMAN, ILLINOIS AS RECOMMENDED BY THE ZONING BOARD OF APPEALS ION A MEETING HELD MAY 6, 2019

WHEREAS, the Village of Sherman, 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 is now operating under the provisions of the Illinois Municipal Code and further is operating as a home-rule municipality pursuant to and with all powers under Article VII, Section 6, of the Constitution of the State of Illinois; and

WHEREAS, on or around April 16, 2019, an application for rezoning and variance from section 10-9-7 (A) of Village of Sherman Zoning Code ("Zoning Code") was filed by Farm Credit Services, Illinois requesting a variance 10-9-7(A) "Location of Spaces" to allow a portion of one parking space to be located in the front yard at the parcel number 06-36-300-044, situated in the Village of Sherman, Illinois.

WHEREAS, a notice of the public hearing was published in the Sun Times on April 18, 2019 and a hearing was held by the Sherman Zoning Board of Appeals on Monday, May 6, 2019, and

WHEREAS, the Zoning Board of Appeals met on May 6, 2019 and recommends the Village Board approve the zoning change and the variance requests to the Zoning Code by a vote of 5 ayes to 0 nays; and

WHEREAS, Section 10-9-7 permits the Village Board to approve variations from the Zoning Code when in harmony with the general purpose and intent of the Zoning Code and pursuant to the standards set forth herein; and

WHEREAS, the Village Board of Trustees and the President of the Village of Sherman believe it in the best interest of the Village to grant the requested variance.

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

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

Section 2. Finding of Fact. Regarding the need for all of the variations requested by Petitioner, the Board of Trustees find as follows:

- A. **Economic Hardship.** Due to the unique size, shape and location of the parcel, this strict application of the regulations set forth in the Zoning Code would not result in an unnecessary and undue hardship.
- B. **Special Circumstances Not Found Elsewhere.** The variance is necessary solely as a result of the location of the parcel and is unique to the property.
- C. **Not Alter Local Character.** The variance as requested would not alter the local character of the area.
- D. **Relief Requested.** The relief requested is the minimum necessary.
- E. **Additional Concerns.** The variance will not cause addition threat to the public, will not create a nuisance and will not cause additional public expense.

Section 3. Description of Property. The property is located in the Village of Sherman and is legally described as follows:

1200 Old Tipton School Road, Sherman, IL. 62684
Parcel Number 06-36-300-044

Section 4. Public Hearing. A public hearing was advertised on April 18, 2019, in the Sun Times and held by the Zoning Board of Appeals on May 6, 2019 at which time the Zoning Board of Appeals recommended approval of the variance requested by a vote of 5 ayes to 0 nays.

Section 5. Zoning & Variances. The zoning variance requested in the application of the Zoning Code, outlined herein, and recommended at the May 6, 2019 Zoning Board of Appeals meeting, is hereby granted as follows:

AUTHORIZING A VARIANCE TO 10-9-7(A) "LOCATION OF SPACES" OF THE VILLAGE OF SHERMAN ORDINANCE TO ALLOW A PORTION OF ONE PARKING SPACE TO BE LOCATED IN THE FRONT YARD TO FARM CREDIT SERVICES OF ILLINOIS, FCLA FOR PROPERTY PARCEL NUMBER 06-36-300-044, SHERMAN, ILLINOIS AS RECOMMENDED BY THE ZONING BOARD OF APPEALS ION A MEETING HELD MAY 6, 2019

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 Sherman 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 7th day of May 2019 at Sherman, Sangamon County, Illinois.

	YES	NO	ABSENT	PRESENT
GRAY	✓			
HAHN	✓			
LONG	✓			
ROCKFORD			✓	
SCHULTZ	✓			
TIMM	✓			
CLATFELTER				
TOTALS:	5	0	1	0

VILLAGE OF SHERMAN, IL


 Trevor J. Clatfelter, President

Attest:

 Michael Stratton, Acting Clerk

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Sherman, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 2019-03, adopted by the President and Board of Trustees of said Village on the _7th_ day of May 2019, said Ordinance being entitled:

AN ORDINANCE AUTHORIZING A VARIANCE TO 10-9-7(A) "LOCATION OF SPACES" OF THE VILLAGE OF SHERMAN ORDINANCE TO ALLOW A PORTION OF ONE PARKING SPACE TO BE LOCATED IN THE FRONT YARD TO FARM CREDIT SERVICES OF ILLINOIS, FCLA FOR PROPERTY PARCEL NUMBER 06-36-300-044, SHERMAN, ILLINOIS AS RECOMMENDED BY THE ZONING BOARD OF APPEALS ION A MEETING HELD MAY 6, 2019

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this _7th_ day of May, 2019.



Michael Stratton, Acting Village Clerk