



ORDINANCE NO. 825

AN ORDINANCE OF THE VILLAGE OF MACKINAW,  
TAZEWELL COUNTY, ILLINOIS, GRANTING A VARIANCE  
TO THE ESTATE OF ELSIE I. STOUT FOR PROPERTY  
LOCATED AT 103 PARK ST. TO ALLOW THE CREATION OF  
A NEW COMMERCIAL LOT.

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

May 25, 2011

STATE OF ILLINOIS )  
COUNTY OF TAZEWELL ) SS  
VILLAGE OF MACKINAW )

**CERTIFICATE OF ORDINANCE**

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the 23<sup>rd</sup> day of May, 2011, insofar as same relates to the adoption of *Ordinance No. 825*, entitled:

*"An Ordinance of the Village of Mackinaw, Tazewell County, Illinois, Granting a variance to the estate of Elise I. Stout for property located at 103 Park St. to allow the creation of a new commercial lot."*

A true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "Ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of *Ordinance No.825*, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on *May 25, 2011* and continuing for at least ten days thereafter. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by six members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this 6<sup>th</sup>, *June 2011*..



[Redacted Signature]

Village Clerk

ORDINANCE NO. 825

AN ORDINANCE GRANTING A VARIANCE TO THE ESTATE OF ELSIE I. STOUT FOR PROPERTY LOCATED AT 103 PARK ST. TO ALLOW THE CREATION OF A NEW COMMERCIAL LOT.

WHEREAS:

A. An application has properly been submitted by the Estate of Elsie I. Stout, for a variance to approve the creation of a new commercial lot, to approve a non-conforming existing use of commercial property on the newly created lot and to grant a variance for the requirements of Sections 153.076, 153.077, 153.078 and 153.080 of the Village Code of the Village of Mackinaw.

B. The proper procedure has been in all respects followed under the Village Code of the Village of Mackinaw.

C. The Zoning Board of Appeals of the Village of Mackinaw conducted a hearing on the proposed requested variance on May 9, 2011 at the Village of Mackinaw Municipal Building at 7:30 P.M. No person, firm or entity appeared to object to the proposed requested variances.

D. The Zoning Board of Appeals of the Village of Mackinaw recommended that the variance be granted.

E. The granting of the requested variances is desirable.

F. That special conditions and circumstances exist which are not applicable to other lands or structures in the same district.

G. That literal interpretation of the provisions of the Zoning Ordinance of the Village of Mackinaw would deprive the applicant of rights commonly enjoyed by other lands or structures in the same district.

H. That the special conditions and circumstances do not result from the actions of the applicant.

I. That the granting of the variances requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance of the Village of Mackinaw to other lands or structures in the same district.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MACKINAW, TAZEWELL COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1. The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2. The applicant, the Estate of Elsie I. Stout, is hereby granted a variance to allow the creation of the newly created lot if the lot is surveyed, the plat is recorded, and the utilities re-routed as required by the Public Works Department of the Village of Mackinaw.

SECTION 3. The newly created shall be zoned commercial.

SECTION 4. This Ordinance shall be effective upon passage.

PASSED by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois, this 23<sup>rd</sup> day of May, 2011.

APPROVED:



Craig Friend, President of the Board Trustees

ATTEST:



Village Clerk

AYES: 5

ABSENT: 1

NAYES: 0