



ORDINANCE NO. 1079

**AN ORDINANCE GRANTING 601 BRENDA LYN DR A VARIANCE
TO REDUCE SIDE SET BACK**

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

JULY 15, 2025

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 14TH *day of July 2025*, insofar as same relates to the adoption of *Ordinance No. 1079*, entitled:

AN ORDINANCE GRANTING A 601 BRENDALYN DR A VARIANCE TO REDUCE SIDE YARD SET BACK

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.1079*, 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 *July 15, 2025* 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 **four** 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 **25th day of JULY 2025**.



Village Clerk

ORDINANCE NO. 1079

AN ORDINANCE GRANTING A VARIANCE TO LARRY YOUNG FOR PROPERTY LOCATED AT 601 BRENDAALYN DR., MACKINAW, ILLINOIS TO REDUCE THE BACK YARD DEPTH TO BE 7 FEET INSTEAD OF 10 FEET ON THE WEST SIDE OF THE PROPERTY

WHEREAS, an application has properly been submitted by Larry Young for a variance to permit any yard, court, buffer strip, setback line or spacing between buildings of less dimension than required by the applicable regulation as stated in §153.055(B) of the Village Code about or in connection with the applicants' use of the property at 601 Brendalyn Drive, Mackinaw, Illinois;

WHEREAS, the proper procedure has been in all respects followed under the Village Code of the Village of Mackinaw;

WHEREAS, the Zoning Board of Appeals of the Village of Mackinaw conducted a hearing on the proposed requested variance. No person, firm or entity appeared to object to the proposed requested variance;

WHEREAS, the Zoning Board of Appeals of the Village of Mackinaw recommended that the variance be granted;

WHEREAS, the granting of the requested variance is desirable;

WHEREAS, that special conditions and circumstances exist which are not applicable to other lands or structures in the same district;

WHEREAS, 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;

WHEREAS, that the special conditions and circumstances do not result from the actions of the applicant; and

WHEREAS, that the granting of the variance 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 recitations and findings contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2. Larry Young is hereby granted a variance for their property at 601 Brendalyn Drive, Mackinaw, Illinois, as requested in the application for variance attached hereto.

SECTION 3. This Ordinance shall be effective upon passage.

PASSED by the President and Board of Trustees of the Village of Mackinaw, Tazewell County, Illinois, this 14th day of July, 2025.

APPROVED


Josh Schmidgall, President of the Board Trustees

ATTEST:


Lisa Spencer, Village Clerk

AYES: 4

ABSENT: 0

NAYES: 2

VILLAGE OF MACKINAW

COUNTY OF TAZEWELL
STATE OF ILLINOIS

TO: Zoning Board of Appeals of the Village of Mackinaw, County of Tazewell,
State of Illinois.

APPLICATION FOR VARIANCE

Application is hereby made for a variance under Section 153.165, Code of Ordinances for the Village of Mackinaw, Illinois.

1. State the applicant's name LARRY YOUNG, and address [REDACTED]
2. State the location of the property for which the variance is requested:
 - a. Street address: 601 BRENDA LYN DR
 - b. Legal description of property: 13-13-17-408-001
 - c. Tax ID #: 13-13-17-408-001
3. The Village Board may grant a variance, by ordinance, in a specific case and after a public hearing before the Zoning Board, in accordance with the procedure hereinafter set forth when it appears:
 - a. That special conditions and circumstances exist which are not applicable to other lands or structures in the same district;
 - b. That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other lands or structures in the same district;
 - c. That the special conditions and circumstances do not result from the actions of the applicant;
 - d. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands or structures in the same district.

State the facts which the applicant believes bring him within the requirements set forth above: OVER ALL LENGTH OF HOUSE IS 61' 8"

THE LOT IS 80' WIDE - REQUESTING A 7' SETBACK
INSTEAD OF THE REQUIRED 10' SETBACK ON THE
WEST SIDE OF THE STRUCTURE

4. When it appears that the conditions set forth in # 3 above have been satisfied, the Zoning Board shall not recommend that the Village Board grant a variance except in the following instances:
- a. To permit any yard, court, buffer strip, setback line or spacing between buildings of less dimension than required by the applicable regulation;
 - b. To permit a reduction in the minimum or an increase in the maximum floor area ratio imposed by the applicable regulations;
 - c. To permit any structure to exceed the height limitations imposed by the applicable regulations;
 - d. To permit greater coverage than required by the applicable regulation;
 - e. To permit the use of a lot for a use otherwise prohibited solely because of the insufficient area of the lot;
 - f. To permit a reduction in the minimum habitable floor area of a dwelling unit or a lodging unit;
 - g. To permit a reduction in the minimum or an increase in the maximum floor areas of building as imposed by the applicable regulations;
 - h. To permit a reduction in the number of off-street parking spaces or loading berths required about or in connection with a use;
 - i. To permit the reconstruction of a nonconforming structure which has been destroyed or damaged to an extent of more than 50% of its value by fire, an act of God or the public enemy, where the Zoning Board shall find some compelling necessity requiring a continuance of the nonconforming structure;
 - j. To permit in a Residential District the creation of new lots having areas less than the minimum specified for the district, where such new lots conform with the size of lots directly across the street from and immediately adjacent on either side, the tract being subdivided; provided, that the tract is located in an area which has been partially subdivided prior to the enactment of this chapter, it being the purpose of this variance to allow the logical completion of a subdivision plan already in progress and not to permit the extension of smaller lot sizes to surrounding lands.

Request in detail a variance restricted to one or more of the situations described above. Specify which subparagraph you believe is the basis for a variance. a. To PERMIT ANY YARD, COURT, BUFFER STRIP,

SETBACK LINE OR SPACING BETWEEN BUILDINGS
OF LESS DIMENSION THAN REQUIRED BY THE
APPLICABLE REGULATION

Dated this 16 day of JUNE, 20 25.

[Redacted Signature]

Signature of Applicant

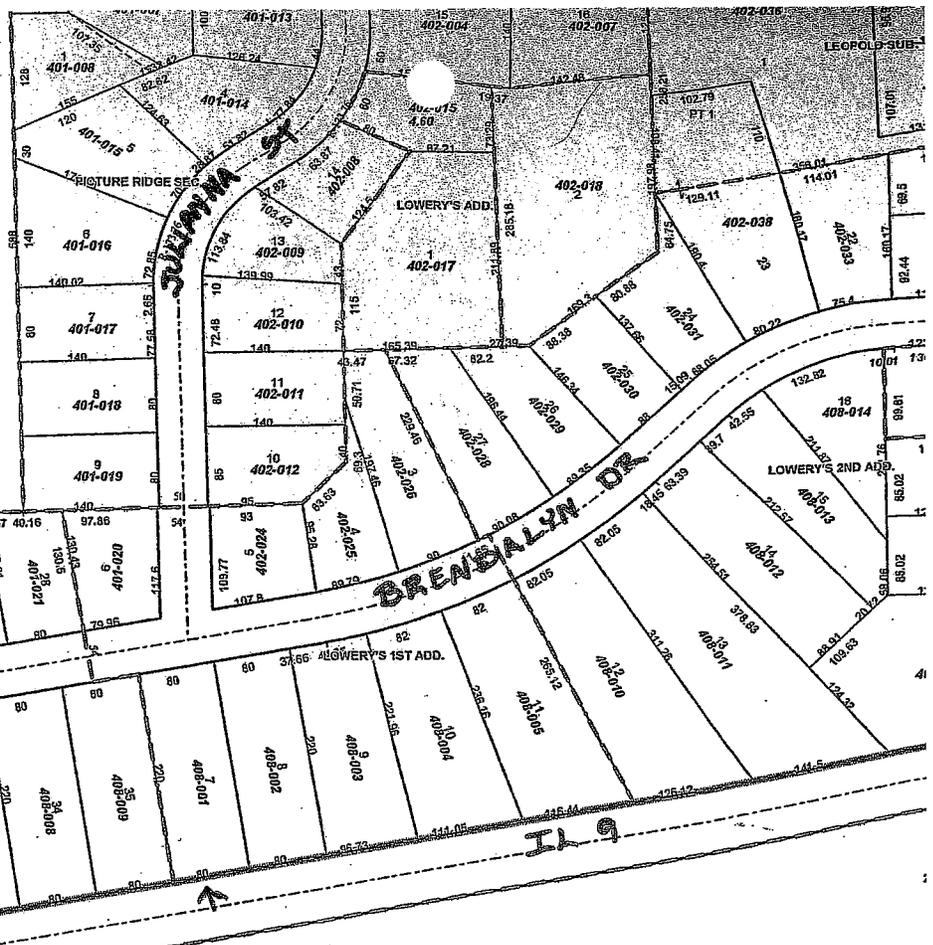
[Redacted Phone Number]

Phone Number

The original copy of such application shall be retained by the Zoning Officer. The duplicate copies shall be transmitted by the Zoning Officer to the applicant and to the Village Office to be kept on file for the Village of Mackinaw.

MACKINAW

401-001
3.18



320-014
3.19

320-015
1.10

ORE
ORE

80

13-13-17-408-001
Lot 7 Brendalyn Dr.

406-003
37.77

409-125

1200