

Ordinance No. 2016 - 06

An Ordinance varying the zoning restrictions of the Village of Williamsfield burdening property owned by

**BRADLEY N. EAGLE AND MELODIE A. EAGLE**

WHEREAS, pursuant to 65 ILCS 5/11-13-5, the board of appeals or corporate authorities of a municipality with fewer than 500,000 residents may determine and vary their application in harmony with their general purpose and intent and in accordance with general or specific rules therein contained in cases where there are practical difficulties or particular hardship in the way of carrying out the strict letter of any of those regulations relating to the use, construction, or alteration of buildings or structures or the use of land; and

WHEREAS, real estate described as follows:

Parcel Identification Number: 12-23-127-007

Common Address: 205 Cottonwood Court, Williamsfield IL 61489

Lot 11 in the Ralph Norman Subdivision Phase II, to the village of Williamsfield, as per plat thereof recorded in the office of the Knox County Recorder as Document No. 949312 in Plat Book 21, at Page 48, situated in the County of Knox and State of Illinois.

is presently within the corporate limits of the Village of Williamsfield

WHEREAS, the garage of the residence on the property described currently encroaches on the 30' southern building setback line of the property by 8.55', and a supporting wall of the residence encroaches on the 10' western building setback line on the property by 6"; and

WHEREAS, the previous owners of the property were unable to obtain financing for the construction of the residence unless no part of the residence was within the flood plain; and

WHEREAS, the only feasible location and orientation on the property described that allowed the residence to avoid the flood plain resulted in an inadvertent encroachment of the building setback lines in the two aforementioned instances; and

WHEREAS, the current use of the property and the variance sought is in harmony with the general purpose and intent of the zoning restrictions; and

WHEREAS, the current zoning restrictions present practical difficulties and particular hardships to the use and enjoyment of a substantial property right of the owners;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES of the Village of Williamsfield located in the County of Knox and the State of Illinois;

SECTION 1: That the building setback lines on the property described herein be varied to accommodate the encroachment by the residence; and

SECTION 2: This Ordinance shall be in full force and effect from and after its passage.

PASSED: This 6<sup>th</sup> day of September, 2016.

APPROVED: This 6<sup>th</sup> day of September, 2016.

  
\_\_\_\_\_  
Michael Gray, President

ATTEST:

  
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Tori Courson, Clerk

Prepared by: The Village of Williamsfield  
Return to: Michael E. Massie, Attorney at Law  
115 NW Third Avenue  
P.O. Box 205  
Galva, IL 61434

CERTIFICATE

STATE OF ILLINOIS    )  
                                  ) SS.  
COUNTY OF KNOX     )

I, TORI COURSON, DO HEREBY CERTIFY that I am the Clerk of the VILLAGE OF WILLIAMSFIELD, and that I am the keeper of the records of said Village, and that the foregoing is a true and correct copy of the Variance Ordinance passed and adopted by the President and Board of Trustees of said Village at a meeting held September 6<sup>th</sup>, 2016.

IN WITNESS WHEREOF, I have hereunto set my official hand this 6<sup>th</sup> day of September, 2016.

Tori Courson  
Village Clerk

(SEAL)