

CITY OF LEROY
COUNTY OF MCLEAN
STATE OF ILLINOIS

ORDINANCE NO. 676

AN ORDINANCE GRANTING A VARIANCE TO THE CITY ZONING CODE, CHAPTER 21,
MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS 1975 (as amended)

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS 17
DAY OF June, 1996.

PRESENTED: June 17, 1996

PASSED: June 17', 1996

APPROVED: June 17, 1996

RECORDED: June 17, 1996

PUBLISHED: June 17, 1996

In Pamphlet Form

Voting "Aye" 6

Voting "Nay" 0

The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned ordinance and that such ordinance was presented, passed, approved, recorded and published as above stated.

(SEAL)

X *She Morrison*
Acting City Clerk of the City of LeRoy,
McLean County, Illinois

Dated: June 17, 1996.

ORDINANCE NO. 676

AN ORDINANCE GRANTING A VARIANCE TO THE CITY ZONING CODE, CHAPTER 21,
MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS 1975 (as amended)

WHEREAS, the Zoning Board of Appeals of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, held a hearing on May 6, 1996, at 7:30 p.m., at the City Hall, City of LeRoy, Illinois, regarding a petition by James and Kimberly Lutes requesting a variance as to the West 44 feet of Lot 7 in Block 16 in the Original Town of LeRoy, McLean County, Illinois, commonly known as 212-214 E. Center Street, LeRoy, Illinois, said application being for variance to permit a temporary dwelling on the first floor of a two-story building located in the C-1, Central Commercial District of the City of LeRoy; and

WHEREAS, the Mayor and City Council of the City LeRoy have reviewed and considered the report of the Zoning Board of Appeals regarding the aforesaid hearing, have reviewed the findings of fact and reasons suggested both in favor of granting the variance and against granting the variance, said reasons having been formulated by the aforesaid Zoning Board of Appeals, and have considered the recommendation of said Zoning Board of Appeals to grant the variance; and

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, have determined that the applicants intend to and are capable of remodeling and refurbishing the property located at 212-214 E. Center Street, LeRoy, Illinois, sometimes referred to as the "LeRoy Opera House", considered to be one of the historic buildings in the City of LeRoy, and in the Central Commercial District of the City of LeRoy,

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of LeRoy, in lawful meeting assembled, as follows:

Section 1. The LeRoy City Council finds that the LeRoy Opera House is an historic structure, is located in the LeRoy historic business district, that the building has not been occupied

for several years on a regular basis, that no regular business establishment has been located in the building for several years, that the building is in a deteriorated condition and is continuing to deteriorate from lack of maintenance and care, and that it is in the best interests of the City and its residents to have the building maintained in better condition, and containing one or more regular business occupants, as well as being put to some use in keeping with its historic nature.

Section 2. A variance of Section 21.12 (b) 11. of the Municipal Code of the City of LeRoy, Illinois 1975 (as amended), is hereby granted to James Lutes and Kimberly Lutes for so long as they own the real estate located at 212-214 E. Center Street, LeRoy, Illinois, and legally described as the West 44 feet of Lot 7, in Block 16 in the Original Town of LeRoy, McLean County, Illinois, or for a period of twelve months beginning the date the applicants are granted possession of the premises, whichever period shall first expire. The date the applicants are granted possession of the subject premises is to be promptly documented, in writing, to the City Clerk of the City of LeRoy and to the Building and Zoning official of the City of LeRoy. Further, at such time as James and Kimberly Lutes give up use of the first floor of the aforesaid premises for dwelling purposes, this variance shall be terminated if not already terminated by occurrence of one of the other two events previously stated in this section.

Section 3. All of this ordinance, or parts thereof, resolutions, or parts thereof, in conflict with this ordinance shall be and the same are hereby repealed to the extent of such conflict, and this ordinance shall be in full force and effect as set forth hereafter.

Section 4. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as required by law.

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by Dave McClelland, seconded by Ron Litherland

_____, by roll call vote on the 17th day of June, 1996, as follows:

Aldermen elected 6 Aldermen present 0

VOTING AYE:

Ron Litherland, Dave McClelland, Lois Parkin, Fred Dodson, Dawn Thompson, Bill Swindle
(full names)

VOTING NAY:

None
(full names)

ABSENT, ABSTAIN, OTHER:

None
(full names)

and deposited and filed in the office of the Acting City Clerk in said municipality on the 17th day of June, 1996.

X Sue Marcum
Sue Marcum, Acting City Clerk of the City of LeRoy, McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 17th day of JUNE, 1996.

X Jerry C. Davis
Jerry C. Davis, Mayor of the City of LeRoy, McLean County, Illinois

ATTEST: (SEAL)

X Sue Marcum
Sue Marcum, Acting City Clerk, City of

CERTIFICATE

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

I further certify that on June 17, 1996, the Corporate Authorities of such municipality passed and approved Ordinance No. 676, entitled:


AN ORDINANCE GRANTING A VARIANCE TO THE CITY ZONING CODE, CHAPTER 21, MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS 1975 (as amended),

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 676, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on June 17, 1996, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 17th day of June, 1996

(SEAL)



Acting Municipal Clerk

STATE OF ILLINOIS)
) SS:
COUNTY OF McLEAN)

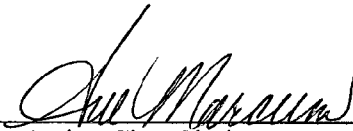
I, Sue Marcum, do hereby certify that I am the duly qualified and Acting City Clerk of the City of LeRoy, McLean County, Illinois, and as such Acting City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE GRANTING A VARIANCE TO THE CITY ZONING CODE, CHAPTER 21, MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS 1975 (as amended)n.

I do further certify said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the 17th day of June, 1996, and prior to the making of this certificate the said ordinance was spread at length upon the permanent records of said City where it now appears and remains as a faithful record of said ordinance in the record books.

Dated this 17th day of June, 1996.

X 
Acting City Clerk

(SEAL)