
THE VILLAGE OF SHERMAN
SANGAMON COUNTY, ILLINOIS

ORDINANCE NUMBER 24-10

**AN ORDINANCE AUTHORIZING A VARIANCE FROM FRONT YARD SETBACK
REQUIREMENTS FOR THE PROPERTY LOCATED AT 5REDBUD LANE, SHERMAN,
ILLINOIS PARCEL 06-36.0-151-005**

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

SEAN BULL
PAM GRAY
BRET HAHN
BRIAN LONG
KEVIN SCHULTZ
KRISTA SHERROCK
Village Trustees

Ordinance No. 2024-10

AN ORDINANCE AUTHORIZING A VARIANCE FROM FRONT YARD SETBACK REQUIREMENTS FOR THE PROPERTY LOCATED AT 5 REDBUD LANE, SHERMAN, ILLINOIS PARCEL 06-36.0-151-005

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, an application for a variance from the front yard setback requirements from section 10-3-4 et al of the Village of Sherman Zoning Code ("Zoning Code") was filed by the Mr. & Mrs. John Von Behren requesting a variance to reduce front/corner yard set back down to 0 ft for the parcel 06-36.0-151-005 situated in the Village of Sherman, Illinois for sole purpose of installing a cedar fence.

WHEREAS, the Zoning Board of Appeals recommended the Village Board deny the variance requests to the Zoning Code by a vote of 4 ayes to 0 naves; and

WHEREAS, Section 10-3-4 et al permits 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, Village Board considered the recommendation of the Zoning Board of Appeals at the Village Board meeting on November 5, 2024, and

WHEREAS, the Petitioners asked the Village Board to consider an amendment to the petition as filed, reducing the setback to 10 feet, instead of the zero foot setback as initially requested.

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, as amended.

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 result in an unnecessary and undue hardship, thereby creating an economic 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.** Granting the variance as noted in this ordinance and recommended by the Zoning Board of appeals would not alter the local character of the subdivision.
- D. **Relief Requested.** The relief requested is the minimum necessary.
- E. **Additional Concerns.** The variance will not cause additional 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:

5 Redbud Lane, Sherman, IL 62684
Parcel Number 06-36.0-151-005

Section 4. Zoning & Variances. The zoning and variations requested in the application of the Zoning Code, outlined herein and amended by the Petitioner at the November 5, 2024 are hereby granted as follows:

- A. A variance to reduce the front yard setback down to 10 ft as allowed under section 10-3-4 et al of the Village of Sherman Ordinances for the sole purpose of installing a fence.
- B. No other structures will be constructed on the 30 foot setback prescribed by the Zoning ordinance.
- C. The location of the property line, and the location of the fence, are as set forth on a survey attached hereto as Exhibit A.

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 19th day of November, 2024. at Sherman, Sangamon County, Illinois.



VILLAGE OF SHERMAN

Trevor J. Clatfelter

Trevor J. Clatfelter, President

Attest:

Michael Stratton

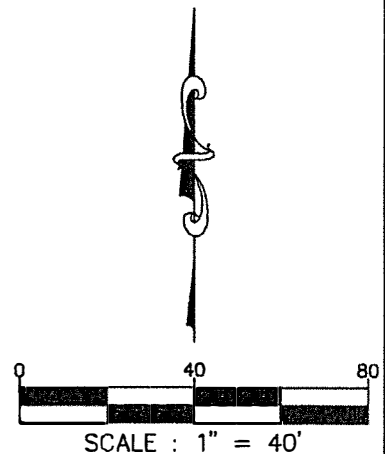
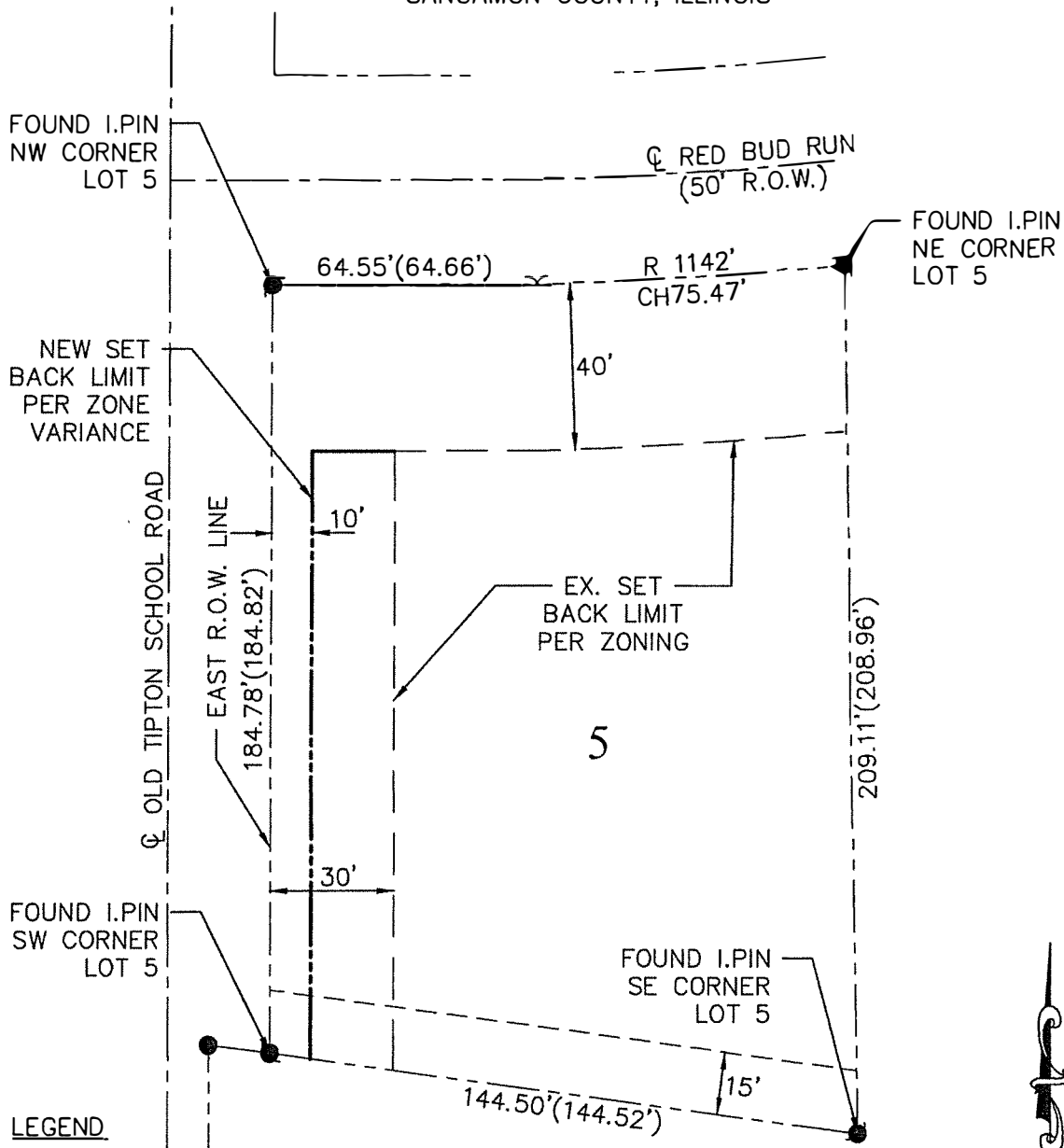
Michael Stratton, Clerk

	YES	NO	ABSENT	PRESENT
BULL	✓			
GRAY	✓			
HAHN	✓			
LONG	✓			
SCHULTZ	✓			
SHERROCK	✓			
CLATFELTER				
TOTAL	6	0	0	0

OWNER:
 JOHN & LAUREN VON BEHREN
 5 RED BUD RUN
 SPRINGFIELD, IL. 62707-9370
 TAX ID# 06-36.0-151-005

SET BACK EXHIBIT

LOT 5 OF RED BUD SUBDIVISION BEING
 PART OF THE NORTHEAST QUARTER OF
 SECTION 36, T.17N., R5W. 3RD P.M.
 SANGAMON COUNTY, ILLINOIS



NOTE:
 REFERENCE TO EASEMENTS AND LOT DIMENSIONS AS PER RED BUD SUBDIVISION FINAL PLAT, DOC# 900838



KUHN & TRELLO
 A LIMITED LIABILITY COMPANY
 109 N. 7TH STREET, 3RD FLOOR
 SPRINGFIELD, IL 62701
 PHONE: 217-679-0044
 PROFESSIONAL DESIGN FIRM NO. 184-006516

SET BACK EXHIBIT
5 RED BUD RUN
 SHERMAN, SANGAMON COUNTY, ILLINOIS

PROJECT #: 24005
FIG. 1
SHEET: 1 OF 1

DESIGNED BY: N/A | DRAWN BY: RMC | CHECKED BY: HBD | DATE: 11/8/2024

STATE OF ILLINOIS

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.

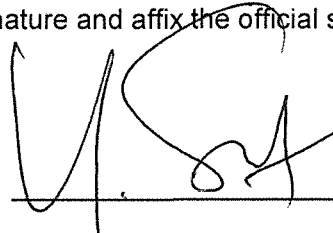
I do further certify that the ordinance attached hereto is a full, true and exact copy of Ordinance Number 2024-10, adopted by the President and Board of Trustees of said Village on the 19th day of November 2024, said Ordinance being entitled:

AN ORDINANCE AUTHORIZING VARIANCE FROM FRONT YARD SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 5 REDBUD LANE, SHERMAN, IL PARCEL 06-36.0-151-005

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 hereunto set my signature and affix the official seal of said Village this 19th Day of November 2024.




Village Clerk