

ILLINOIS POLLUTION CONTROL BOARD
January 30, 1973

GWENDOLYN HANNA)
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 v.) PCB 72-434
)
 ENVIRONMENTAL PROTECTION AGENCY)
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)
 MARY STEELE)
)
 v.) PCB 72-440
)
 ENVIRONMENTAL PROTECTION AGENCY)

OPINION OF THE BOARD (by Mr. Dumelle):

This opinion is in support of the orders entered herein on January 23, 1973.

Both of these cases involve requests for variances from sewer bans in the North Shore Sanitary District. Because of their similarities we will handle them in one opinion.

The Hanna family presently resides in a four room apartment in North Chicago. Mr. Hanna had heart surgery in June, 1972. He also has a nervous disorder which causes his eyes to lock shut often and for long periods of time. They have eight children. They have been notified by the Lake County Housing Authority that they are no longer eligible to live in the public housing where they presently reside. The Hannas have, however, been approved for a 235 Plan home and an FHA loan. The loan will be cancelled if they do not begin construction by April, 1973. They have not been able to find any other suitable housing.

The Steele family presently resides in the same public housing as the Hanna family and have also been notified to move. Mrs. Steele lives with her nine children. She has been separated from her husband for two years. They have also been approved for a 235 Plan home and an FHA loan.

We find that not allowing a sewer connection in these two cases will impose an arbitrary and unreasonable hardship upon these two families. We will therefore grant a variance to each so that they may build their homes and connect up to the sewer system.

This opinion constitutes the Board's findings of fact and conclusions of law.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion was adopted on the 30th day of January, 1973 by a vote of 3 to 0.

Christan L. Moffett