

ILLINOIS POLLUTION CONTROL BOARD
November 1, 1973

MRS. ELLA TURNER,)
)
 Petitioner,)
) PCB 73-317
 vs.)
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

OPINION AND ORDER OF THE BOARD (by Mr. Seaman):

On August 2, 1973, Petitioner, Mrs. Ella Turner, a resident of North Chicago, County of Lake, Illinois, filed her Petition for Variance. Petitioner seeks "permission to build on our lot," and prays that this Board make it "possible for us to get a building permit."

We assume, although it is not clear from the document submitted by Petitioner, that Petitioner is seeking permission to connect a single-family dwelling to the North Chicago sewage treatment plant of the North Shore Sanitary District. It is our policy to make this Board and its remedies accessible to individual private citizens, without imposing upon them the burden of retaining counsel. However, certain minimal information is necessary before this Board can adopt a reasoned decision, and the petition herein is inadequate. For example, Petitioner does not state her marital status, the age of her children, approximate family income, composition of her family unit or any financial commitments made pursuant to her intent to build.

This Petition shall, therefore, be dismissed without prejudice.

Should Petitioner choose to file a subsequent petition in this matter, it is suggested that she familiarize herself with the requirements of Rule 401 (a) of this Board's Procedural Rules and present such additional information as is necessary to meet the criteria stated therein. In particular, but without limitation, Petitioner must show hardship that is unreasonable or arbitrary and the absence of a viable alternative solution to her housing problem.

This Opinion constitutes the findings of fact and conclusions of law of the Board.

ORDER

IT IS THE ORDER of the Pollution Control Board that the Petition for Variance of Mrs. Ella Turner be dismissed without prejudice.

Mr. Henss dissents.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted this 15th day of November, 1973 by a vote of 4 to 1.

Christan L. Moffett