

CASE # 2008-10
RESOLUTION NUMBER 4-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
30 MAYHUE, RIVERTON
SANGAMON COUNTY, ILLINOIS

WHEREAS, the Zoning Board of Appeals has presented to the Sangamon County Board, Sangamon County, Illinois, its Findings of Fact and Recommendation that the Sangamon County Board **grant a variance to** the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Donald M. Pease**, has petitioned the Sangamon County Board for a **variance of the front yard requirement from 30' to 20' to allow for an addition to the attached garage;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **February 21, 2008**, after proper notice was posted on said property and given by news publication, as is required by said Ordinance, and all procedural and jurisdictional requirements of the Sangamon County Zoning Ordinance have been met; and

WHEREAS, the Sangamon County Zoning Board of Appeals has presented to the Sangamon County Board of Sangamon County its Findings of Fact and Recommendation that the Sangamon County Board **grant the variance;** and

WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

FILED

FEB 29 2008

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 11th day of March, 2008 that the request for a variance of the front yard requirement from 30' to 20' to allow for an addition to the attached garage on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 11th day of March, 2008.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD


TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JENNIFER DILLMAN

DAVID MENDENHALL

GEORGE PRECKWINKLE

SAM SNELL

DON STEPHENS

LINDA DOUGLAS WILLIAMS

ATTEST:


SANGAMON COUNTY CLERK


COUNTY BOARD CHAIRMAN

13-0000

43

192.95

CLR-305

184

CRS 11/15/05

17.88

126.84

15-04
129-007

46.59

24.18

95.74

111.22

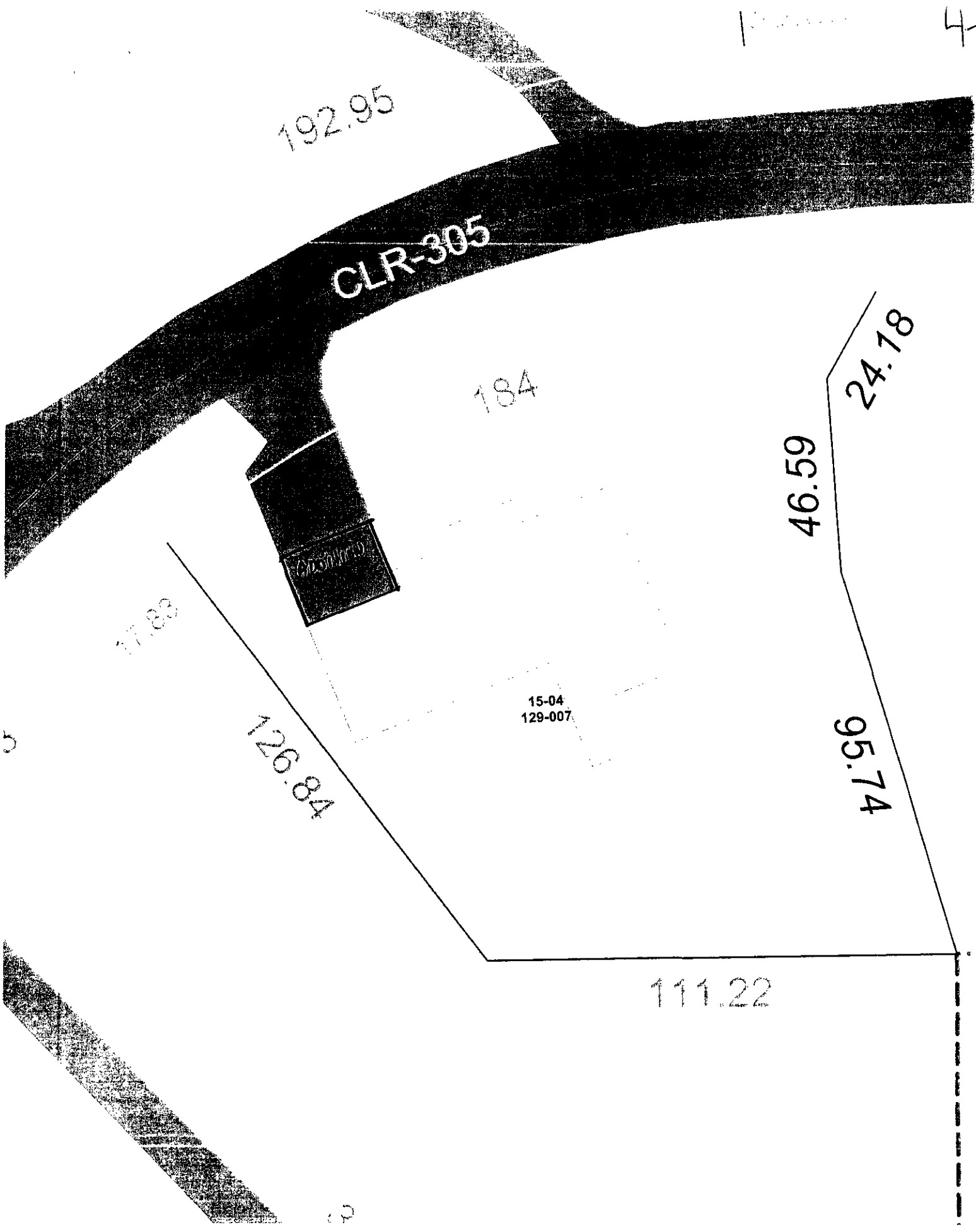


EXHIBIT A

Part of Lot Thirty (30) of Holiday Estates Plat 2 Revised in the Office of Sangamon County Recorder of Deeds, described more particularly as follows:

Commencing at an iron pipe marking the Southeast corner of the Northeast Quarter of the Northwest Quarter of Section 4, Township 16 North, Range 4 West of the Third Principal Meridian; thence North 00 degrees 23 minutes 42 seconds West along the Quarter Section line a distance of 258.86 feet to an iron pin on the South Line of the aforementioned Lot Thirty (30), said pin marks the true point of beginning; thence South 89 degrees 31 minutes 25 seconds West along the South Line of Lot Thirty (30) a distance of 111.23 feet to an iron pipe; thence North 37 degrees 50 minutes 29 seconds West along the West line of Lot Thirty (30) a distance of 126.89 feet to an iron pipe marking the beginning of a 275.00 foot radius, non-tangent curve to the right whose center bears South 38 degrees 43 degrees 43 minutes 47 seconds East; thence Northeasterly along said curve through a central angle of 38 degrees 18 minutes 37 seconds a distance of 183.88 feet to an iron pipe; thence South 28 degrees 32 minutes 26 seconds West a distance of 24.18 feet to an iron pipe; thence South 05 degrees 35 minutes 06 seconds East a distance of 46.59 feet to an iron pipe; thence South 15 degrees 47 minutes 05 seconds East a distance of 95.74 feet to the true point of beginning.

Situated in Sangamon County, Illinois

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 8 NAME: **Jim Good**

DOCKET NUMBER: **2008-10**

ADDRESS: **30 Mayhue, Riverton, IL 62561-9611**

PETITIONER: **Donald M. Pease**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District**

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance of the front yard requirement from 30' to 20' to allow for an addition to the attached garage**

AREA: **.44 acre**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. There is no foreseen impact on neighboring property and the standards for variation are met.**

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION: **Approval**


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2008-10
Donald M. Pease)	
)	PROPERTY LOCATED AT:
)	30 Mayhue
)	Riverton, IL 62561-9611
)	

RECOMMENDATION OF THE BOARD OF APPEALS

THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for a **variance** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner (s); that legal publication has been made pursuant to law; and that a public hearing was held on **February 21, 2008** pursuant to law; and that said Board took testimony of witnesses, examined the evidence, and otherwise being fully advised in the premises, therefore finds as follows:

1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in or contract to purchase the property commonly known as **30 Mayhue, Riverton, IL 62561-9611** and more particularly described as:

See Exhibit A

Page 2

- 3. That the present zoning of said property is **"A" Agricultural District.**
- 4. That the present land use of said property is **Single family residence.**
- 5. That the proposed land use of said property is **Add on to attached garage.**
- 6. That the requested **variance** of said property is **of the front yard requirement from 30' to 20' to allow for an addition to the attached garage.**
- 7. That required findings and standards of the Sangamon County Board of Appeals are accurately stated on the attached exhibit (s).
- 8. The evidence adduced at the hearing **does** support the proposition that the adoption of the proposed **variance** is in the public interest and is not solely in the interest of the petitioner(s).

IT IS, THEREFORE, the recommendation of the Sangamon County Zoning Board of Appeals to the County Board of Sangamon County that the requested **variance** be **approved.**


 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Don Wulf** to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **approved**, which was duly seconded by **Byron Deaner.**

The vote of the Board was as follows:

YES: **Byron Deaner, Peggy Egizii, Judith Johnson, Marvin Traylor, Don Wulf**

NO:

ABSENT: **Charles Chimento**


 RECORDING SECRETARY

EXHIBIT A

Part of Lot Thirty (30) of Holiday Estates Plat 2 Revised in the Office of Sangamon County Recorder of Deeds, described more particularly as follows:

Commencing at an iron pipe marking the Southeast corner of the Northeast Quarter of the Northwest Quarter of Section 4, Township 16 North, Range 4 West of the Third Principal Meridian; thence North 00 degrees 23 minutes 42 seconds West along the Quarter Section line a distance of 258.86 feet to an iron pin on the South Line of the aforementioned Lot Thirty (30), said pin marks the true point of beginning; thence South 89 degrees 31 minutes 25 seconds West along the South Line of Lot Thirty (30) a distance of 111.23 feet to an iron pipe; thence North 37 degrees 50 minutes 29 seconds West along the West line of Lot Thirty (30) a distance of 126.89 feet to an iron pipe marking the beginning of a 275.00 foot radius, non-tangent curve to the right whose center bears South 38 degrees 43 minutes 47 seconds East; thence Northeasterly along said curve through a central angle of 38 degrees 18 minutes 37 seconds a distance of 183.88 feet to an iron pipe; thence South 28 degrees 32 minutes 26 seconds West a distance of 24.18 feet to an iron pipe; thence South 05 degrees 35 minutes 06 seconds East a distance of 46.59 feet to an iron pipe; thence South 15 degrees 47 minutes 05 seconds East a distance of 95.74 feet to the true point of beginning.

Situated in Sangamon County, Illinois

SSCRPC Springfield Sangamon County Regional Planning Commission
Staff Findings and Recommendation (inspected <u>2/5/08</u> by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2008-10
 ADDRESS 30 Mayhue
 Property Index # 15-04-129-007

PETITIONER Pease, Donald M.

REQUESTED ZONING A variance of the front yard requirement from 30' to 20'.

PROPOSED LAND USE Addition on to attached garage

EXISTING:

ZONING A

LAND USE Single family residence

ROAD FRONTAGE Mayhue 184' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence

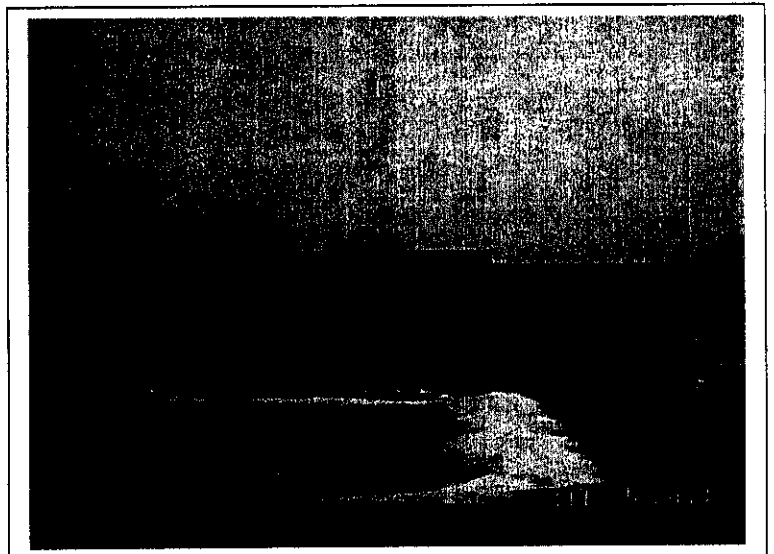
CONDITION OF STRUCTURE Good

LOT AREA .44 acre

FRONT YARD 35'

SIDE YARDS 11' / 45'

REAR YARD 55'



Would the proposed zoning be spot zoning? NA

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval. There is no foreseen impact on neighboring property and the standards for variation are met.

410

County Zoning

Case# 2008-10

Requested:
Variance

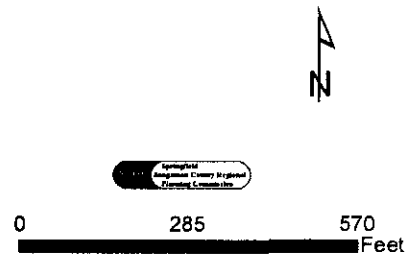


County Zoning

	RM-4		I1
	R3		I2
	R2		B3
	R1a		B2
	R1		B1
	OFF		A

City Zoning

	R5		H1		OFF
	R1		H2		PUD
	R2		H3		B1
	R3a		S1		B2
	R3b		S2		I1
	R4		S3		I2



**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2008-10**

Address: **30 Mayhue**

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of this ordinance be varied as authorized in F. (1) hereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the property in question cannot be economically used or yield a reasonable return, if permitted to be used only for the conditions allowed by the regulations.

The request is made to allow construction of an addition to the existing attached garage.

- (ii) that the plight of the owner is due to circumstances unique to the property and not generally applicable to other property in the area.

Due to the odd configuration of the property (the west property line angles into the property) an addition to the rear of the garage is not possible.

- (iii) that the variation, if granted, will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality.

The subject lot is located on a curve so the house faces northwest and the house to the east faces directly north so the proposed addition on the west side would not be in alignment with the neighbor's home. The house on the property to the west actually sits behind the subject property so would be unaffected by the addition.