

CASE# 2010-27  
RESOLUTION NUMBER 2-1

**GRANTING A VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**18862 VAN AVENUE, VIRDEN**  
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:

**Lot Four (4) In Tower Heights Subdivision. Subject to Easements, Covenants and Restrictions of Record. Situated in Sangamon County, Illinois.**

WHEREAS, the Petitioner, **James G. Probst**, has petitioned the Sangamon County Board for a **variance of the side setback requirement from ten (10) feet to six (6) feet to allow for a 30 x 40 (1,200 square foot) detached garage.** ; and

WHEREAS, a public hearing was held at the Sangamon County Building on **June 17, 2010** 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**

JUL 28 2010


*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13th day of July, 2010 that the request for a variance of the side setback requirement from ten (10) feet to six (6) feet to allow for a 30 x 40 (1,200 square foot) detached garage on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13th day of July, 2010.

Respectfully submitted,

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



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

**ATTEST:**

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: #6                      NAME: Sam Snell

DOCKET NUMBER: 2010-27

ADDRESS: 18862 Van Ave., Virden, IL. 62690

PETITIONER: James G. Probst

PRESENT ZONING CLASSIFICATION: "R-1" Single Family Residence District

REQUESTED ZONING CLASSIFICATION: "R-1" Single Family Residence District with  
a variance of the side setback requirement  
from ten (10) feet to six (6) feet to allow for a  
30 x 40 (1,200 square foot) detached garage.

AREA: .5 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION:      **Recommend approval of the  
requested variance to allow the side  
yard setback to be six feet instead  
of the required ten feet for an  
unattached garage. The garage has  
no negative impact on adjacent  
property, adds to the utility of the  
property and placement was  
limited due to septic lateral fields  
on the property.**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

Approval

Cyndi Knowles  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: 2010-27
James G. Probst )	
)	PROPERTY LOCATED AT:
)	18862 Van Ave.,
)	Virден, IL. 62690

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 **June 17, 2010** 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, contract to purchase, or is the County Board Member representing the property commonly known as: **18862 Van Ave., Virден, IL.** and more particularly described as:

**Lot Four (4) In Tower Heights Subdivision. Subject to Easements, Covenants and Restrictions of Record. Situated in Sangamon County, Illinois.**

- 3. That the present zoning of said property is "**R-1**" Single Family Residence District.
- 4. That the present land use of said property is a **single family residence**.
- 5. That the proposed land use of said property is a **single family residence**.
- 6. That the requested **variance** of said property is **of the side setback requirement from ten (10) feet to six (6) feet to allow for a 30 x 40 (1200 square foot) detached 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**.

Charles Chimento/ck  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Peggy Egizii**, 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: **Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, Marvin Traylor**

NO:

ABSENT:

Cindi Knowles  
RECORDING SECRETARY