

CASE# 2014-001
RESOLUTION NUMBER 2-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
13560 BAB ROAD, AUBURN
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, **Bobby Oller**, has petitioned the Sangamon County Board for **a variance of the side yard setback from ten (10) feet to three (3) feet to allow an addition to an existing shed**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **January 16, 2014** 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

JAN 30 2014

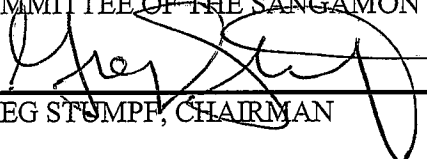
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13th day of February, 2014 that the request for a variance of the side yard setback from ten (10) feet to three (3) feet to allow an addition to an existing shed on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13th day of February, 2014.

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD.



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

JOHN FULGENZI

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTIS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of the Southeast Quarter of Section 1, Township 13 North, Range 6 West of the Third Principal Meridian bounded as follows:

Beginning at an iron pipe 383.2 feet South of a stone at the Northwest corner of the Southeast Quarter of Section 1, Township 13 North, Range 6 West of the Third Principal Meridian, running thence East 227.35 feet; thence South 191.6 feet; thence West 227.35 feet; thence North 191.6 feet to the point of beginning.

Except the coal and other minerals underlying the surface of said land and all rights and easements in favor of the estate of said coal and minerals.

Situated in Sangamon County, Illinois.

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: # 6 NAME: Sam Snell

DOCKET NUMBER: 2014-001

ADDRESS: 13560 Bab Road, Auburn, IL 62615

PETITIONER: Bobby Oller

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance of the side yard setback from ten (10) feet to three (3) feet to allow an addition to an existing shed.

AREA: 1 acre

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variance of the side yard setback to be three (3) feet instead of the required ten (10) feet. There is no anticipated negative impact in allowing construction of an addition to the existing shed on the property. The standards for variation are met.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approve


Cyndi Knowles
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2014-001
Bobby Oller))
)	PROPERTY LOCATED AT:
)	13560 Bab Road
)	Auburn, IL 62615

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 **January 16, 2014** 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: **13560 Bab Road, Auburn, IL 62615** and more particularly described as:

See EXHIBIT A

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is a house and two (2) sheds.
- 5. That the proposed land use of said property is a house and two (2) sheds.
- 6. That the requested variance of said property is of the side yard setback from ten (10) feet to three (3) feet to allow an addition to an existing shed.
- 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, **Judith Johnson**, 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, Judith Johnson, Don Wulf, and Janet Dobrinsky**

NO:

PRESENT:

ABSENT: **Peggy Egizzi**

Cyndi Knowles
RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2014-001

Address: 13560 Bab Road, Auburn

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 existing shed is located on the north side yard setback and is accessible from the existing driveway. Moving the shed and access to a different area is not feasible and could result in an economic loss to the property owner.

- (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.

The property contains a residence with an existing shed. Due to the configuration of the property, location of the existing structure, and the timber on the property, there is plight to the owner in that the owner is unable to move the existing shed and construct an addition anywhere else on the property.

- (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.

No negative impact is anticipated in allowing the addition to the existing shed.