

CASE# 2010-10
RESOLUTION NUMBER 6-1

**GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
4860 MARGARET AVE., SPRINGFIELD
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 Five (5) in Frey Subdivision. Situated in Sangamon County, Illinois.

WHEREAS, the Petitioner, **Daniel Edge**, has petitioned the Sangamon County Board for **A variance to allow a six (6) foot privacy fence to extend twenty-five (25) feet into the front property line setback instead of the required thirty (30) feet; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **March 18, 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

MAR 26 2010

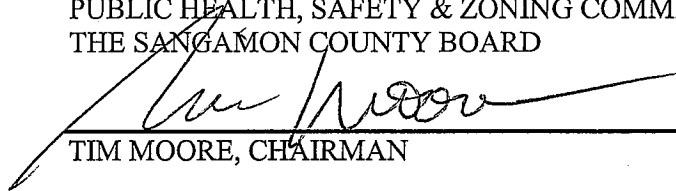
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 6th day of April, 2010 that the request for a variance to allow a six (6) foot privacy fence to extend twenty-five (25) feet into the front property line setback instead of the required thirty (30) feet on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 6th day of April, 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: #1 NAME: Harry "Tom" Faase

DOCKET NUMBER: 2010-10

ADDRESS: 4860 Margaret Ave., Springfield, Illinois 62711

PETITIONER: Daniel Edge

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow a six (6) foot privacy fence to extend twenty-five (25) feet into the front property line setback instead of the required thirty (30) feet.

AREA: 1.04 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: **Recommended approval of requested variance. The standards for variation are met. Given the size of the lot and unique circumstances in this particular case, there does not appear to be any foreseen negative impact on neighboring property owners. Also, there is 20 feet of right-of-way on the front property line making traffic visibility a non-issue.**

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: **2010-10**
 Daniel Edge)
)
) PROPERTY LOCATED AT:
) **4860 Margaret Ave.,**
) **Springfield, Illinois 62711**

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 **March 18, 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: **4860 Margaret Ave., Springfield, IL.** and more particularly described as:

Lot Five (5) in Frey Subdivision. Situated in Sangamon County, Illinois.

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is a single family residence with a privacy fence.
- 5. That the proposed land use of said property is a single family residence with a privacy fence.
- 6. That the requested variance of said property is to allow a six (6) foot privacy fence to extend twenty-five (25) feet into the front property line setback instead of the required thirty (30) feet.
- 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, **Marvin Traylor**, 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 **Judith Johnson**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, Marvin Traylor**

NO:

ABSENT:

Cyndi Knowles
RECORDING SECRETARY