

CASE# 2013-027
RESOLUTION NUMBER 6-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
67 HOLIDAY LANE, 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:

Lot 67 Holiday Estates Plat 2

WHEREAS, the Petitioner, **Anthony Angeli Jr.**, has petitioned the Sangamon County Board for a **variance to allow a zero (0) foot front yard setback instead of the required thirty (30) feet to allow for a detached garage in the front yard;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **June 20, 2013** 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

JUN 27 2013

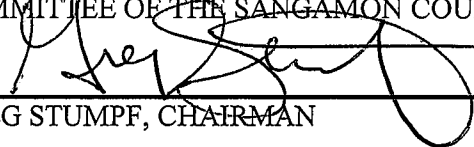
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 9th day of July, 2013 that the request for a variance to allow a zero (0) foot front yard setback instead of the required thirty (30) feet to allow for a detached garage in the front yard on the above referenced property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 9th day of July, 2013.

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 RATTS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

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RECAP

(For County Board Use)

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

DOCKET NUMBER: 2013-027

ADDRESS: 67 Holiday Lane, Riverton, IL. 62561

PETITIONER: **Anthony Angeli, Jr.**

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

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

AREA: 1.77 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION:

Recommend approval of the requested variance. The standards for variation are met. There is a pond to the south of the subject parcel. The topography of the subject property and location of the pond makes placement of the detached garage difficult. Many properties in the neighborhood have detached garages in the front and/or side yards. No negative affects on the surrounding area are anticipated in allowing the detached garage.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval.


Cynthia Knowles
RECORDING SECRETARY

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SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2013-027
Anthony Angeli, Jr.)	
)	PROPERTY LOCATED AT:
)	67 Holiday Lane
)	Riverton, IL. 62561

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 20, 2013** 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: **67 Holiday Lane, Riverton, IL.** and more particularly described as:

Lot 67 Holiday Estates Plat 2

- 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.
- 5. That the proposed land use of said property is a single-family residence and detached garage.
- 6. That the requested variance of said property is to allow a zero (0) foot front yard 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.

Byron Deaner Vice-Chair/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 **Judith Johnson**.

The vote of the Board was as follows:

YES: **Byron Deaner, Don Wulf, Peggy Egizii, Judith Johnson, John Lucchesi**

NO:

PRESENT:

ABSENT: **Charles Chimento**

Cyndi Knowlton
RECORDING SECRETARY

SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS

Case #: 2013-027

Address: 67 Holiday Lane, Riverton

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 property can currently be used economically, however, the homeowner is at a disadvantage compared to other properties in the neighborhood because many have detached garages located in the front or side yards. Allowing the petitioner to construct a detached garage would make this property comparable to other properties in the area, thus increasing the economic yield.

- (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.

There is a pond to the south of the subject parcel. The topography and location of the pond makes placement of the detached garage difficult, thus the petitioner is requesting to locate the garage in the front yard.

- (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.

There do not appear to be any negative impacts anticipated in allowing placement of a detached garage in the front yard. Additionally, construction of a detached garage appears to be in trend with the character of the immediate area, as many other properties in the neighborhood have detached garages in the front or side yards.