

CASE# 2017-048 6-1  
RESOLUTION NUMBER \_\_\_\_\_

**DENYING A VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**11124 GREEN RIDGE LANE, DAWSON**  
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 **deny a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**Lot 12 of Highland Estates**

WHEREAS, the Petitioner, **Beverly Buck**, has petitioned the Sangamon County Board for a **variance to allow the side yard setback to be zero (0) feet instead of the required fifteen (15) feet side yard setback on a corner lot**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **October 19, 2017** 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 **deny the variance**; and,

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

**FILED**

OCT 25 2017

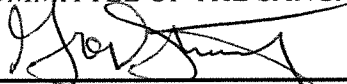
*Don J. May*  
SANGAMON COUNTY CLERK

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 14<sup>th</sup> Day of November, 2017 that the request for a variance to allow the side yard setback to be zero (0) feet instead of the required fifteen (15) feet side yard setback on a corner lot on the above described property is hereby denied.

Signed and passed by the Sangamon County Board in session on this 14<sup>th</sup> day of November, 2017.

Respectfully submitted,

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



\_\_\_\_\_  
GREG STUMPF, CHAIRMAN

\_\_\_\_\_  
DAVID MENDENHALL, VICE CHAIRMAN

\_\_\_\_\_  
CRAIG HALL

\_\_\_\_\_  
SAM SNELL

\_\_\_\_\_  
ABE FORSYTH

\_\_\_\_\_  
JASON RATTS

\_\_\_\_\_  
LINDA DOUGLAS WILLIAMS

\_\_\_\_\_  
ANNETTE FULGENZI

\_\_\_\_\_  
LINDA FULGENZI

\_\_\_\_\_  
LISA HILLS

\_\_\_\_\_  
MIKE SULLIVAN

\_\_\_\_\_  
ROSE RUZIC

**ATTEST:**

\_\_\_\_\_  
SANGAMON COUNTY CLERK

\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

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**RECAP**

(For County Board Use)

COUNTY BOARD MEMBER: #3 NAME: David Mendenhall

DOCKET NUMBER: 2017-048

ADDRESS: 11124 Green Ridge Lane, Dawson, IL 62520

PETITIONER: Beverly Buck

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: A variance to allow the side yard setback to be zero (0) feet (for the garage) instead of the required fifteen (15) feet side yard setback on a corner lot.

AREA: 1 acre

COMMENTS: None

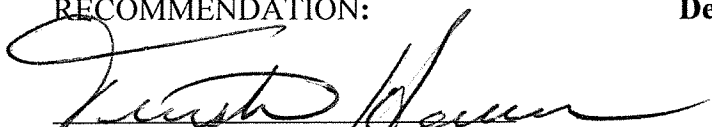
OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend denial. The property has a detached garage that was added to over time. In 2007, the central garage was the only structure. By 2011, two carports had been added, one of which was approximately zero (0) feet from the corner side lot line. No building permits were obtained. It appears a new roof was constructed over the combined garage/carports sometime between 2011-2015. The Standards for Variation are not met.**

SANGAMON COUNTY BOARD OF APPEALS

RECOMMENDATION:

**Denial as Staff Recommended.**

  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2017-048</b>
<b>Beverly Buck</b> )	
)	PROPERTY LOCATED AT:
)	<b>11124 Green Ridge Lane</b>
)	<b>Dawson, IL 62520</b>

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 **October 19, 2017** 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:

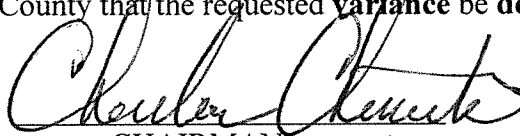
1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **11124 Green Ridge Lane, Dawson, IL 62520** and more particularly described as:

**Lot 12 of Highland Estates**

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- 3. That the present zoning of said property is **“A” Agricultural District.**
- 4. That the present land use of said property is **a residence and garage.**
- 5. That the proposed land use of said property is **a residence and garage.**
- 6. That the requested **variance** of said property is **a variance to allow the side yard setback to be zero (0) feet instead of the required fifteen (15) feet side yard setback on a corner lot.**
- 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 not** 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 **denied.**

  
 CHAIRMAN *CS*

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

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

The vote of the Board was as follows:

YES: **Charles Chimento, Don Wulf, Andrew Spiro, Gina Lathan, Tony Mares**

NO:

PRESENT:

ABSENT:



RECORDING SECRETARY

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**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2017-048**

Address: **11124 Green Ridge Lane, Dawson**

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 continue to be used economically without the variance. The property can continue to be used economically without the variance. The property has a detached garage that was added to over time. In 2007, the central garage was the only structure. By 2011, two carports had been added, one of which was approximately zero (0) feet from the corner side lot line. No building permits were obtained. It appears a new roof was constructed over the combined garage/carports sometime between 2011-2015.**

- (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 do not appear to be circumstances unique to the property that would not be equally applicable to other properties in the area.**

- (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.

**It does not appear there have been any variances granted, nor structures constructed in corner side yards in the area.**