

CASE# 2013-007
RESOLUTION NUMBER 8-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
5132 KINSINGER LN., PLEASANT PLAINS
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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See EXHIBIT A

WHEREAS, the Petitioners, **George & Ann Neale**, have petitioned the Sangamon County Board for a **variance to allow an accessory structure in the required front yard setback fifteen (15) feet from the front property line instead of the required thirty (30) feet and a variance to allow the accessory structure five (5) feet from the side property line instead of the required ten (10) feet; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **January 17, 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 variances; and**

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

FILED

JAN 24 2013

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, 2013 that the request for a variance to allow an accessory structure in the required front yard setback fifteen (15) feet from the front property line instead of the required thirty (30) feet and a variance to allow the accessory structure five (5) feet from the side property line instead of the required ten (10) feet to allow an accessory structure in the required front yard on the above referenced property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13th day of February, 2013.

Respectfully submitted,
PUBLIC HEALTH, SAFETY & 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

EXHIBIT A

Part of the Southwest Quarter of the Southwest Quarter of Section 33, Township 17 North, Range 7 West of the Third Principal Meridian, described as follows:

Beginning at a point in the West line of Section 33, Township 17 North, Range 7 West of the Third Principal Meridian which point is 736.33 feet North of the Southwest corner of said Section 33; thence East Parallel to South Line of said Section 33, 374 feet thence South Parallel to said West Line of said Section 33, 233 feet, thence West parallel to said South Line, 374 feet, thence North along said West Line 233 feet to the point of the beginning.

Except all coal, minerals and mining rights heretofore convey of record.

Situated in Sangamon County, Illinois

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #1 NAME: Harry "Tom" Fraase, Jr.

DOCKET NUMBER: 2013-007

ADDRESS: 5132 Kinsinger Ln., Pleasant Plains, IL. 62677

PETITIONER: George & Ann Neale

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow an accessory structure in the required front yard setback fifteen (15) feet from the front property line instead of the required thirty (30) feet and a variance to allow the accessory structure five (5) feet from the side property line instead of the required ten (10) feet to allow an accessory structure in the required front yard setback.

AREA: 2 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval of the requested variances to allow for construction of a storage shed. The standards for variation have been met. There do not appear to be any negative impacts in allowing the variances, given the location of the residence on the property and the proximity to other residences in the vicinity.

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: **2013-007**
George & Ann Neale)
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PROPERTY LOCATED AT:

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 **variances** 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 17, 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: **5132 Kinsinger Ln., Pleasant Plains, IL.** 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 single-family residence.
- 5. That the proposed land use of said property is a single-family residence and storage shed.
- 6. That the requested variances of said property are a variance to allow an accessory structure in the required front yard setback fifteen (15) feet from the front property line instead of the required thirty (30) feet and a variance to allow the accessory structure five (5) feet from the side property line instead of the required ten (10) feet to allow a storage shed in the required front yard setback.
- 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 variances are 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 variances be granted.

Charles Chimento/cx
 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, Don Wulf**

NO:

PRESENT: **Judith Johnson**

ABSENT: **Janet Dobrinsky**

Cymali Knowles
 RECORDING SECRETARY

SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS

Case #: 2013-007

Address: 5132 Kinsinger Lane, Pleasant Plains

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 request is made to construct an accessory storage shed, which may have a positive economic impact for the property and add to the value.

- (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 consists of a single-family residence and includes a large pond, which limits the placement of the storage shed. There is a driveway on the property that leads to the area on which the petitioner would like to construct the shed and due to the location and position of the residence on the parcel, the variances are needed.

- (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 construction of a storage shed at this location on the subject property.