

CASE# 2010-32 5-1
RESOLUTION NUMBER

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
113 W. 3RD STREET, NEW BERLIN
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 5 And 6 In Block 9 Of The Village Of Berlin, Situated In The County Of Sangamon, In The State Of Illinois.

WHEREAS, the Petitioner, **Tricia Sheppard**, has petitioned the Sangamon County Board for a **variance to allow for the front yard setback requirement from thirty (30) feet to fourteen (14) feet to allow for construction of a single family residence**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **July 15, 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

JUL 28 2010

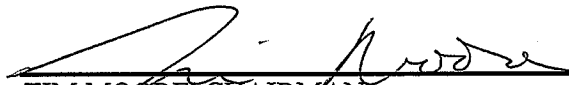
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10th day of August, 2010 that the request for a variance to allow for the front yard setback requirement from thirty (30) feet to fourteen (14) feet to allow for construction of a single family residence on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 10th day of August, 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: #7 NAME: Craig Hall

DOCKET NUMBER: 2010-32

ADDRESS: 113 W. 3rd Street, New Berlin, IL. 62670

PETITIONER: Tricia Sheppard

PRESENT ZONING CLASSIFICATION: "R-1" Single Family Residence.

REQUESTED ZONING CLASSIFICATION: "R-1" Single Family Residence with a variance to allow for the front yard setback requirement from thirty (30) feet to fourteen (14) feet to allow for construction of a single family residence.

AREA: .26 acre

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variance. The previous residence had a 14 feet front yard setback and was destroyed by fire. This is a corner lot which makes placement of a residence difficult due to increased setback requirements. The alteration of the planned building footprint to decrease the front yard setback will not have additional negative impact on the area.**

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: 2010-32
Tricia Sheppard)	
)	PROPERTY LOCATED AT:
)	113 W. 3rd Street,
)	New Berlin, IL. 62670

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 **July 15, 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: **113 W. 3rd Street, New Berlin, IL.** and more particularly described as:

Lot 5 And 6 In Block 9 Of The Village Of Berlin, Situated In The County Of Sangamon, In The State Of Illinois.

- 3. That the present zoning of said property is "R-1" Single Family Residence.
- 4. That the present land use of said property is vacant.
- 5. That the proposed land use of said property is a single family residence.
- 6. That the requested variance of said property is to allow for the front yard setback requirement from thirty (30) feet to fourteen (14) feet to allow for construction of a single family residence.
- 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/cx
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 **Peggy Egizii**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, Don Wulf**

NO:

ABSENT: **Marvin Traylor**

Cyndi Knowles
RECORDING SECRETARY