

CASE # 2006-39 71
RESOLUTION NUMBER _____

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
6667 CURRAN ROAD, 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:

The South 242' of the North 30 acres of the East one half of the Southwest quarter of Section 33, Township 15 North, Range 6 West of the Third Principal Meridian.

WHEREAS, the Petitioner, **Janet McGuire**, has petitioned the Sangamon County Board for a **variance to allow the lot depth to exceed the lot width by more than 2 ½ times for one parcel**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **July 20, 2006**, 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 2006

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 8th day of August, 2006 that the request for a variance to allow the lot depth to exceed the lot width by more than 2 ½ time for one parcel on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 8th day of August, 2006.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD

Dan Vaughn

DAN VAUGHN, CHAIRMAN

ABE FORSYTH

BILL MOSS

TYRONE PACE

TIM MOORE

DON STEPHENS

DAVID MENDENHALL

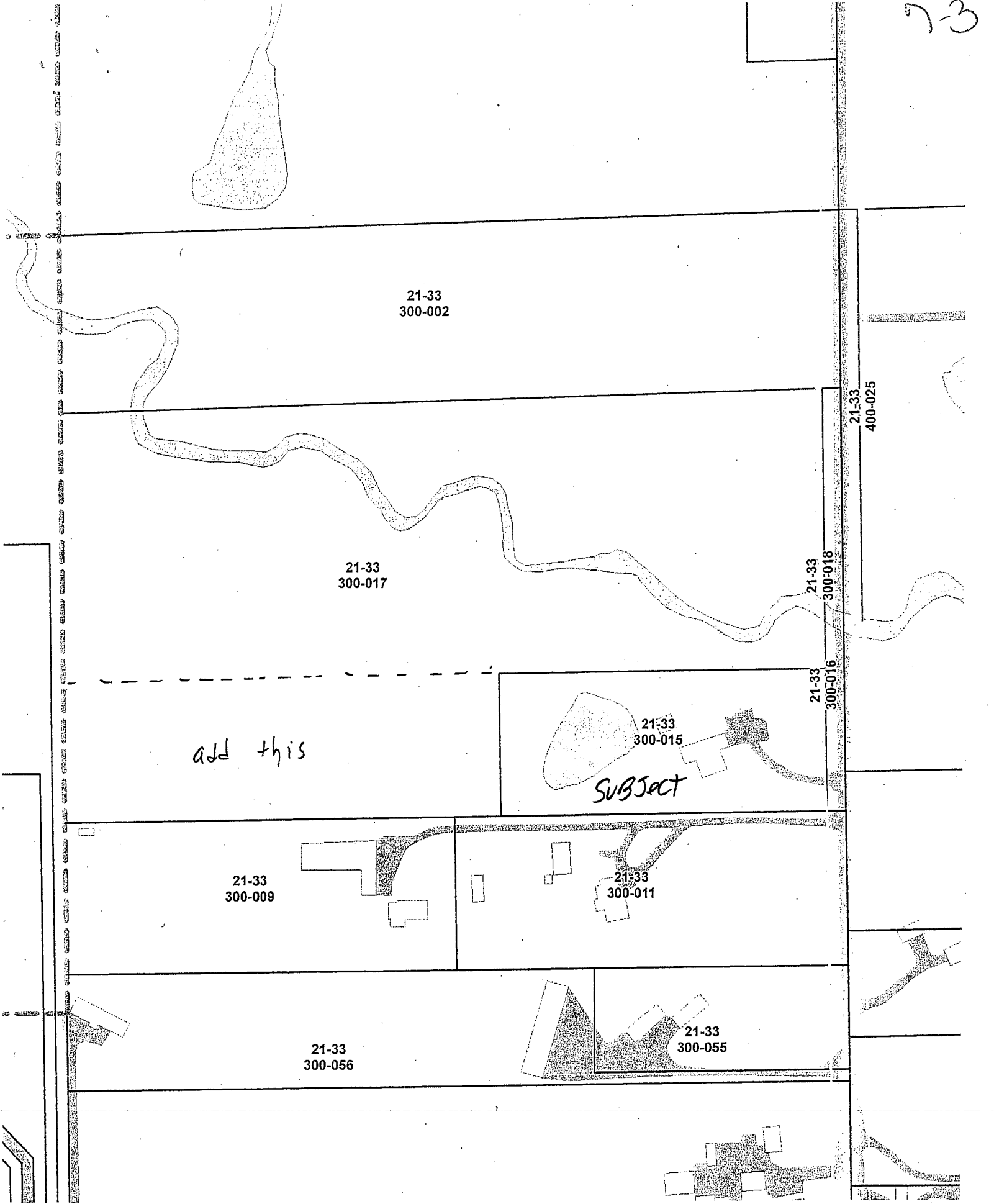
ATTEST:

Joe Riello

SANGAMON COUNTY CLERK

A. W. [Signature]

COUNTY BOARD CHAIRMAN



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PHOTO DATE 7-05-2006	PHOTO TIME:
SITE NAME Janet McGuire	CASE #: 2006-39
ADDRESS 6667 Curran Road, New Berlin	INDEX #: 21-33-0-300-015



COMMENTS: From Curran Road looking west.

LAND AREA:	EXISTING ZONING:	PROPOSED ZONING:
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OTHER COMMENTS:

PHOTO TAKEN BY:	DISC #:	PHOTO #:
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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 1 NAME: Tom Fraase

DOCKET NUMBER: 2006-39

ADDRESS: 6667 Curran Road, New Berlin, IL 62670-6775

PETITIONER: Janet McGuire

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to
allow the lot depth to exceed the lot width by
more than 2 1/2 times for one parcel

AREA: 7.11 Acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The standards for variation are met.**

SANGAMON COUNTY BOARD OF APPEALS **Approval**
RECOMMENDATION:



RECORDING SECRETARY

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SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2006-39
Janet McGuire)	
)	PROPERTY LOCATED AT:
)	6667 Curran Road
)	New Berlin, IL 62670-6775
)	

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 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 20, 2006** 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 or contract to purchase the property commonly known as **6667 Curran Road, New Berlin, IL 62670-6775** and more particularly described as:

The South 242' of the North 30 acres of the East one half of the Southwest quarter of Section 33, Township 15 North, Range 6 West of the Third Principal Meridian.

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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 Single Family Residence.
5. That the proposed land use of said property is Single Family Residence.
6. That the requested variance of said property is: to allow the lot depth to exceed the lot width by more than 2 1/2 times for one parcel.
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.


 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Donn Malwick** 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 **Patrick Somers**.

The vote of the Board was as follows:

YES: **Marvin Traylor, Patrick Somers, Peggy Egizzi, Donn Malwick, Charles Chimento**

NO:

ABSENT:


 RECORDING SECRETARY

ZONING VARIANCE CHECK LIST

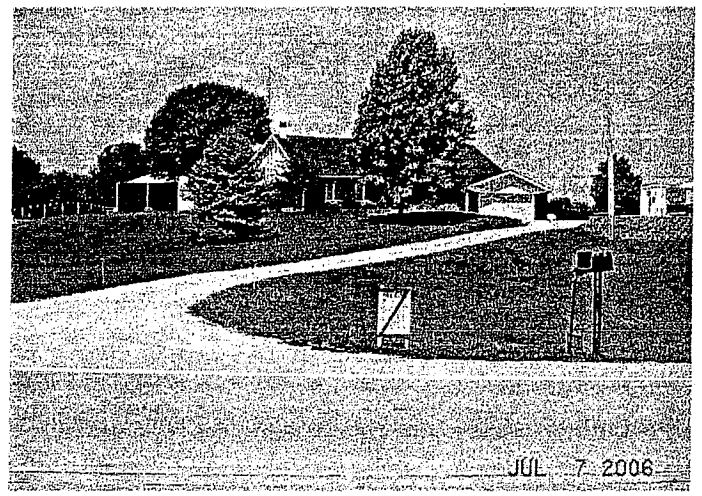
DATE: 7/7/06

INSPECTED BY: LW JH

PETITIONER: McGuire, Janet
ADDRESS: 6667 Curran Road
EXISTING ZONING: A

REQUEST DESCRIPTION: A variance to allow the lot depth to exceed the lot width by more than 2 1/2 times for one parcel.

Staff Estimate of the Effect of the Variance on the Area		None	Slight	Mod.	Great
CONTRASTS:	land use	X			
	appearance	X			
CURRENT VS. PROPOSED	height	X			
	parking	X			
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow	X			

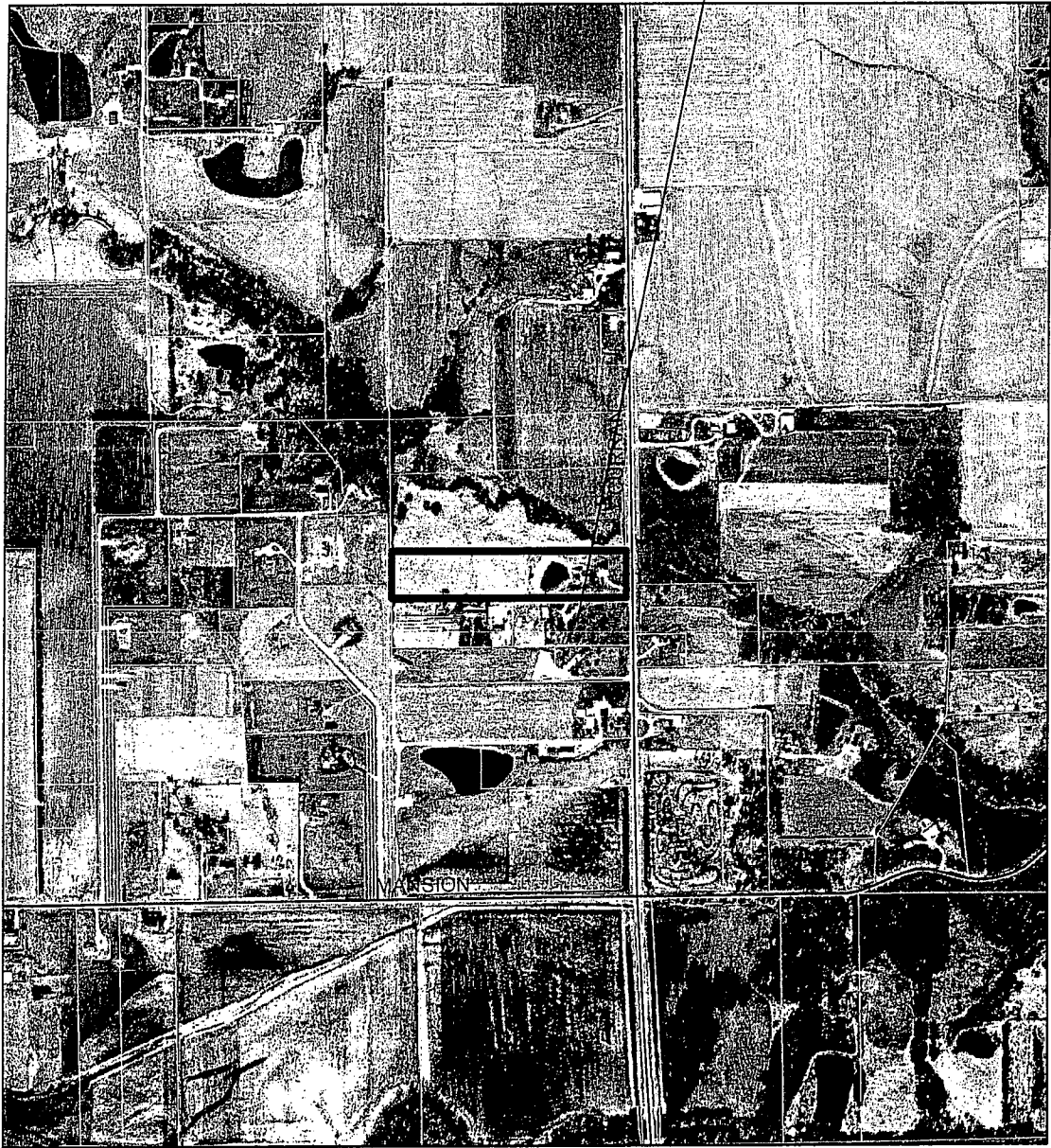


Frontage	Lineal Feet	Existing Yards (ft.)			Area
Curran Rd.	242'	375'	80/95'	246'	7.11 acres
		front	side	rear	

OTHER COMMENTS:

STAFF RECOMMENDATIONS: Recommend approval. The standards for variation are met.

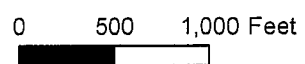
County Zoning Case# 2006-39



County Zoning

City Zoning

	R1		B1		R1		H1		OFF
	R1a		B2		R2		H2		PUD
	R2		B3		R3a		H3		B1
	R3		I1		R3b		S1		B2
	RM-4		I2		R4		S2		I1
	OFF		A		R5		S3		I2



RECOMMENDED STANDARDS FOR VARIATIONS

Case #: 2006-39

Address: 6667 Curran Road

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.

It is the desire of the property owner to acquire additional acreage to the rear of the lot, which would make her lot the same depth as her neighbor's lot to accommodate her horses.

- (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 petitioner wishes to obtain that part of the adjacent property that is located directly behind her own. This will square off the adjacent property. The petitioner's resulting tract will be similar to others 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.

The variation will not affect any of the above mentioned possible impacts.