

CASE# 2017-027
RESOLUTION NUMBER 4-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
18 COVERED BRIDGE ACRES, GLENARM
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:

Lots Eighteen (18) and Nineteen (19) of Plat I of Covered Bridge Acres

WHEREAS, the Petitioner, **Dan Godiksen**, has petitioned the Sangamon County Board for a **variance to allow a six (6) foot tall solid fence in the required front yard instead of the required four (4) foot tall and fifty (50) percent open fence that will be approximately three (3) foot from the West property line instead of the required thirty (30) foot; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **June 15, 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 **grant the variance**; and,

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

FILED

JUN 28 2017

Don J. King
Sangamon County Clerk

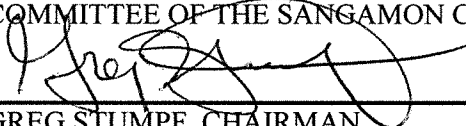
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NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 11th Day of July, 2017 that the request for a variance to allow a six (6) foot tall solid fence in the required front yard instead of the required four (4) foot tall and fifty (50) percent open fence that will be approximately three (3) foot from the West property line instead of the required thirty (30) foot on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 11th day of July, 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: #7 NAME: **Craig Hall**

DOCKET NUMBER: **2017-027**

ADDRESS: **18 Covered Bridge Acres, Glenarm, IL 62536**

PETITIONER: **Dan Godiksen**

PRESENT ZONING CLASSIFICATION: **“R-1” Single-Family Residence District.**

REQUESTED ZONING CLASSIFICATION: **A variance to allow a six (6) foot tall solid fence in the required front yard instead of the required four (4) foot tall and fifty (50) percent open fence that will be approximately three (3) feet from the west property line instead of the required thirty (30) feet.**

AREA: **0.78 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The subject property has a unique circumstance in that the perceived front yard is located along Covered Bridge Acres where the house fronts; however by definition, the actual front yard is located along Wayside Meadows requiring a six (6) foot solid fence to be setback at least thirty (30) feet from the property line instead of fifteen (15) feet for required corner side yards. Requiring a thirty (30) foot setback along Wayside Meadows reduces the amount of area to be fenced in for the enjoyment of the petitioner, which reduces the reasonable usage of the subject property. The Standards for Variation are met.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval of Staff 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: 2017-027
Dan Godiksen)	
)	PROPERTY LOCATED AT:
)	18 Covered Bridge Acres
)	Glenarm, IL 62536

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 15, 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: **18 Covered Bridge Acres, Glenarm, IL 62536** and more particularly described as:

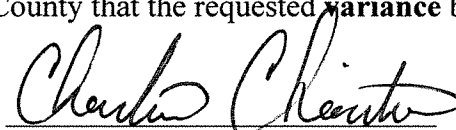
Lots Eighteen (18) and Nineteen (19) of Plat I of Covered Bridge Acres

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3. That the present zoning of said property is “**R-1**” **Single-Family Residence 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**.
6. That the requested **variance** of said property is **to allow a six (6) foot tall solid fence in the required front yard instead of the required four (4) foot tall and fifty (50) percent open fence that will be approximately three (3) foot from the West property line instead of the required thirty (30) foot**.
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, **Don Wulf**, 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 **Tony Mares**.

The vote of the Board was as follows:

YES: **Charles Chimento, Tony Mares, Don Wulf, Andrew Spiro, Larry Beaty**

NO:

PRESENT:

ABSENT:


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2017-027**

Address: **18 Covered Bridge Acres, Glenarm**

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 appears the property can continue to be used economically if the petitioner were to comply with the regulations. However, requiring a thirty (30) foot setback along Wayside Meadows reduces the amount of area to be fenced in for the enjoyment of the petitioner, which reduces the reasonable usage of the subject property.

- (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 subject property has a unique circumstance in that the perceived front yard is located along Covered Bridge Acres where the house fronts; however by definition, the actual front yard is located along Wayside Meadows requiring a six (6) foot solid fence to be setback at least thirty (30) feet from the property line instead of fifteen (15) feet for required corner side yards. The subject property contains a dense tree line along the west property line where the proposed fence is to be constructed. Also, the proposed fence would be consistent with a line established by a fence two houses to the south that has frontage on Wayside Meadows.

- (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 proposed fence does not appear to impair the adequate supply of light and air to adjacent properties or impair the traffic visibility, as the proposed fence should not hinder traffic as it is located outside the visibility triangle and is separated by a ditch that is located approximately fifteen (15) feet from the roadway. Other negative impacts are not anticipated in granting the requested variance.