

**Sangamon County, Illinois**  
**ZONING BOARD OF APPEALS**

The Zoning Board of Appeals met on May 19, 2016, at 7:00 P.M. in the County Board Chamber in the County Complex.

**ATTENDANCE**      (X) denotes present

(x) Chairman Chimento	(x) Committee Member Mares
(x) Committee Member Wulf	(x) Committee Member Herbert
(x) Committee Member Spiro	(x) Alt. Committee Member Lucchesi
(x) Alt. Committee Member Dobrinsky	

**STAFF PRESENT:**

Molly Berns, Assistant Director, Spfld-Sang County Regional Planning Commission  
Steve Keenan, Senior Planner, Spfld-Sang County Regional Planning Commission  
Dwayne Gabb, Assistant States Attorney, States Attorneys Office  
Trustin Harrison, Zoning Administrator, Sangamon County Zoning

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Chairman Chimento called the meeting to order.

**Committee Member Wulf made a motion to approve the minutes for the March meeting.**

**Committee Member Mares seconded the motion.**

**Motion carries 5/0/0**

**Docket 2016-014 Paul K. & Libby J. Miller for property located at 3977 Dinius Road, Williamsville, IL 62693**

PETITIONER(S): Paul K. & Libby J. Miller

OBJECTOR(S): None

PRESENT ZONING CLASSIFICATION: (A) Agriculture

REQUESTING: Petitioners request a variance to allow the side yard setback to be three (3) feet instead of the required ten (10) feet.

Paul and Libby Miller was sworn in and Libby stated that they would like to build a garage 24x30 on the west side of the property.

Charlie asked if they had received the staff recommendations.

Libby stated they did.

Charlie asked if this is the only place the garage could be placed.

Libby stated the 3 acres, the east side has the septic system. The north 2 acres is fenced and has been used for pasture. And hopes to be used as pasture in the near future. They had looked at different options but the location requested is adjacent to the oil and chip drive and closest to the home. The other place would be further to get to and not adjacent to the driveway.

Charlie asked if the purpose of the garage was for personal car.

Libby stated that it was not for the personal cars. The property is rolling and the way the house sits, it has a circle drive behind the home. The garage may be used for her husband's truck, mowers, snow blower and possibly a tractor in the future. They would like to clean out the attached garage for additional space.

Charlie asked if anyone had any questions.

Don asked where the laterals were located.

Libby stated they are located on the east side of the property. And the property slopes on that side of the property.

Don asked why the garage could not be put on the other side of the fence.

Libby stated that they currently have a chicken coop and a swing set. To move the swing set would not be difficult but did not want the garage to block the view of possible livestock and of the country.

Charlie asked if they also have a machine shed.

Libby stated that at the rear of the property there is an old shed in need of repair. They would like to repair in the future, but it was located on the property when they purchased it.

Paul stated that a third of the roof is gone and one side is about ready to collapse on the north end.

County Board member Todd Smith asked what is directly across the road from their residence.

Libby stated the property has a variance for an excavating business and they intend on building a home in the future.

The nearest neighbors are to the east and west.

Charlie asked if the property across the street was granted about a year ago.

Staff stated yes.

Charlie asked who farms the ground.

Libby stated Gleason's farm the ground. It used to be a homestead and then the Miller's purchased the property.

Chairman Chimento asked if there were any objectors...hearing none. Chairman Chimento read the staff recommendation.

STAFF RECOMMENDATION: Recommend denial. The purpose of a variance is to grant relief in cases where a true hardship exists rather than a mere inconvenience to the owner. The property can continue to be used economically without the requested variance. There are plenty of locations behind the residence where the property owner can place the garage which meet the required ten (10) feet side setback. The hardship in this case is created by the owner. There is also concern that granting the requested variance could set a negative precedent for future requests of this nature for which there are no circumstances unique to the property. The Standards for Variation are not met.

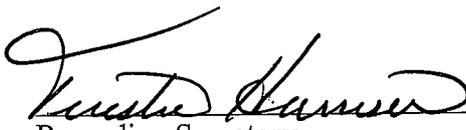
**Committee Member Mares made a motion to recommend to accept the staff recommendations.**

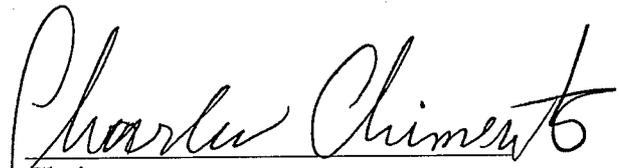
**Committee Member Herbert seconded the motion.**

**Motion carries 5/0/0**

Meeting adjourned.

Respectfully submitted,

  
Recording Secretary

  
Chairman

Minutes of May 19, 2016

Full record of minutes available upon request in the Zoning Department