

CASE # 2007-31 51
RESOLUTION NUMBER

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED IN THE
5500 BLOCK OF TURKEY RUN ROAD, SHERMAN
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 Petitioner, **Lou R. Messervy**, has petitioned the Sangamon County Board for **variances of the road frontage requirement from 20' to 0'** and to allow the lot width to be met **greater than 60' from a public road**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **June 21, 2007**, 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 with proof of a recorded easement**; and

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

FILED
JUN 29 2007

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 July, 2007 that the request for variances of the road frontage requirement from 20' to 0' and to allow the lot width to be met greater than 60' from a public road on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 10th day of July, 2007.

Respectfully submitted,

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

TIM MOORE, CHAIRMAN

Abe Forsyth

ABE FORSYTH, VICE CHAIRMAN

BILL MOSS

SAM SNELL

DON STEPHENS

DAVID MENDENHALL

ATTEST:

Joe Aiello

SANGAMON COUNTY CLERK

A. W. ...

COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of the North 16 acres of the West 20 acres of the West half of the Southeast Quarter of Section 33, Township 17 North, Range 4 West of the Third Principal Meridian, described as follows:

Beginning at a point on the Quarter Section line 1081.84 feet South of the center of said Section; thence South on aforesaid line 1004.02 feet; thence East 330.00 feet; thence North parallel to the Quarter Section line 1349.62 feet; thence West 155.00 feet; thence South 336.04 feet; thence West 175.00 feet to the point of beginning.

54

07-33
100-004

TURKEY RUN RD

07-33
400-036

07-33
400-031

07-33
400-016

07-33
400-027

07-33
400-030

07-33
400-035

07-33
400-034

07-33
400-023

07-33
400-019

07-33
400-008

*Subject
Property*

07-33
400-018

07-33
400-004

07-33
300-010

07-33
300-012

*Proposed
home*

07-33
400-017

07-33
400-005

07-33
300-013

07-33
451-001

15-04
127-001

15-04
127-002

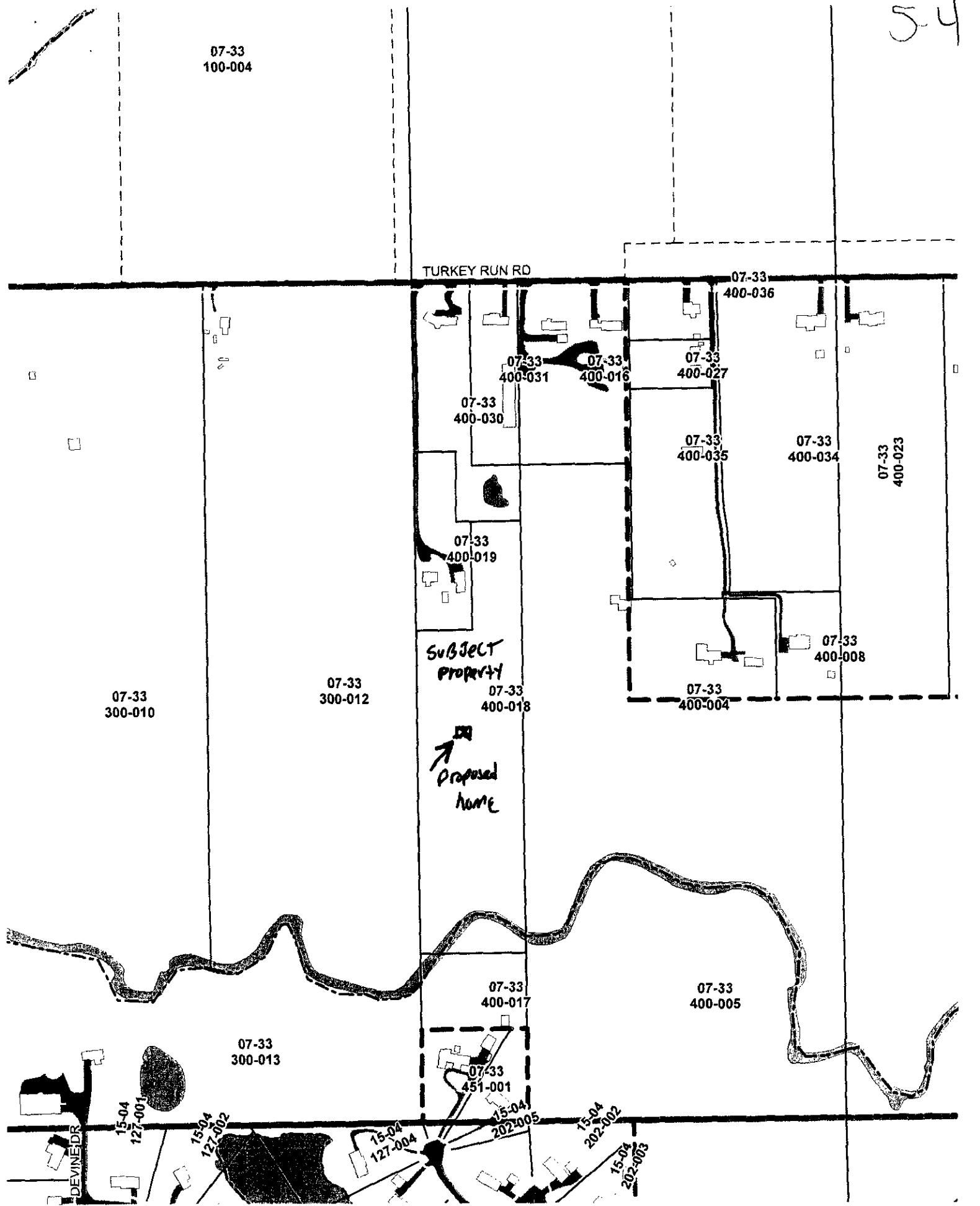
15-04
127-004

15-04
202-005

15-04
202-002

15-04
202-003

DEVINE DR



5-5

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 2 NAME: **Todd Smith**

DOCKET NUMBER: **2007-31**

ADDRESS: **5500 Block of Turkey Run Road, Sherman, Il 62684**

PETITIONER: **Lou R. Messervy**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District**

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with variances of the road frontage requirement from 20' to 0' and to allow the lot width to be met greater than 60' from a public road.**

AREA: **9 Acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval due to the fact that the parcel was created several decades ago, but only with evidence of a recorded easement document.**

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION: **Approval subject to proof of a recorded easement.**



RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: **2007-31**
 Lou R. Messervy)
)
) PROPERTY LOCATED AT:
) **5500 Block of Turkey Run Road**
) **Sherman, Il 62684**
)

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 **June 21, 2007** 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 **5500 Block of Turkey Run Road, Sherman, Il 62684** and more particularly described as:

Page 2

- 3. That the present zoning of said property is **"A" Agricultural District.**
- 4. That the present land use of said property is **Vacant.**
- 5. That the proposed land use of said property is **single family residence.**
- 6. That the requested **variances** of said property are: **of the road frontage requirement from 20' to 0' and to allow the lot width to be met greater than 60' from a public road.**
- 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** 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 **variances** be **approved with proof of a recorded easement.**

Charles Chimento
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Patrick Somers** 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 subject to proof of a recorded easement**, which was duly seconded by **Peggy Egizii**.

The vote of the Board was as follows:

YES: **Charles Chimento, Peggy Egizii, Judith Johnson, Patrick Somers, Barbara Braner**

NO:

ABSENT: **Marvin Traylor**

R. J. Armstrong
RECORDING SECRETARY

EXHIBIT A

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SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 6/7/07 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-31
 ADDRESS 5500 block of Turkey Run Road
 Property Index # 07-33-400-018

PETITIONER Messervy, Lou R.

REQUESTED ZONING A variance of the road frontage requirement from 20' to 0' and to allow the lot width to be met greater than 60' from a public road.

PROPOSED LAND USE Single family residence

EXISTING:

ZONING A

LAND USE Vacant

ROAD FRONTAGE 0' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR NA

CONDITION OF STRUCTURE NA

LOT AREA 9 acres

FRONT YARD NA

SIDE YARDS NA

REAR YARD NA

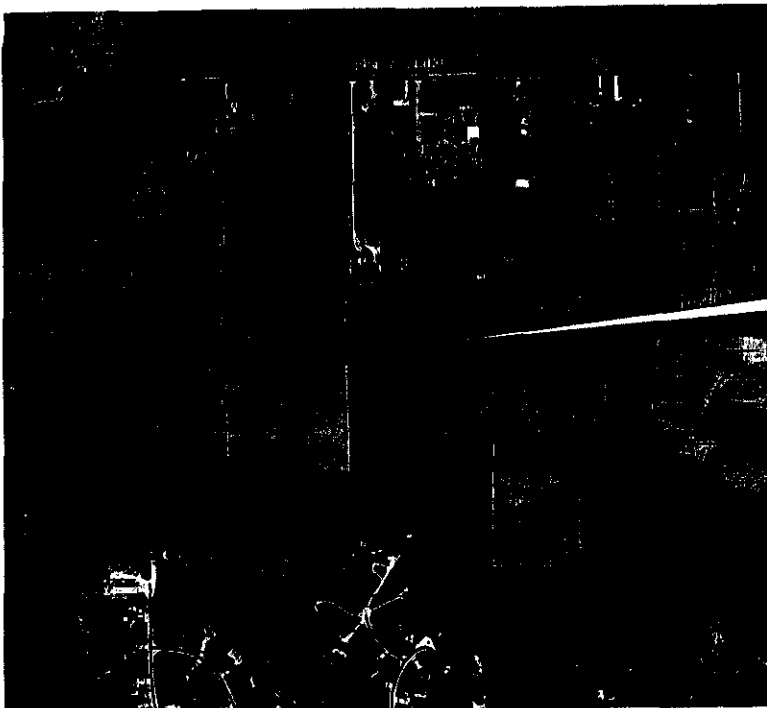


Would the proposed zoning be spot zoning? NA

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval due to the fact that the parcel was created several decades ago, but only with evidence of a recorded easement document.

County Zoning

Case# 2007-31



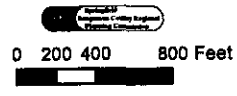
Requested:
Variance

County Zoning

	RM-4		I1
	R3		I2
	R2		B3
	R1a		B2
	R1		B1
	OFF		A

City Zoning

	R5		H1		OFF
	R1		H2		PUD
	R2		H3		B1
	R3a		S1		B2
	R3b		S2		I1
	R4		S3		I2



**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2007-31**

Address: **5500 block of Turkey Run 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.

The request is made to allow a long-existing landlocked parcel to be buildable for one home.

- (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.

Petitioner states that an easement will be provided but an easement document was not submitted with the petition.

- (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.