

CASE # 2007-23
RESOLUTION NUMBER 3-1

DENYING A REZONING
FOR CERTAIN PROPERTY LOCATED AT
912 N. EDMOND, SPRINGFIELD
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 **deny an amendment** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

Lot 44, except the East 40ft. thereof and except the South 50ft. thereof in Wanless' Capital Place Addition.

WHEREAS, the Petitioners, **Arthur & Diane Shulte**, have petitioned the Sangamon County Board for a **rezoning from "R2" Single Family and Two Family Residence District to "RM4" Manufactured Home District;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **May 17, 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 **deny the rezoning;** and

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

FILED

MAY 24 2007

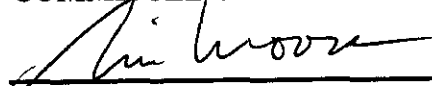
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 4th day of June, 2007 that the request to rezone the above described property from "R2" Single Family and Two Family Residence District to "RM4" Manufactured Home District to allow for a manufactured home is hereby denied.

Signed and passed by the Sangamon County Board in session on this 4th day of June 2007.

Respectfully submitted,

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



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

CATHY SCAIFE

TYRONE PACE

SAM SNELL

DON STEPHENS

DAVID MENDENHALL

ATTEST:



SANGAMON COUNTY CLERK



COUNTY BOARD CHAIRMAN

**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT
▶ As Amended by the Board of Appeals ◀**

Case #: 2007-23
Address: 912 N. Edmond

- (i) Existing uses of property within the general area of the property in question.
The area is a mixture of conventional single family homes and mobile homes. The majority of the block the subject property is on consists of mobile homes.
- (ii) The zoning classification of property within the general area of the property in question.
The area is a mixture of R-2 and RM-4.
- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.
Most recently the area has remained stable and it is felt that additional RM-4 zoning would begin to destabilize this neighborhood.
- (iv) The trend of development, within the vicinity since the property was originally classified.
Property adjacent to the north was rezoned to RM-4 in 1992 and two properties directly west were rezoned to RM-4 in 1976 and 1979. There are six properties on the block of the subject property that were rezoned to RM-4 from 1971 to 1985.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 19 NAME: Doris Turner

DOCKET NUMBER: 2007-23

ADDRESS: 912 N. Edmond, Springfield, IL 62702

PETITIONER: Arthur & Diane Shulte

PRESENT ZONING CLASSIFICATION: "R2" Single Family and Two Family Residence District

REQUESTED ZONING CLASSIFICATION: "RM4" Manufactured Home District

AREA: .17 acre

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: **Recommend approval due to similar zoning and uses in the area.**

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



RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2007-23
Arthur & Diane Shulte)	
)	PROPERTY LOCATED AT:
)	912 N. Edmond
)	Springfield, IL 62702
)	

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 an **amendment** 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 **May 17, 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 **912 N. Edmond, Springfield, IL 62702** and more particularly described as:

Lot 44, except the East 40ft. thereof and except the South 50ft. thereof in Wanless' Capital Place Addition.

Page 2

- 3. That the present zoning of said property is **"R2" Single Family and Two Family Residence District.**
- 4. That the present land use of said property is **Vacant.**
- 5. That the proposed land use of said property is **Manufactured Home.**
- 6. That the requested **rezoning** of said property is: **from "R2" Single Family and Two Family Residence District to "RM4" Manufactured Home.**
- 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 not** support the proposition that the adoption of the proposed **rezoning** 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 **rezoning** be **denied**.

Charles Chimento
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor** to concur with the amended findings of fact and recommend to the County Board that the petition be **denied**, which was duly seconded by **Judith Johnson**.

The vote of the Board was as follows:

YES: **Charles Chimento, Peggy Egizii, Judith Johnson, Marvin Traylor**

NO: **Patrick Somers**

ABSENT:

Bob Armstrong
RECORDING SECRETARY

SSCRPC **Springfield Sangamon County Regional Planning Commission**

Staff Findings and Recommendation
 (inspected 5/2/07 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-23
 ADDRESS 912 N. Edmond
 Property Index # 14-26-282-010

PETITIONER Shulte, Arthur & Diane

REQUESTED ZONING RM-4

PROPOSED LAND USE Manufactured Home

EXISTING:

ZONING R2

LAND USE Vacant

ROAD FRONTAGE Edmond 50' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR NA

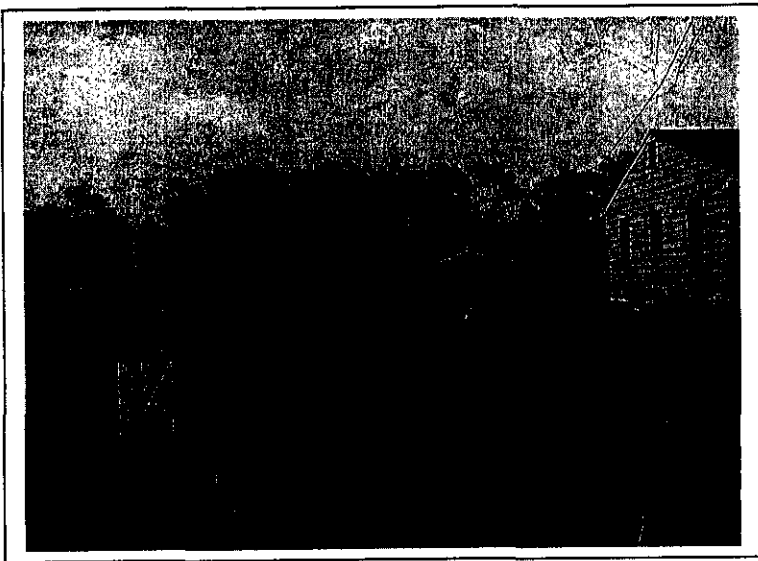
CONDITION OF STRUCTURE NA

LOT AREA .17 acre

FRONT YARD NA

SIDE YARDS NA

REAR YARD NA



Would the proposed zoning be spot zoning? No

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval due to similar zoning and uses in the area.**

County Zoning

Case# 2007-23

Requested:
RM-4

Mobile Homes



Mobile Homes

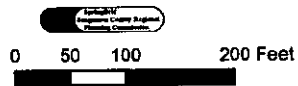
Single Family Residence

County Zoning

City Zoning

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

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



**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

Case #: **2007-23**

Address: **912 N. Edmond**

- (i) Existing uses of property within the general area of the property in question.

The area is a mixture of conventional single family homes and mobile homes. The majority of the block the subject property is on consists of mobile homes.

- (ii) The zoning classification of property within the general area of the property in question.

The area is a mixture of R-2 and RM-4.

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

The entire block is a mixture of R-2 and RM-4 zoning.

- (iv) The trend of development, within the vicinity since the property was originally classified.

Property adjacent to the north was rezoned to RM-4 in 1992 and two properties directly west were rezoned to RM-4 in 1976 and 1979. There are six properties on the block of the subject property that were rezoned to RM-4 from 1971 to 1985.