

CASE # 2007-24
RESOLUTION NUMBER 4-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
5757 AUBURN RD., AUBURN
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:

The East half of the East half of the Southwest quarter of the Northwest quarter of Section 3, Township 13 North, Range 6 West of the Third Principal Meridian.

WHEREAS, the Petitioner, **Beth Morrison**, has petitioned the Sangamon County Board for a **variance to allow two parcels less than 40 acres, a variance to allow the lot width to be met greater than 60' from the public road for one parcel and a variance to allow the lot depth to exceed 2 ½ times the width for 2 parcels;** 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 **grant the variances;** and

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

FILED

MAY 24 2007

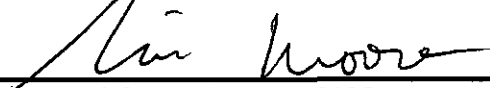
Joe Aiello
Sangamon County Clerk

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 for a variance to allow two parcels less than 40 acres, a variance to allow the lot width to be met greater than 60' from the public road for one parcel and a variance to allow the lot depth to exceed 2 ½ times the width for 2 parcels on the above described property is hereby approved.

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

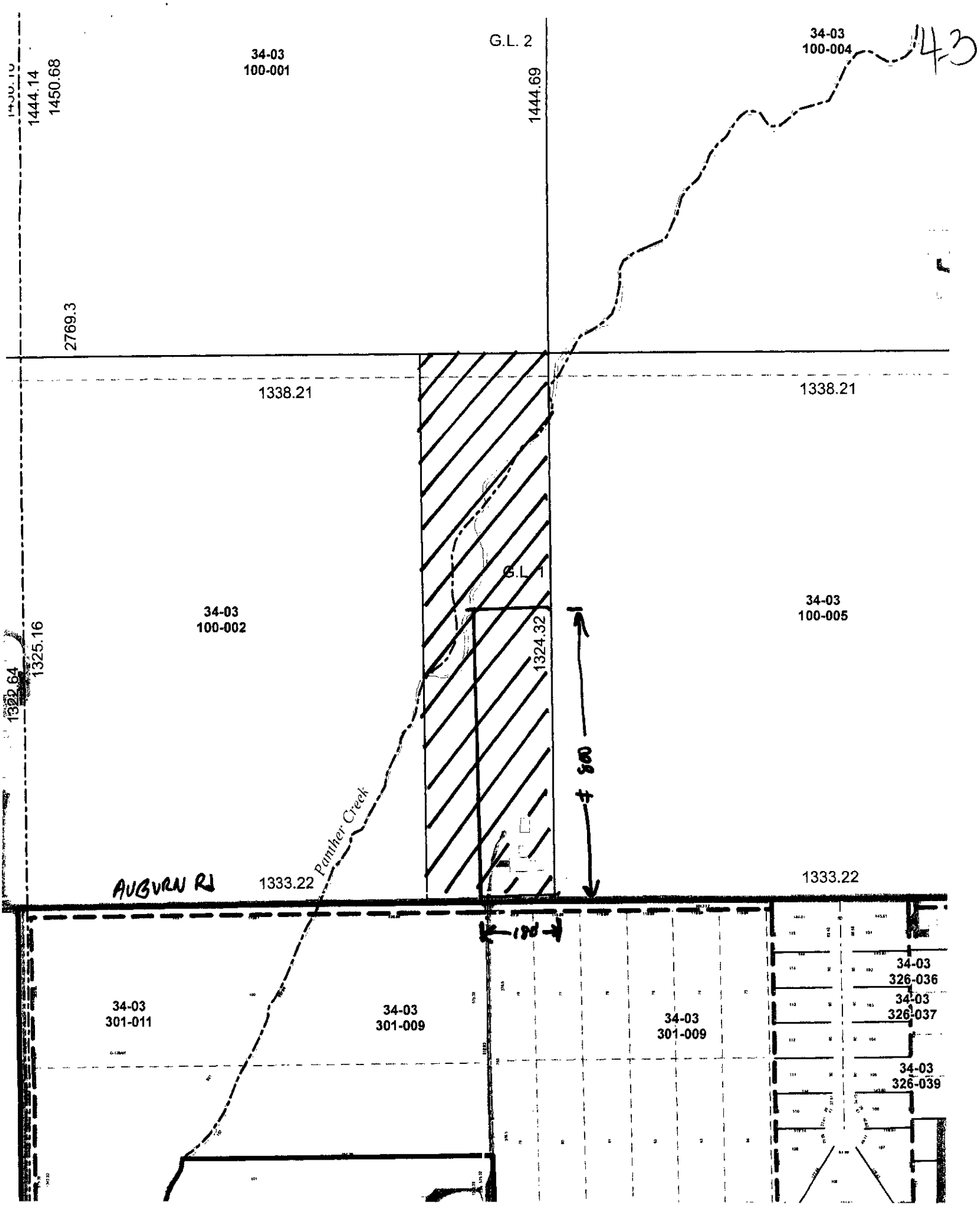
DON STEPHENS

DAVID MENDENHALL

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN



RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 6 NAME: Sam Snell

DOCKET NUMBER: 2007-24

ADDRESS: 5757 Auburn Rd., Auburn IL 62615

PETITIONER: Beth Morrison

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow two parcels less than 40 acres, a variance to allow the lot width to be met greater than 60' from the public road for one parcel and a variance to allow the lot depth to exceed 2 1/2 times the width for 2 parcels.

AREA: 10 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: Recommend Approval

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION: Approval



RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2007-24
Beth Morrison)	
)	PROPERTY LOCATED AT:
)	5757 Auburn Rd
)	Auburn IL 62615
)	

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** to 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 **5757 Auburn Rd., Auburn IL 62615** and more particularly described as:

The East half of the East half of the Southwest quarter of the Northwest quarter of Section 3, Township 13 North, Range 6 West of the Third Principal Meridian.

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is Residence.
- 5. That the proposed land use of said property is 2 residences.
- 6. That the requested variances of said property are: to allow two parcels less than 40 acres, to allow the lot width to be met greater than 60' from the public road for one parcel and to allow the lot depth to exceed 2 1/2 times the width for 2 parcels.
- 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.

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**, which was duly seconded by **Peggy Egizii**.

The vote of the Board was as follows:

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

NO:

ABSENT:

Bob Armstrong
RECORDING SECRETARY

47

SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 5-7-07 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-24
 ADDRESS 5757 Auburn Road
 Property Index # 34-03-100-003

PETITIONER **Morrison, Beth**

REQUESTED ZONING **A variance to allow 2 parcels less than 40 acres, a variance to allow the lot width to be met greater than 60' from the public road for 1 parcel and a variance to allow the lot depth to exceed 2 1/2 times the width for 2 parcels.**

PROPOSED LAND USE **2 single family residences**

EXISTING:

ZONING **A**

LAND USE **Single family residence**

ROAD FRONTAGE **Auburn Road 319'** CONDITION OF PAVEMENT **Good**

STRUCTURE DESIGNED FOR **Residence**

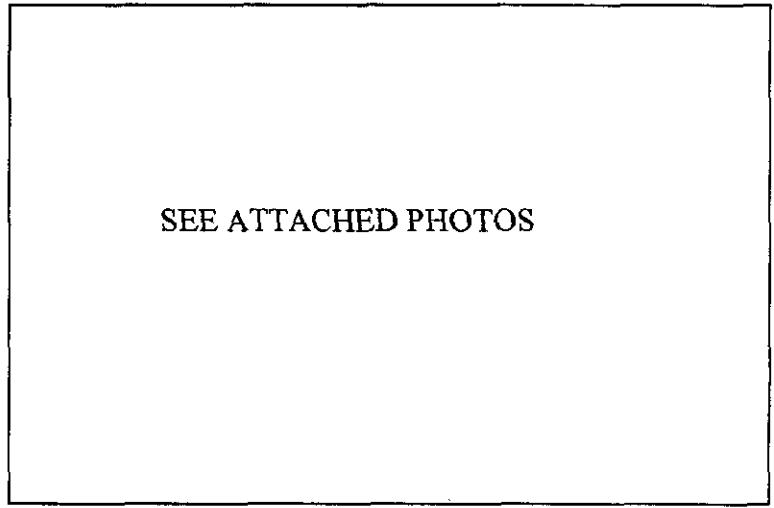
CONDITION OF STRUCTURE **Fair**

LOT AREA **10 acres**

FRONT YARD **77'**

SIDE YARDS **96' / 205'**

REAR YARD **1265'**



Would the proposed zoning be spot zoning? NA

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval.**

Case #: 2007-24

Address: 5757 Auburn Road



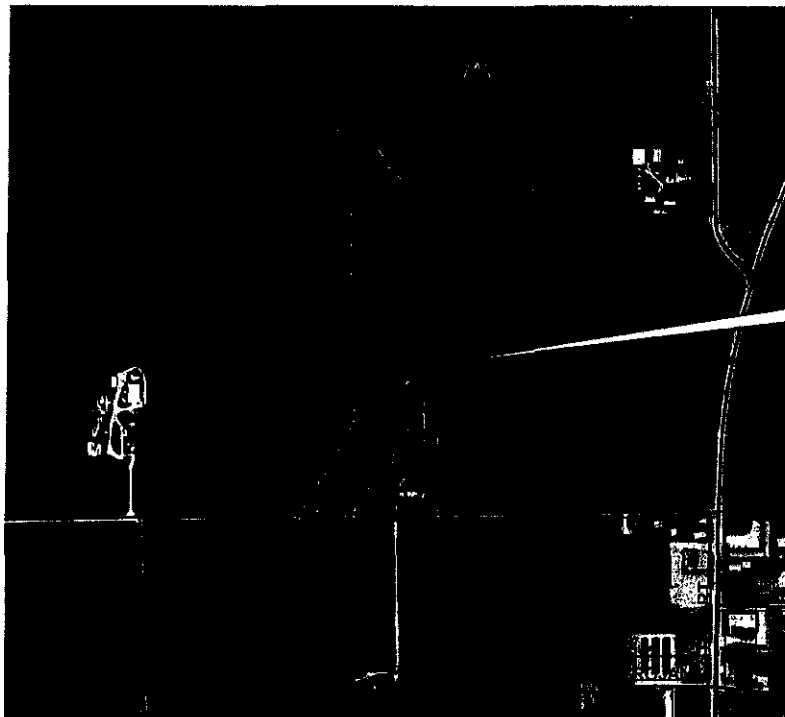
5757 Auburn Road



West side of property

County Zoning

Case# 2007-24



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



0 100 200 Feet

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2007-24

Address: 5757 Auburn 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.

Granting the variance would facilitate division of the 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.

There is an area at the rear of the property that is a suitable building site and each resulting tract will have owned, non-easement based access.

- (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 negative impact is anticipated.