

CASE # 2009-06 9-1
RESOLUTION NUMBER _____

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
1886 S. SPRING CREEK ROAD, PLEASANT PLAINS
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 Southeast Quarter of the Southwest Quarter of Section 5; all that part of the Southwest Quarter of the Southwest Quarter of Section 5 lying East of Spring Creek Road; Lot 5 recorded at Book 7, Page 654, all in Township 15 North, Range 7 West of the Third Principal Meridian.

WHEREAS, the Petitioner, **Mark Pointer**, has petitioned the Sangamon County Board for a **variance to allow 2 parcels less than 40 acres and a variance to allow the lot depth to exceed 2 ½ times the lot width for 1 parcel**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **January 15, 2009**, 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

JAN 28 2009

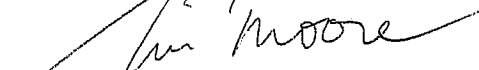
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10th day of February, 2009 that the request for a variance to allow 2 parcels less than 40 acres and a variance to allow the lot depth to exceed 2 ½ times the lot width for 1 parcel on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 10th day of February, 2009.

Respectfully submitted,

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



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

ATTEST:



SANGAMON COUNTY CLERK



COUNTY BOARD CHAIRMAN

PLAT OF SURVEY

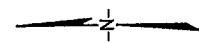
SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 15 NORTH, RANGE 7 WEST OF THE 3RD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS.

39.44 ACRES

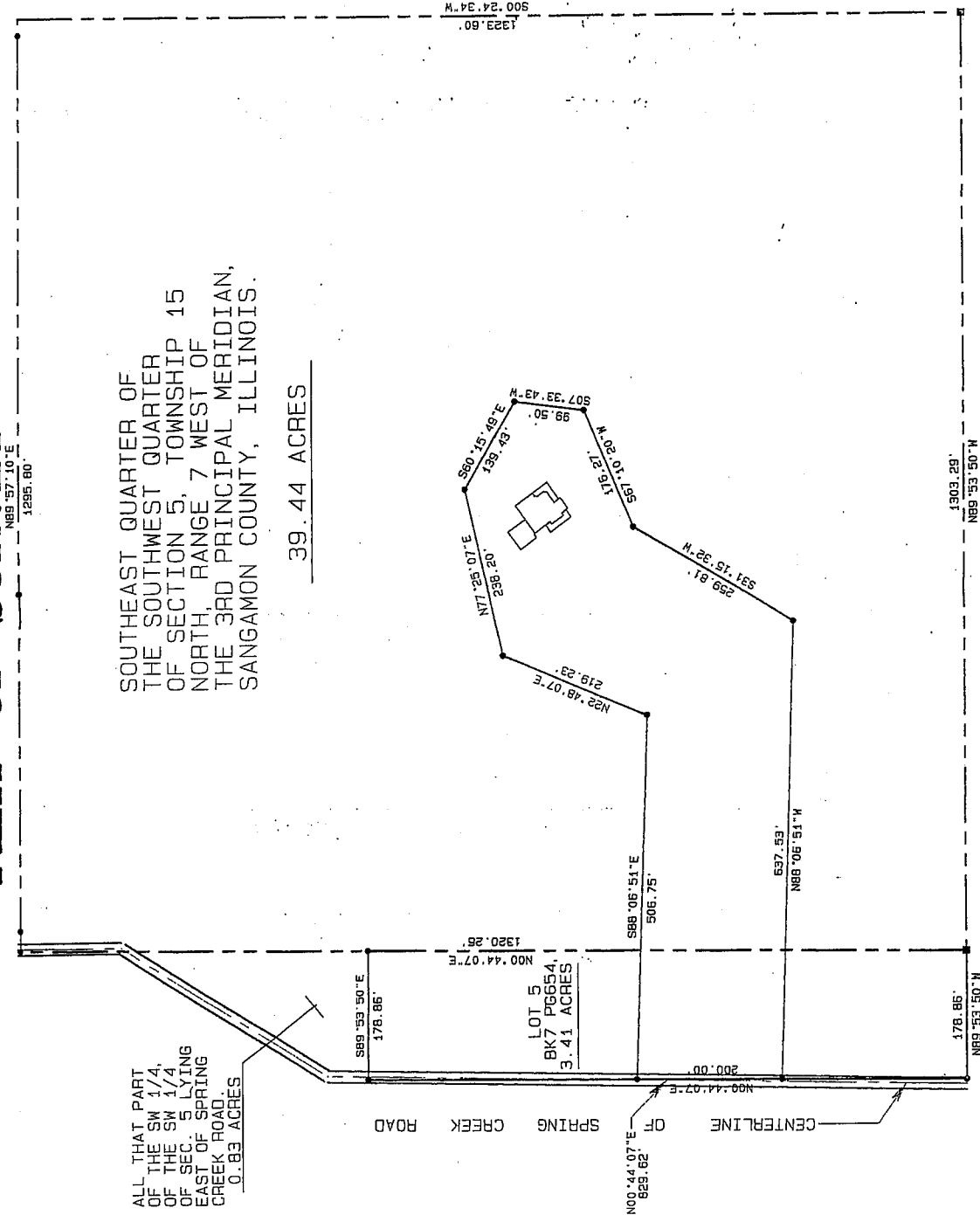
ALL THAT PART OF THE SW 1/4, OF SEC. 5 LYING EAST OF SPRING CREEK ROAD, 0.83 ACRES

LOT 5 BK7 PG65A, 3.41 ACRES

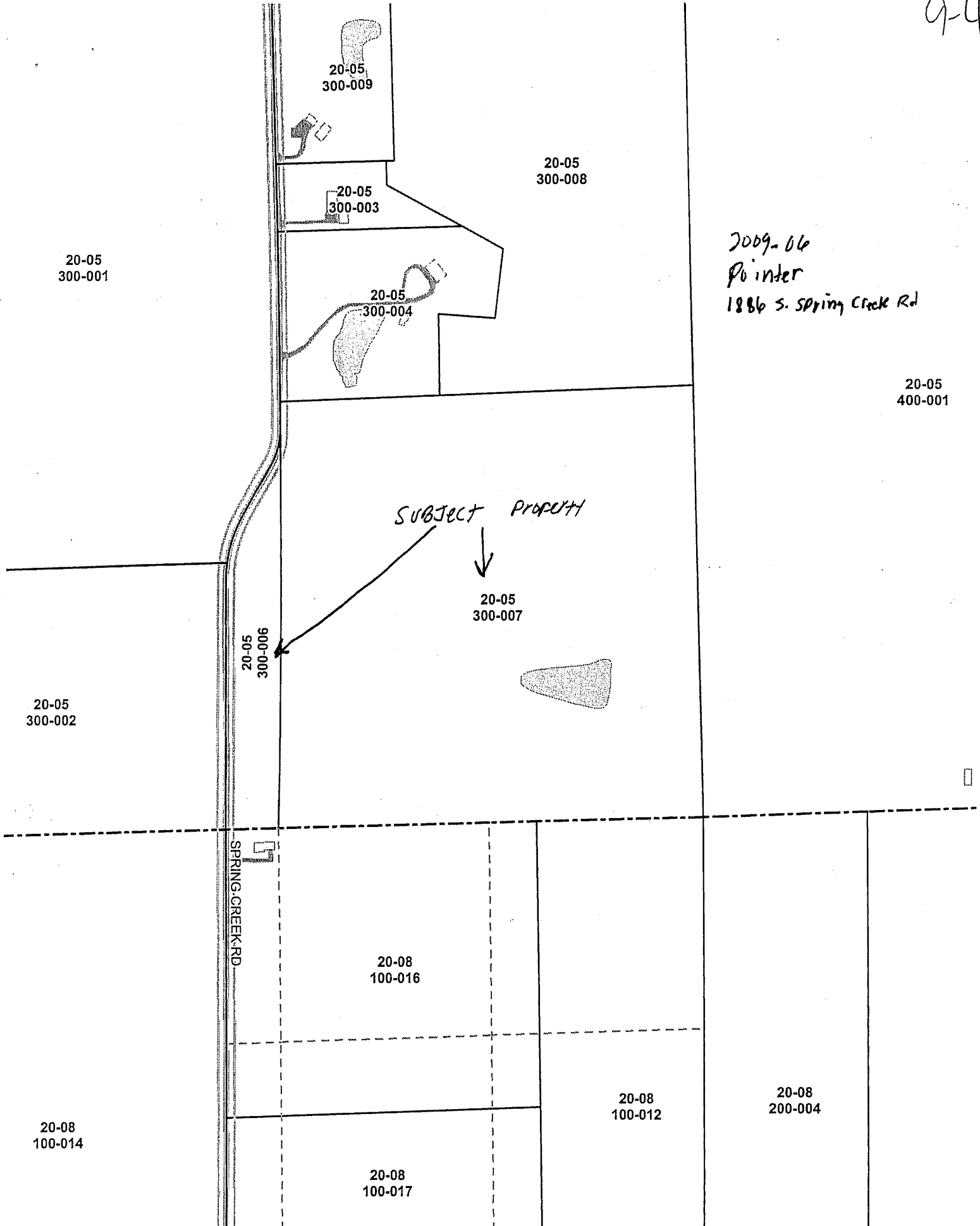
CENTERLINE OF SPRING CREEK ROAD



SCALE 1" = 150'



9-4



2009-06
 Pointer
 1886 S. Spring Creek Rd

SUBJECT PROPERTY



SPRING CREEK RD

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 7 NAME: **Craig Hall**

DOCKET NUMBER: **2009-06**

ADDRESS: **1886 S. Spring Creek Road, Pleasant Plains, IL 62677**

PETITIONER: **Mark Pointer**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance to allow 2 parcels less than 40 acres and a variance to allow the lot depth to exceed 2 1/2 times the lot width for 1 parcel.**

AREA: **43.96 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The standards for variation are met.**

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


RECORDING SECRETARY

4/6

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2009-06
Mark Pointer)	
)	PROPERTY LOCATED AT:
)	1886 S. Spring Creek Road
)	Pleasant Plains, IL 62677
)	

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 **January 15, 2009** 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 **1886 S. Spring Creek Road, Pleasant Plains, IL 62677** and more particularly described as:

The Southeast Quarter of the Southwest Quarter of Section 5; all that part of the Southwest Quarter of the Southwest Quarter of Section 5 lying East of Spring Creek Road; Lot 5 recorded at Book 7, Page 654, all in Township 15 North, Range 7 West of the Third Principal Meridian.

9-1

Page 2

3. That the present zoning of said property is "**A**" **Agricultural District**.
4. That the present land use of said property is **Residence and farmland**.
5. That the proposed land use of said property is **the same use continued**.
6. That the requested **variances** of said property are **to allow 2 parcels less than 40 acres and to allow the lot depth to exceed 2 ½ times the lot width for 1 parcel**.
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**.


CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Peggy Egizii** 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 **Judith Johnson**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, John Luchessi**

NO:

ABSENT: **Marvin Traylor**


RECORDING SECRETARY

9-8

SSCRPC

Springfield
Sangamon County Regional
Planning Commission

Staff Findings and Recommendation

(inspected 1/2/2009 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2009-06

ADDRESS 1886 Spring Creek Road

Property Index # 20-05-300-006, -007

PETITIONER Mark Pointer

REQUESTED ZONING A variance to allow 2 parcels less than 40 acres and a variance to allow the lot depth to exceed 2 1/2 times the lot width for 1 parcel.

PROPOSED LAND USE Single family residence

EXISTING:

ZONING Agricultural

LAND USE Single family residence

ROAD FRONTAGE Spring Creek Road - 1,437'

CONDITION OF PAVEMENT Fair

STRUCTURE DESIGNED FOR Residence

CONDITION OF STRUCTURE Good

LOT AREA 43.96 acres

FRONT YARD N/A

SIDE YARDS N/A

REAR YARD N/A



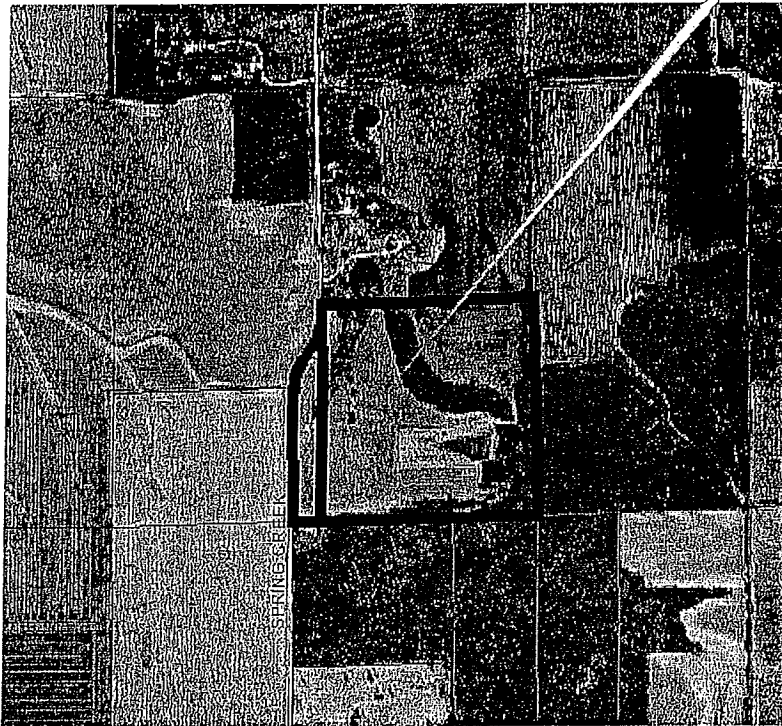
Would the proposed zoning be spot zoning? N/A

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval. The standards for variation are met.**

County Zoning

Case# 2009-06

Requested:
Variance

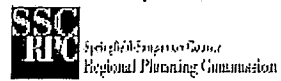


County Zoning

	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



0 250 500 1,000 Feet



**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2009-06

Address: 1886 Spring Creek 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 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.

Due to mortgage purchases, the petitioner wishes to divide off the house from the cropland and retain both resulting tracts.

- (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.