

CASE # 2009-09
RESOLUTION NUMBER 6-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
1357 S. TOWER ROAD, DAWSON
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 a variance to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:**

The North Half of the Southwest Quarter of the Northeast Quarter of Section 6, Township 15 North, Range 3 West of the Third principal Meridian.

WHEREAS, the Petitioner, **Dennis Kerasotes**, has petitioned the Sangamon County Board for a **variance of the lot area requirement to allow a residence (watchman's quarters) and a guest apartment on 20 acres; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **February 19, 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 variance in accord with the condition that the guest apartment shall only be used for visitors that are in town for horse shows and business related purposes and shall not be rented for full time occupancy; and**

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



FEB 27 2009


Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10th day of March, 2009 that the request for variance of the lot area requirement to allow a residence (watchman's quarters) and a guest apartment on 20 acres on the above described property is hereby approved in accord with the condition that the guest apartment shall only be used for visitors that are in town for horse shows and business related purposes and shall not be rented for full time occupancy.

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

Respectfully submitted,

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

Tim Moore
TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

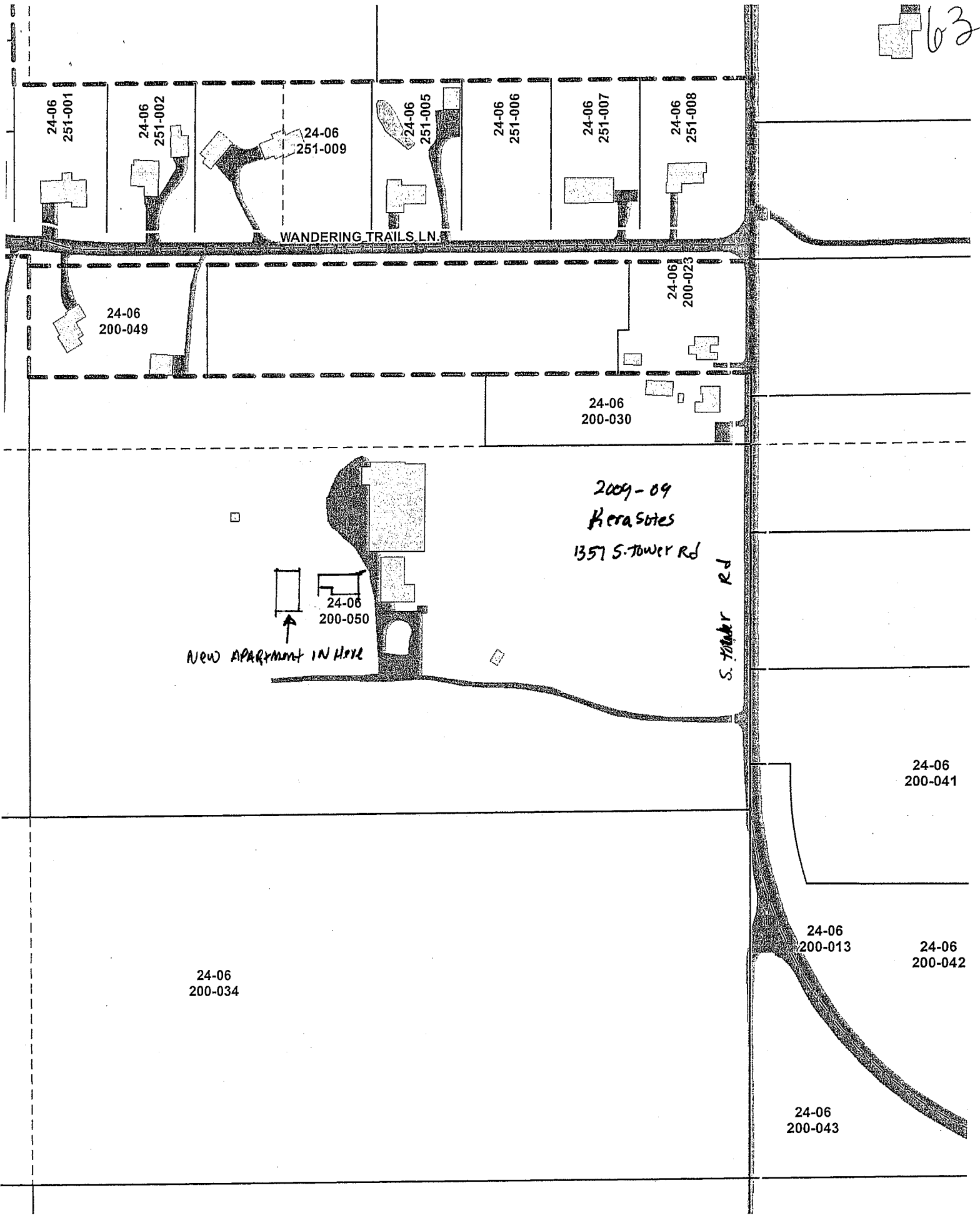
LINDA DOUGLAS WILLIAMS

ATTEST:

Joe Aiello
SANGAMON COUNTY CLERK

A. Sam Stebbins
COUNTY BOARD CHAIRMAN

63



24-06
251-001

24-06
251-002

24-06
251-009

24-06
251-005

24-06
251-006

24-06
251-007

24-06
251-008

WANDERING TRAILS LN.

24-06
200-049

24-06
200-023

24-06
200-030

2009-09
Kera Sites
1357 S. Tower Rd

24-06
200-050

NEW APARTMENT IN HOPE

S. Tower Rd

24-06
200-041

24-06
200-013

24-06
200-042

24-06
200-034

24-06
200-043

64

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 3 NAME: David Mendenhall

DOCKET NUMBER: 2009-09

ADDRESS: 1357 S. Tower Road, Dawson, IL 62520

PETITIONER: Dennis Kerasotes

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance of the lot area requirement to allow a residence (watchman's quarters) and a guest apartment on 20 acres.

AREA: 20 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval with the condition that the guest apartment be used only for visitors that are in town for horse shows and business related purposes, as stated in the petition. The standards of variation are met. The request is made to allow 2 residences on 1 parcel and staff finds that this particular case is different from the same request in 2008 on Taylor Homestead Road in that the use of the 2nd dwelling unit on South Tower Road is to be used for business related purposes.

SANGAMON COUNTY BOARD OF APPEALS

COMMENDATION: Approval in accord with the condition that the guest apartment shall only be used for visitors that are in town for horse shows and business related purposes and shall not be rented for full time occupancy.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2009-09
Dennis Kerasotes)	
)	PROPERTY LOCATED AT:
)	1357 S. Tower Road
)	Dawson, IL 62520
)	

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 a **variance** 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 **February 19, 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 **1357 S. Tower Road, Dawson, IL 62520** and more particularly described as:

The North Half of the Southwest Quarter of the Northeast Quarter of Section 6, Township 15 North, Range 3 West of the Third principal Meridian.

6-6

Page 2

3. That the present zoning of said property is "A" Agricultural District
4. That the present land use of said property is Horse farm for show horses.
5. That the proposed land use of said property is existing use continued.
6. That the requested variance of said property is of the lot area requirement to allow a residence (watchman's quarters) and a guest apartment on 20 acres.
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 variance 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 variance be approved in accord with the condition that the guest apartment shall only be used for visitors that are in town for horse shows and business related purposes and shall not be rented for full time occupancy.


CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Don Wulf** 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 in accord with the condition that the guest apartment shall only be used for visitors that are in town for horse shows and business related purposes and shall not be rented for full time occupancy which was duly seconded by **Peggy Egizii**.

The vote of the Board was as follows:

YES: **Byron Deaner, Peggy Egizii, Judith Johnson, Marvin Traylor, Don Wulf**

NO:

ABSENT: **Charles Chimento**


RECORDING SECRETARY

SSCRPC Springfield
Sangamon County Regional
Planning Commission

Staff Findings and Recommendation
(inspected 1/30/09 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2009-09
ADDRESS 1357 S. Tower Road
Property Index # Pt. 24-06-200-050

PETITIONER Dennis Kerasotes

REQUESTED ZONING A variance of the lot area requirement to allow a residence (watchman's quarters) and a guest apartment on 40 acres.

PROPOSED LAND USE Horse farm, watchman's quarters and guest apartment.

EXISTING:

ZONING A

LAND USE Horse farm and watchman's quarters

ROAD FRONTAGE S. Tower Road - 658' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Outbuildings

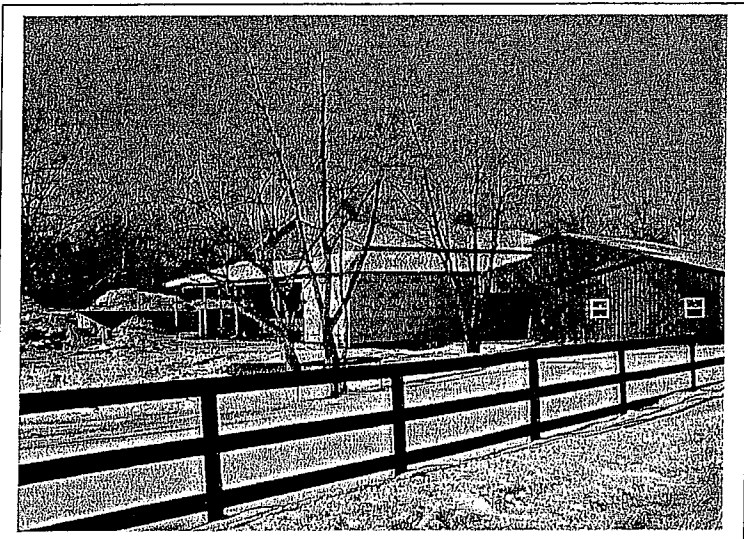
CONDITION OF STRUCTURE Good

LOT AREA 20 acres

FRONT YARD 596'

SIDE YARDS 50'/482'

REAR YARD 615'



Would the proposed zoning be spot zoning?

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval with the condition that the guest apartment be used only for visitors that are in town for horse shows and business related purposes, as stated in the petition. The standards for variation are met. The request is made to allow 2 residences on 1 parcel and staff finds that this particular case is different from the same request in 2008 on Taylor Homestead Road in that the use of the 2nd dwelling unit on South Tower Road is to be used for business related purposes.

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2009-09

Address: 1357 S. Tower 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 watchman's quarters and a guest apartment in order to accommodate visitors who frequent the facility for horse shows.

- (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.

The owner desires to construct a temporary living quarters to only be used to house occasional guests during periodically held horse shows. The current use of the property is a horse farm that hosts horse shows. While this could be construed as recreational, the nature of horse farms can also be considered as an agricultural business resulting in unique circumstances. In case 2008-16 on Taylor Homestead Road, the Regional Planning Commission recommended denial, but the Board approved a variance to allow a carriage house for weekend guests on the same parcel with a single family residence. It is the position of the Regional Planning Commission staff that this request is different in that the temporary housing is requested on a parcel that is currently being used for business purposes.

- (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.

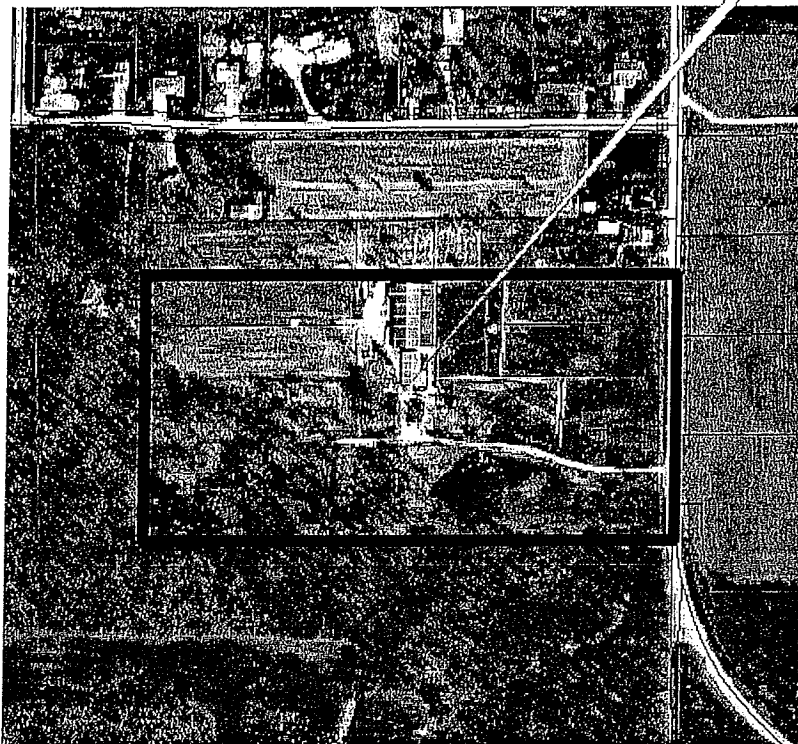
Due to the location of the structures, no negative impact is anticipated.

6-9

County Zoning

Case# 2009-09

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

