

CASE # 2005-40
RESOLUTION NUMBER 6-1

**GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
515 WEST MAPLE
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:

Lot 264 The Highlands

WHEREAS, the Petitioner, **Alice Leinberger**, has petitioned the Sangamon County Board for a **variance of the lot width requirement from 80' to 60'** and a **variance of the lot area requirement from 8,000 sq. ft. to 2,400 sq. ft.**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **June 16, 2005**, 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.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12th day of July, 2005 that the request for a variance of the lot width requirement from 80' to 60' and a variance of the lot area requirement from 8,000 sq. ft. to 2, 400 sq. ft. on the above referenced property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 12th day of July, 2005.

Respectfully submitted,

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

DAN VAUGHN, CHAIRMAN

ABE FORSYTH
William P. Moss

BILL MOSS

TYRONE PACE

TIM MOORE

DON STEPHENS

ATTEST:

Joe Aiello

SANGAMON COUNTY CLERK

A. Vaughn

COUNTY BOARD CHAIRMAN

6-3

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 21 NAME: Clyde Bunch

DOCKET NUMBER: 2005-40

ADDRESS: 515 W. Maple, Springfield, IL. 62704

PETITIONER: Alice Leinberger

PRESENT ZONING CLASSIFICATION: "R-2" Single & Two Family Residence District

REQUESTED ZONING CLASSIFICATION: "R-2" Single & Two Family Residence District
with a variance of the lot width requirement
from 80' to 60' and a variance of the lot area
requirement from 8,000 sq. ft. to 2,400 sq. ft.

AREA: 5,600 sq. ft.

COMMENTS: none

OBJECTORS: none

PLANNING COMMISSION RECOMMENDATION: Approval. No change in the
physical situation will occur

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: 2005-40
Alice Leinberger)
)
) PROPERTY LOCATED AT:
) 515 W. Maple
) Springfield, IL. 62704
)

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 16, 2005** 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 **515 W. Maple, Springfield, IL. 62704** and more particularly described as:

Lot 264 The Highlands

- 3. That the present zoning of said property is **"R-2" Single & Two Family Residence.**
- 4. That the present land use of said property is **a Single Family Residence.**
- 5. That the proposed land use of said property is **a Single Family Residence.**
- 6. That the requested **variances** of said property are: **of the lot width requirement from 80' to 60' and a variance of the lot area requirement from 8,000 sq. ft. to 2,400 sq. ft.**
- 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 **Marvin Traylor** 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 **Patrick Somers.**

The vote of the Board was as follows:

YES: **Charles Chimento, Donn Malwick, John Goleman, Patrick Somers & Marvin Traylor**

NO:

ABSENT:

BJ Annis
RECORDING SECRETARY

ZONING VARIANCE CHECK LIST

DATE: 5-27-05

INSPECTED BY: DK LW

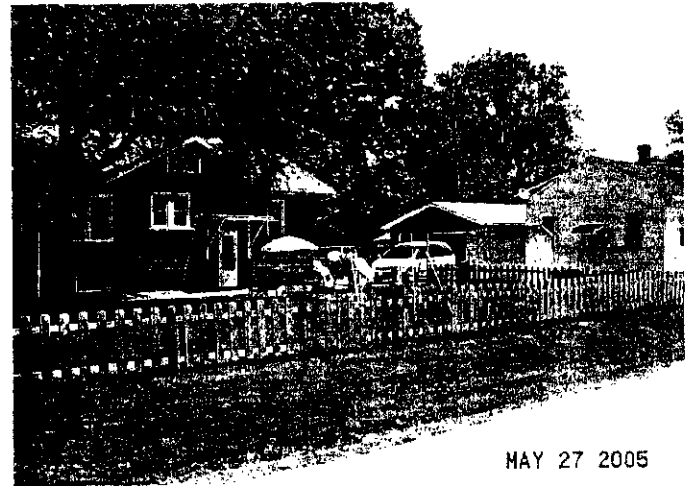
PETITIONER: Leinberger, Alice

ADDRESS: 515 West Maple

EXISTING ZONING: R-2

REQUEST DESCRIPTION: **Variance of the lot width requirement from 80' to 60' and a variance of the lot area requirement from 8,000 sq. ft. to 2,400 sq. ft.**

Staff Estimate of the Effect of the Variance on the Area		None	Slight	Mod.	Great
CONTRASTS: CURRENT VS. PROPOSED	land use	X			
	appearance	X			
	height	X			
	parking	X			
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow	X			



Frontage	Lineal Feet	Existing Yards (ft.)			Area
<u>Maple Ave. - 140</u>		<u>27</u>	<u>10/110</u>	<u>0</u>	<u>5,600 Sq. Ft.</u>
<u>Holmes Ave. - 40</u>		front	side	rear	

OTHER COMMENTS:

STAFF RECOMMENDATIONS: **Recommend approval. No change in the physical situation will occur.**



RECOMMENDED STANDARDS FOR VARIATIONS

Case #: **2005-40**

Address: **515 West Maple**

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 petitioner desires to reconfigure two adjacent lots each with a single family residence.

- (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 petitioner owns two lots with a house on each although the property has been used as if it were one parcel with a large portion of the subject lot being utilized as yard space for the house on the adjacent lot.

- (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