

CASE # 2006-16
RESOLUTION NUMBER 4-1

DENYING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
2981 ALPINE DRIVE, SPRINGFIELD, IL 62712
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 a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

Lots 22 & 23 Wanless Place 3rd Plat, a subdivision of the Northeast quarter of section 1, Township 15 North, Range 5 West of the 3rd Principal Meridian.

WHEREAS, the Petitioner, **Anna Sheehan**, has petitioned the Sangamon County Board for a **variance of the west side yard setback requirement from 10' to 6'**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **April 20, 2006**, 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 variance**; and

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

FILED

APR 27 2006

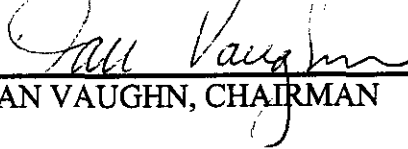
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **9th day of May 2006** that the request for a variance from the required 10' to 6' to allow a manufactured home to be 6' from the west side lot line, on the above referenced property is hereby denied.

Signed and passed by the Sangamon County Board in session on this **9th day of May 2006**.

Respectfully submitted,

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



DAN VAUGHN, CHAIRMAN

ABE FORSYTH

BILL MOSS

TYRONE PACE

TIM MOORE

DON STEPHENS

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #9 NAME: Sara Musgrave

DOCKET NUMBER: 2006-16

ADDRESS: 2981 Alpine Drive, Springfield, IL 62712

PETITIONER: Anna Sheehan

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance off the side yard from the required 10' to 6' to allow a manufactured home to be 6' from the west side lot line.

AREA: 1.77 Acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: **Recommend denial. There is no justification relative to the property for the requested variance. The lot width exceeds the requirements for the zoning district.**

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:
Anna Sheehan)	
)	PROPERTY LOCATED AT:
)	2981 Alpine Drive
)	Springfield, IL 62712
)	

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 **April 20, 2006** 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 **2981 Alpine Drive, Springfield, IL 62712** and more particularly described as:

Lots 22 & 23 Wanless Place 3rd Plat, a subdivision of the Northeast quarter of section 1, Township 15 North, Range 5 West of the 3rd Principal Meridian.

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- 3. That the present zoning of said property is **"A" Agricultural District**
- 4. That the present land use of said property is **Manufactured Home**
- 5. That the proposed land use of said property is **Manufactured Home**
- 6. That the requested **variance** of said property is: **of the side yard requirement from 10' to 6' to allow a manufactured home to be 6' from the west side lot line.**
- 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 **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 **denied**.



 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 **denied**, which was duly seconded by **Donn Malwick**.

The vote of the Board was as follows:

YES: **Charles Chimento, Donn Malwick, Peggy Egizii, Patrick Somers, Marvin Traylor**

NO:

ABSENT:



 RECORDING SECRETARY

4-6

22-01
226-015

23-06
100-025

101

23-06
100-026

23-06
100-005

22-01
226-042

22-01
226-044

22-01
226-037

Subject Property

22-01
226-043

WOODSIDE TWP.

old mobile home



1" = 100'

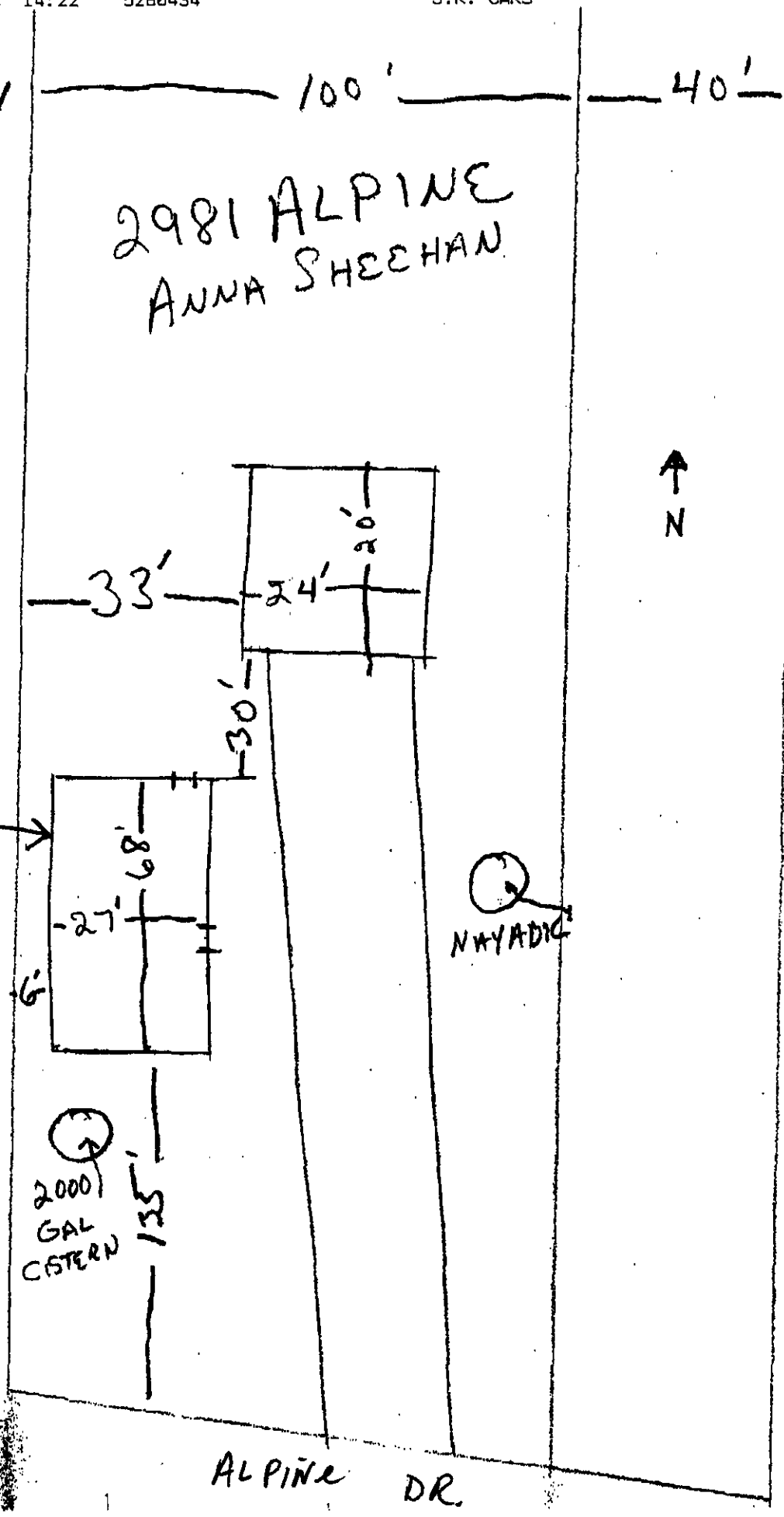
ALPINE DR.

- 001826
- 001827
- 001828
- 001829
- 001830
- 001831
- 001832

4-7

ATTN:
CINDY
35-3111

2981 ALPINE
ANNA SHEEHAN



ZONING VARIANCE CHECK LIST

DATE: 4/3/06

INSPECTED BY: DK JH LW

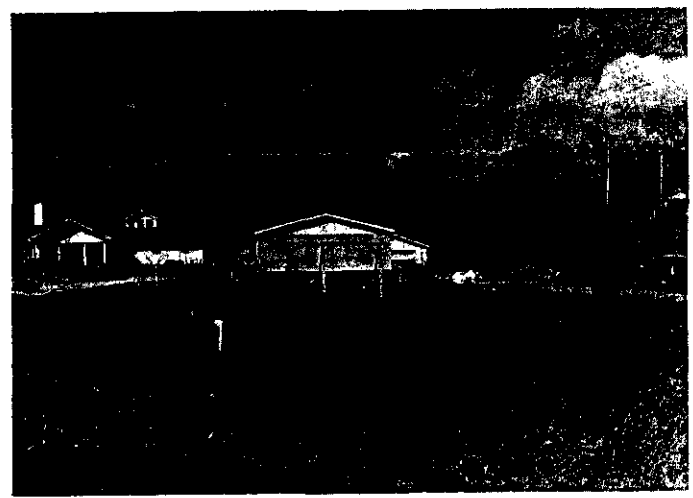
PETITIONER: Sheehan, Anna

ADDRESS: 2981 Alpine Drive

EXISTING ZONING: A

REQUEST DESCRIPTION: Variance of the west side yard setback requirement from 10' to 6'.

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

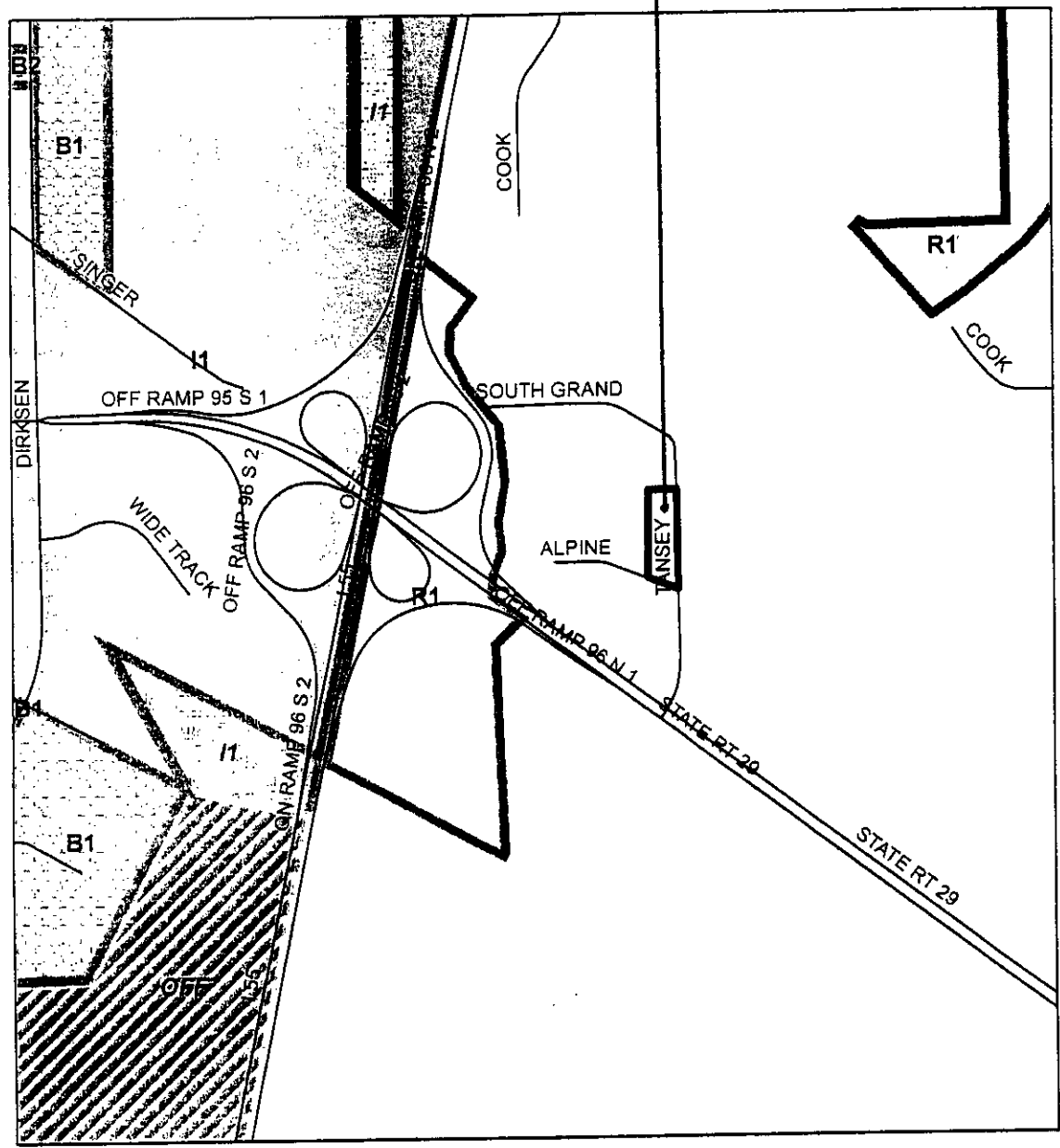


Frontage	Lineal Feet	Existing Yards (ft.)			Area
Alpine Dr.	156'	150'	6'/100'	300'	1.77 acres
		front	side	rear	

OTHER COMMENTS:

STAFF RECOMMENDATIONS: Recommend denial. There is no justification relative to the property for the requested variance. The lot width exceeds the requirements for the zoning district.

County Zoning Case# 2006-16

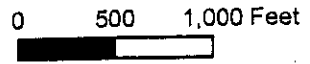


County Zoning

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

City Zoning

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



RECOMMENDED STANDARDS FOR VARIATIONS

Case #: **2006 – 16**

Address: **2981 Alpine Drive**

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 manufactured home has been placed without a building permit, without a permanent foundation. There appears to be ample space to meet the side yard requirements.

- (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 topography and available area of the property does not limit placement of the structure.

- (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