

CASE # 2007-08
RESOLUTION NUMBER 7-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
4039 STAGECOACH ROAD, SPRINGFIELD
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 **approve variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Kevin & Jennifer Martin**, have petitioned the Sangamon County Board for **variances of the lot area requirement to allow the lot area to exceed the 5 acre maximum allowed under the one time exception to the bulk regulations provision of the zoning ordinance, to allow 0' of road frontage instead of the required 20' and to allow the lot width to be met greater than 60' from a public road for one lot;** and

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

MAR 29 2007

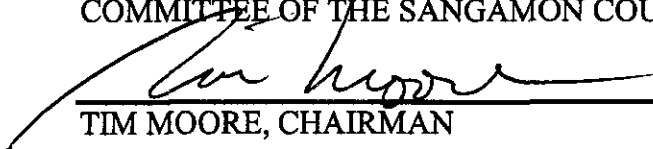
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 11th day of April, 2007 that the requested Variances of the lot area requirement to allow the lot area to exceed the 5 acre maximum allowed under the one time exception to the bulk regulations provision of the zoning ordinance, to allow 0' of road frontage instead of the required 20' and to allow the lot width to be met greater than 60' from a public road for one lot on the above described property are hereby approved.

Signed and passed by the Sangamon County Board in session on this 11th Day of April, 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

EXHIBIT A

Part of the Southwest Quarter of the Southwest Quarter of Section 2, Township 16 North, Range 6 West of the Third Principal Meridian in Sangamon County, Illinois being described as follows:

Beginning at a stone at the Southwest corner of Section 2; thence North 0 degrees 24 minutes 45 seconds West 630.00 feet to an iron pin; thence North 89 degrees 53 minutes 44 seconds East 484.00 feet to an iron pin; thence South 0 degrees 24 minutes 45 seconds East 630.00 feet to an iron pin on the South line of Section 2; thence 89 degrees 53 minutes 44 seconds West 484.00 feet to the point of beginning.

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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 1 NAME: Tom Fraase

DOCKET NUMBER: 2007-08

ADDRESS: 4039 Stagecoach Road, Springfield, IL 62707

PETITIONERS: Kevin & Jennifer Martin

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with variances of the lot area requirement to allow the lot area to exceed the 5 acre maximum allowed under the one time exception to the bulk regulations provision of the zoning ordinance, to allow 0' of road frontage instead of the required 20' and to allow the lot width to be met greater than 60' from a public road for one lot

AREA: 7 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

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SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2007-08
Kevin & Jennifer Martin)	
)	PROPERTY LOCATED AT:
)	4039 Stagecoach Road
)	Springfield, IL 62707
)	

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 **March 15, 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 **4039 Stagecoach Road, Springfield, IL 62707** and more particularly described as:

See Exhibit A

- 3. That the present zoning of said property is **"A" Agricultural District.**
- 4. That the present land use of said property is **Single family residence, timber, farmland.**
- 5. That the proposed land use of said property is **divide off a 7 acre tract including the existing home and create a new 44 acre home site.**
- 6. That the requested **variances** of said property are: **of the lot area requirement to allow the lot area to exceed the 5 acre maximum allowed under the one time exception to the bulk regulations provision of the zoning ordinance, to allow 0' of road frontage instead of the required 20' and to allow the lot width to be met greater than 60' from a public road for one lot**
- 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 **Marvin Traylor**.

The vote of the Board was as follows:

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

NO:

ABSENT:


RECORDING SECRETARY

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John W. Garrison, Jr.
 REGISTERED LAND SURVEYOR
 2636 S. FOURTH ST.
 SPRINGFIELD, IL 62703

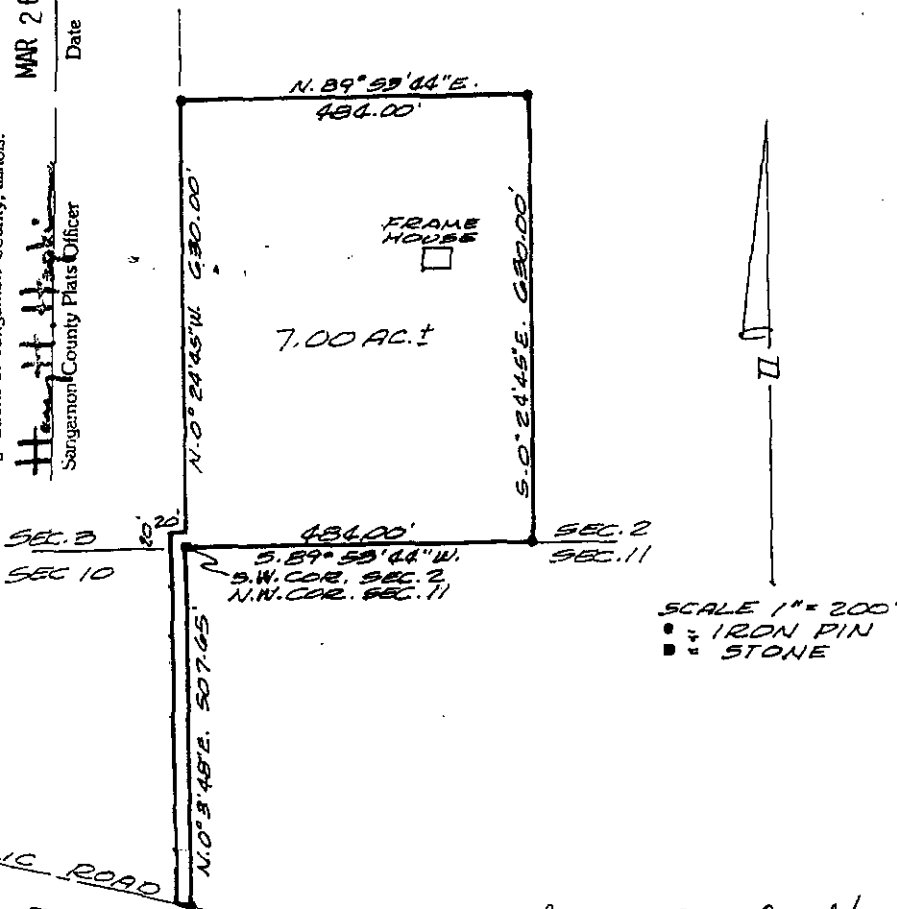
PLAT OF SURVEY

Part of the Southwest Quarter of the Southwest Quarter of Section 2, Township 16 North, Range 6 West of the Third Principal Meridian in Sangamon County, Illinois being described as follows: Beginning at a stone at the Southwest corner of Section 2; thence North 0 degrees 24 minutes 45 seconds West 630.00 feet to an iron pin; thence North 89 degrees 53 minutes 44 seconds East 484.00 feet to an iron pin; thence South 0 degrees 24 minutes 45 seconds East 630.00 feet to an iron pin on the south line of Section 2; thence South 89 degrees 53 minutes 44 seconds West 484.00 feet to the point of beginning, containing 7.00 acres, more or less.

Also: beginning at the Southwest corner of Section 2; thence North 0 degrees 24 minutes 45 seconds West 20 feet; thence West, parallel with the South line of Section 3, 20 feet; thence South 0 degrees 24 minutes 45 seconds East 20 feet to the line between Section 3 and Section 10; thence South 0 degrees 03 minutes 48 seconds West to the center of the public road; thence Southeasterly 20 feet more or less to an iron pin; thence North 0 degrees 03 minutes 48 seconds East, along the East line of Section 10, 507.65 feet to the point of beginning, containing 0.24 acres, more or less.

Old # 44-0001

County of Sangamon)
) ss
 State of Illinois)
 I, Sangamon County Plats Officer, do hereby approve this tract survey in accordance with the provisions of the Land Subdivision Regulations of Sangamon County, Illinois.
Henry H. Haskins
 Sangamon County Plats Officer
 Date: MAR 26 1992



SCALE 1" = 200'
 ● = IRON PIN
 ■ = STONE



I hereby certify that the accompanying plat correctly represents the results of a land survey made under my direction.

John W. Garrison, Jr.
 JOHN W. GARRISON, JR.
 1564
 PROFESSIONAL
 SURVEYOR
 STATE OF ILLINOIS
 Registered Land Surveyor No. 1564
 REVISED FEBRUARY 17, 1992
 FEB. 24, 1992
 Date

PROJECT NO. 9194

★★★★★ 000589

SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 2/27/2007 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-08
 ADDRESS 4039 Stagecoach Road
 Property Index # Pt. 13-02-300-009

PETITIONER **Martin, Kevin & Jennifer**

REQUESTED ZONING **Variances of lot area requirement to allow lot area to exceed the 5 acre maximum allowed under the one time exception to the bulk regulations provision of the zoning ordinance, to allow 0' of road frontage instead of the required 20' and to allow the lot width to be met greater than 60' from a public road for one lot.**

PROPOSED LAND USE **Divide off existing home from 51 acre tract**

EXISTING:

ZONING **A**

LAND USE **Single family residence**

ROAD FRONTAGE -0- CONDITION OF PAVEMENT good

STRUCTURE DESIGNED FOR **Residence**

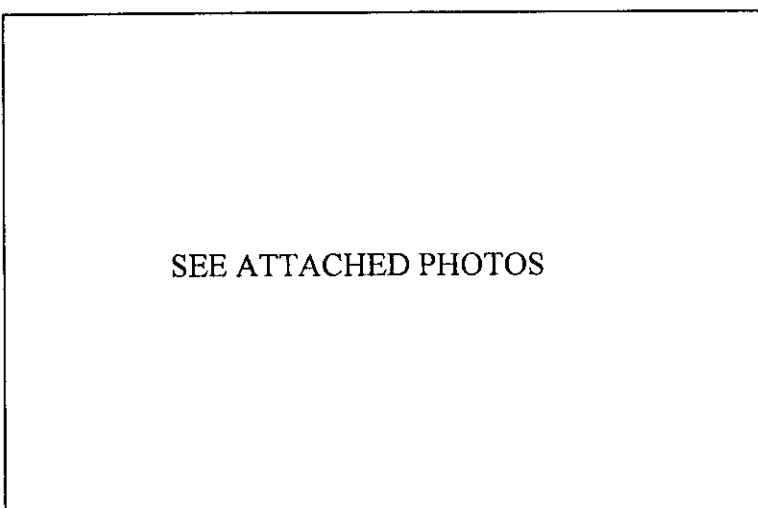
CONDITION OF STRUCTURE good

LOT AREA 7 acres

FRONT YARD 370 ft.

SIDE YARDS 912' / 420'

REAR YARD 990'

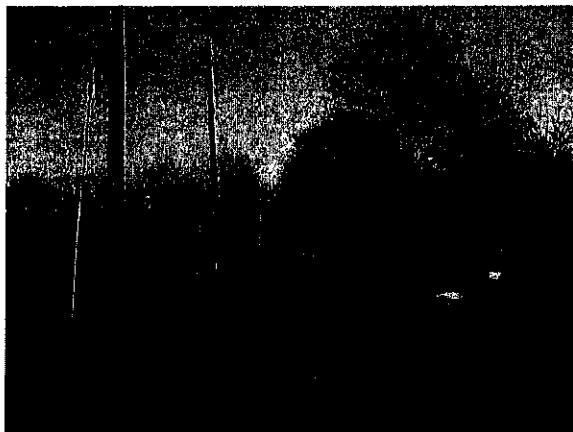


Would the proposed zoning be spot zoning? NA

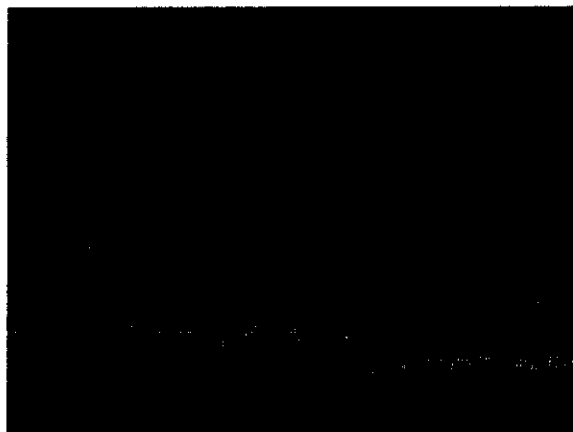
PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval.**
The standards for variation are met.

Case #:2007-08

Address: 4039 Stagecoach Road



Existing Driveway through adjacent Property



Frontage of Subject Property

County Zoning

Case# 2007-08

Requested:
Variance



County Zoning

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

City Zoning

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



Scale: 1" = 200 Feet

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**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2007-08

Address: 4039 Stagecoach 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 as allowed under the one-time exception to the bulk regulations provision of the zoning ordinance.

- (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 variance would allow the division of property to create a 7 acre site which includes the existing home that sits a considerable distance from the road. An existing easement provides access to the home. Due to topography a driveway from the frontage of the existing 51 acre tract is not accessible.

- (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.