

CASE # 2007-10
RESOLUTION NUMBER 9-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
189 EAST ANDREW ROAD
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 West one-half of the Northwest Quarter of Section 27, Township 17 North, Range 5 West of the Third principal Meridian, excepting therefrom, the South 726' of the West 300'.

WHEREAS, the Petitioners, **Richard and Joyce Hinds**, have petitioned the Sangamon County Board for **Variances to allow a parcel greater than the 5 acres allowed under the one time exception to the bulk regulations provision of the zoning ordinance and to allow the lot depth to exceed 2 ½ times the lot width for one parcel; 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 to allow a parcel greater than the 5 acres allowed under the one time exception to the bulk regulations provision of the zoning ordinance and to allow the lot depth to exceed 2 ½ times the lot width for one parcel 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

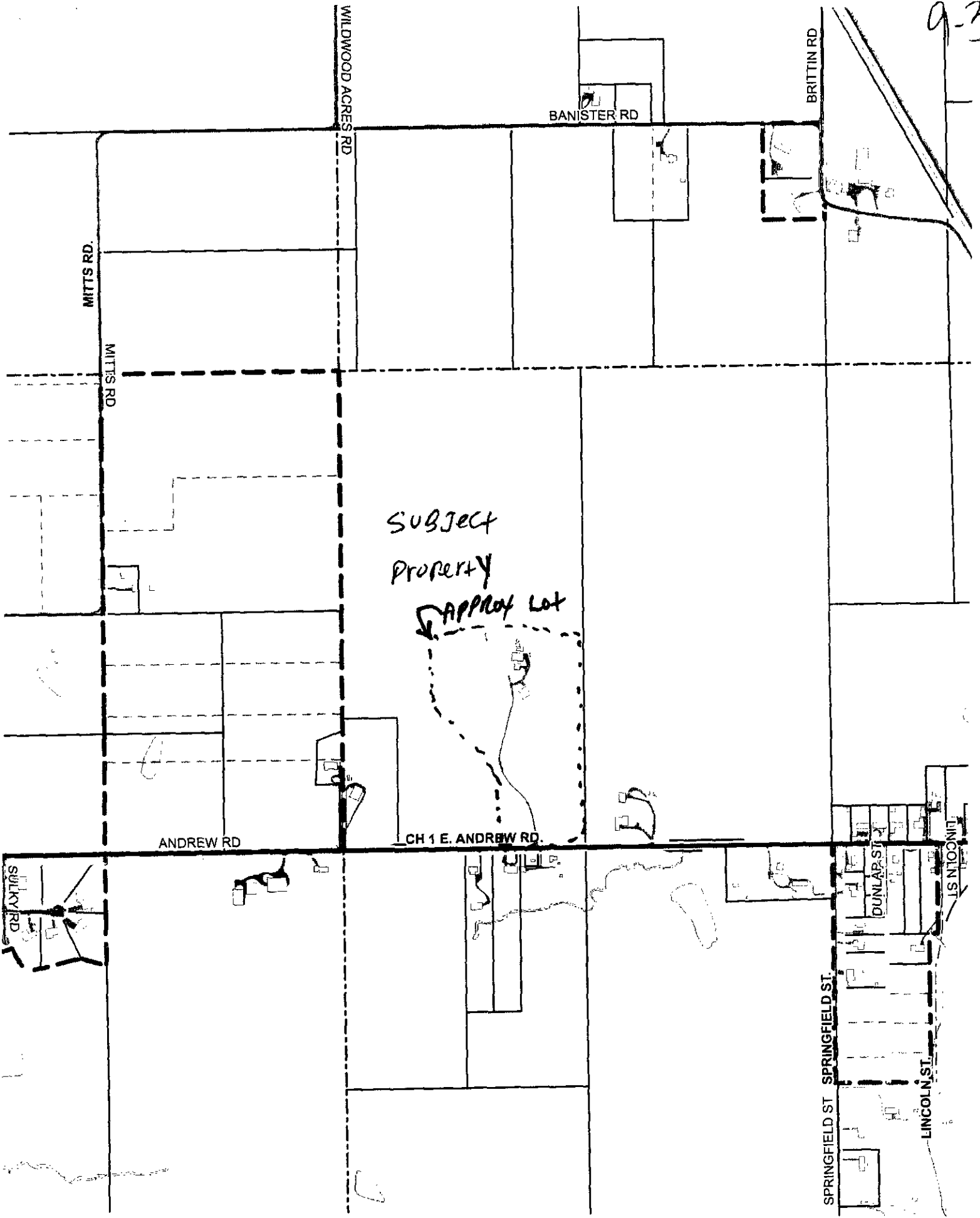
DON STEPHENS

DAVID MENDENHALL

ATTEST:


SANGAMON COUNTY CLERK


COUNTY BOARD CHAIRMAN



SUBJECT
PROPERTY
APPROX LOT

MITTS RD.

MITTS RD.

WILDWOOD ACRES RD.

BANISTER RD.

BRITTIN RD.

ANDREW RD.

CH 1 E. ANDREW RD.

SILKLY RD.

SPRINGFIELD ST.

LINCOLN ST.

DUNLAP ST.

LS NTCOONIT.

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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 2 NAME: **Todd Smith**

DOCKET NUMBER: **2007-10**

ADDRESS: **189 East Andrew Road, Springfield, IL 62707**

PETITIONERS: **Richard and Joyce Hinds**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with variances to allow a parcel greater than the 5 acres allowed under the one time exception to the bulk regulations provision of the zoning ordinance and to allow the lot depth to exceed 2 ½ times the lot width for one parcel**

AREA: **74.98 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

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

| | |
|-------------------------------------|------------------------------|
| IN THE MATTER OF THE PETITION OF:) | DOCKET NO: 2007-10 |
| Richard and Joyce Hinds) |) |
|) | PROPERTY LOCATED AT: |
|) | 189 East Andrew 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 **189 East Andrew Road, Springfield, IL 62707** and more particularly described as:

The West one-half of the Northwest Quarter of Section 27, Township 17 North, Range 5 West of the Third principal Meridian, excepting therefrom, the South 726' of the West 300'.

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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 **cropland, pasture and single-family residence.**
- 5. That the proposed land use of said property is **sell the residence and retain the farmland.**
- 6. That the requested **variances** of said property are: **to allow a parcel greater than the 5 acres allowed under the one time exception to the bulk regulations provision of the zoning ordinance and to allow the lot depth to exceed 2 ½ times the lot width for one 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**.

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

NO:

ABSENT:

BT Cummings
RECORDING SECRETARY

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SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 2/27/07 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-10
 ADDRESS 189 East Andrew Road
 Property Index # 06-27-100-007

PETITIONER Hinds, Richard and Joyce

REQUESTED ZONING Variances to allow a parcel greater than the 5 acres allowed under the one time exception to the bulk regulations provision of the zoning ordinance and to allow the lot depth to exceed 2 1/2 times the lot width for one parcel.

PROPOSED LAND USE Divide off existing home

EXISTING:

ZONING A

LAND USE Single family residence, cropland

ROAD FRONTAGE Andrew Rd. 1040' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence

CONDITION OF STRUCTURE Good

LOT AREA 74.98 acres

FRONT YARD 1000'

SIDE YARDS 950' / 347'

REAR YARD 1570'



Would the proposed zoning be spot zoning? NA

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

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2007-10**

Address: **189 East Andrew 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.

Granting the variances would facilitate division of the existing home from the property 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 request is made to sell the existing home while preserving the tillable acreage.

- (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.