

CASE # 2007-68  
RESOLUTION NUMBER 5-1  
**GRANTING VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**5213 & 5243 COCKRELL LANE, 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 **grant variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioners, **Robert Starkey & Carol & Robert Osborne**, have petitioned the Sangamon County Board for the following - **Tract 1: a variance of the south side yard requirement from 10' to 3' and Tract 2: variances to allow lot width of 123.50' instead of the required 150', to allow the lot depth to exceed 2 ½ times the lot width and to allow a lot area of approximately .80 acre instead of the required 1 acre; and**

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

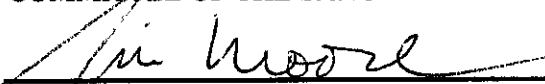
NOV 30 2007

*Joe Aiello*

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 11<sup>th</sup> day of December, 2007 that the request for the following - Tract 1: a variance of the south side yard requirement from 10' to 3' and Tract 2: variances to allow lot width of 123.50' instead of the required 150', to allow the lot depth to exceed 2 ½ times the lot width and to allow a lot area of approximately .80 acre instead of the required 1 acre on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 11<sup>th</sup> day of December, 2007.

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

  
\_\_\_\_\_  
TIM MOORE, CHAIRMAN

\_\_\_\_\_  
ABE FORSYTH, VICE CHAIRMAN

\_\_\_\_\_  
JENNIFER DILLMAN

\_\_\_\_\_  
DAVID MENDENHALL

\_\_\_\_\_  
GEORGE PRECKWINKLE

\_\_\_\_\_  
SAM SNELL

\_\_\_\_\_  
DON STEPHENS

\_\_\_\_\_  
LINDA DOUGLAS WILLIAMS

**ATTEST:**

  
\_\_\_\_\_  
SANGAMON COUNTY CLERK

  
\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

**EXHIBIT A**

TRACT1:

Lot 2 of Patton Acres

TRACT 2:

That part of the Northwest Quarter of the Northeast Quarter of Section 26, Township 15 North, Range 6 West of the Third Principal Meridian, described as follows:

Beginning at the Southeast corner of the Northwest Quarter of the Northeast Quarter of Section 26, Township and Range aforesaid; thence West along the South line of said Northwest Quarter of the Northeast Quarter of Section 26, the distance of 330 feet; thence North parallel with the East line of said Northwest Quarter of the Northeast Quarter of Section 26, a distance of 132 feet; thence East parallel with the South line of said Quarter Quarter Section 330 feet to the East Line of said Quarter Quarter Section and thence South along said East line 132.00 feet to the place of beginning.

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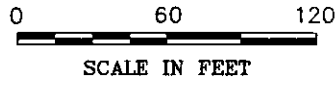
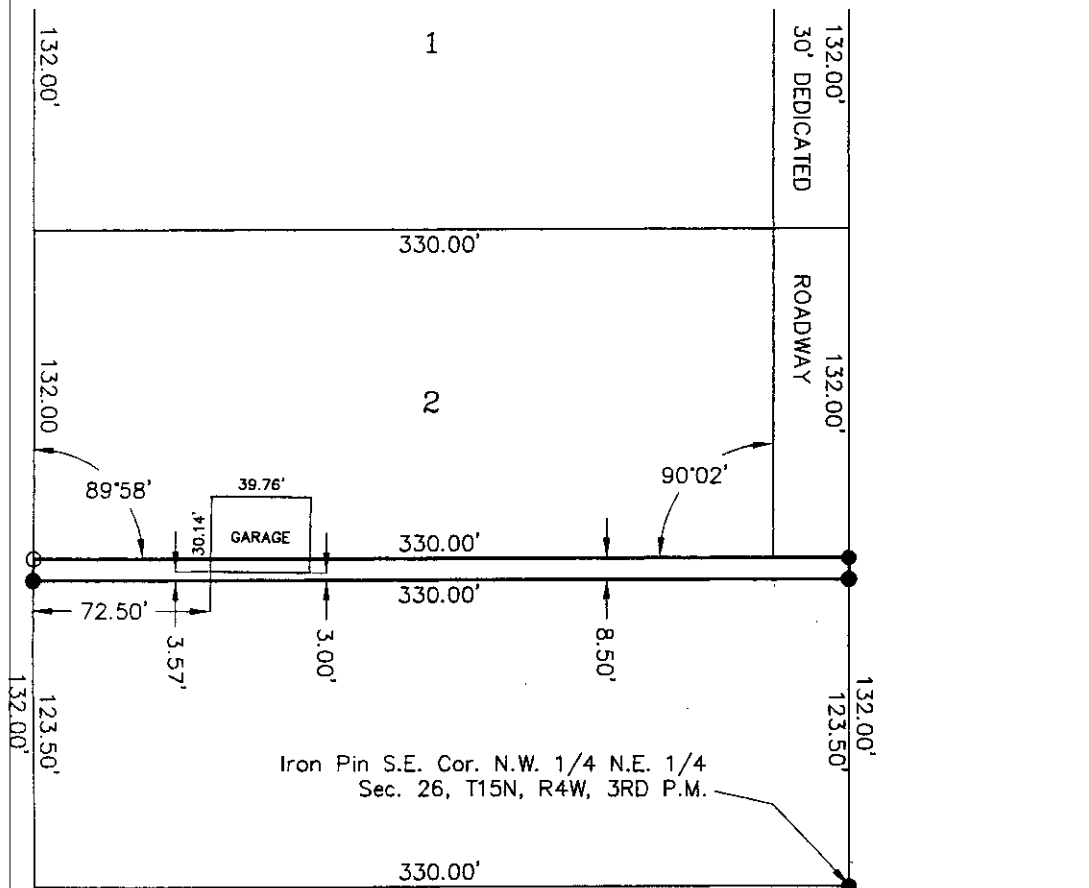
**John W. Garrison, Jr.**  
Professional Land Surveyor  
1055 Glenway Drive  
Glenarm, IL 62536  
(217) 483-7560

**PLAT OF SURVEY**

RECORDER OF DEEDS

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 15 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

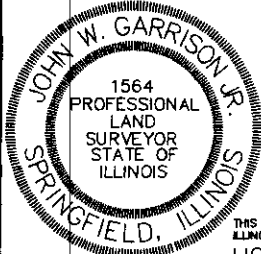
COMMENCING AT AN IRON PIN AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26; THENCE NORTH ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION, 132.00 FEET TO AN IRON PIN AT THE POINT OF BEGINNING; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, 330.00 FEET TO AN IRON PIPE; THENCE SOUTH 8.50 FEET TO AN IRON PIN; THENCE EAST 330.00 FEET TO AN IRON PIN; THENCE NORTH 8.50 FEET TO THE POINT OF BEGINNING, CONTAINING 0.06 ACRES, MORE OR LESS.



● = IRON PIN  
○ = IRON PIPE

I HEREBY CERTIFY THAT THE ACCOMPANYING PLAT CORRECTLY REPRESENTS THE RESULTS OF A LAND SURVEY MADE UNDER MY DIRECTION.

*John W. Garrison Jr.*  
PROFESSIONAL LAND SURVEYOR NO. 1564



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.  
LICENSE EXPIRES: 11/30/2008

9-26-2007  
DATE PROJECT

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: #1 NAME: Tom Fraase

DOCKET NUMBER: 2007-68

ADDRESS: 5213 & 5243 Cockrell Lane, Springfield

PETITIONER: Robert Starkey & Carol & Robert Osborne

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with the following -  
Tract 1: a variance of the south side yard requirement from 10' to 3' and Tract 2: variances to allow lot width of 123.50' instead of the required 150', to allow the lot depth to exceed 2 1/2 times the lot width and to allow a lot area of approximately .80 acre instead of the required 1 acre.

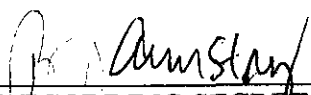
AREA: 2 acres

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: <b>2007-68</b>
<b>Robert Starkey &amp; Carol &amp; Robert Osborne</b>	)	
	)	PROPERTY LOCATED AT:
	)	<b>5213 &amp; 5243 Cockrell Lane</b>
	)	<b>Springfield, IL 62711</b>
	)	

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 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 **November 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 **5213 & 5243 Cockrell Lane, Springfield** 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 2 single family residences.
- 5. That the proposed land use of said property is 2 single family residences.
- 6. That the requested variances of said property are: Tract 1: a variance of the south side yard requirement from 10' to 3'. Tract 2: variances to allow lot width of 123.50' instead of the required 150', to allow the lot depth to exceed 2 1/2 times the lot width and to allow a lot area of approximately .80 acre instead of the required 1 acre.
- 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 **Judith Johnson** 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 **Don Wulf**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Judith Johnson, Marvin Traylor, Don Wulf**

NO:

ABSENT: **Peggy Egizii**

Bob Armstrong  
RECORDING SECRETARY

**EXHIBIT A**

## TRACT1:

Lot 2 of Patton Acres

## TRACT 2:

That part of the Northwest Quarter of the Northeast Quarter of Section 26, Township 15 North, Range 6 West of the Third Principal Meridian, described as follows:

Beginning at the Southeast corner of the Northwest Quarter of the Northeast Quarter of Section 26, Township and Range aforesaid; thence West along the South line of said Northwest Quarter of the Northeast Quarter of Section 26, the distance of 330 feet; thence North parallel with the East line of said Northwest Quarter of the Northeast Quarter of Section 26, a distance of 132 feet; thence East parallel with the South line of said Quarter Quarter Section 330 feet to the East Line of said Quarter Quarter Section and thence South along said East line 132.00 feet to the place of beginning.



SSCRPC

Springfield  
Sangamon County Regional  
Planning Commission

SANGAMON COUNTY ZONING CASE # 2007-68

**Staff Findings and Recommendation**

ADDRESS 5213 & 5243 Cockrell Lane

(inspected 10/29/07 by AJ)

Property Index # 21-26-201-002 & 21-26-200-036

PETITIONER Robert Starkey & Carol & Robert Osborne

REQUESTED ZONING Tract 1: A variance of the south side yard requirement from 10' to 3'  
Tract 2: Variances to allow lot width of 123.50' instead of the required 150', to allow the lot depth to exceed 2 1/2 times the lot width for one parcel and to allow a lot area of approximately .80 acre instead of the required 1 acre.

PROPOSED LAND USE Two single family residences

EXISTING:

ZONING A

LAND USE Two single family residences

ROAD FRONTAGE Cockrell Lane 256' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residences

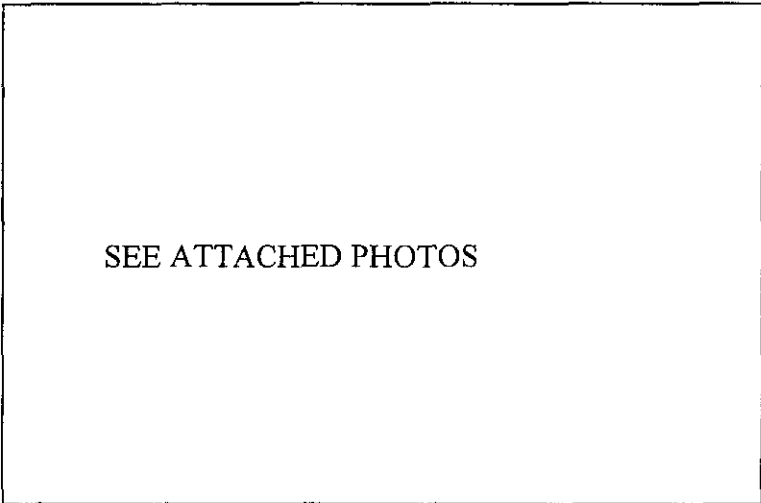
CONDITION OF STRUCTURE Good

LOT AREA 2 acres

FRONT YARD Varied

SIDE YARDS Varied

REAR YARD Varied



Would the proposed zoning be spot zoning? NA

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

Case #: 2007-68

Address: 5213 & 5243 Cockrell Lane



5213 Cockrell Lane



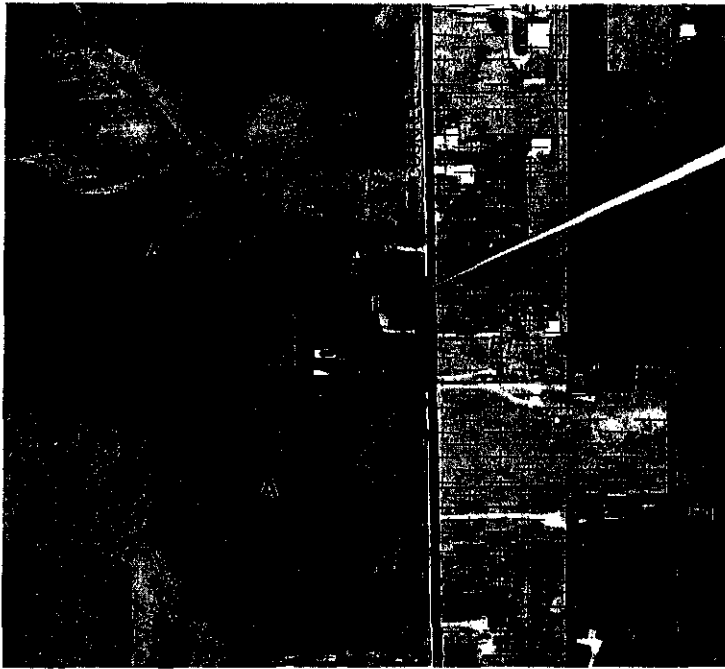
5243 Cockrell Lane



New Garage at 5213 Cockrell Lane

# County Zoning

Case# 2007-68

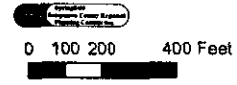


## County Zoning

	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



**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2007-068**

Address: **5213 & 5243 Cockrell Lane**

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 help alleviate the side yard violation caused by the inadvertent construction of a garage over the property line of tract 1. The adjacent landowner (tract 2) has offered to convey an 8.5 foot strip of land to accommodate the garage.**

- (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 of tract 1 thought the fence line was the property line which is an understandable albeit an uninformed assumption.**

- (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.**