

CASE # 2007-20
RESOLUTION NUMBER M-1

GRANTING A REZONING
FOR CERTAIN PROPERTY LOCATED AT
23 COUNTRY LAKE DRIVE, 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 an amendment** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **PJ Hathaway Builders, Inc.**, has petitioned the Sangamon County Board for a **rezoning from "A" Agricultural District to "R1" Single Family Residence District**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **April 19, 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 rezoning**; and

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

FILED

APR 27 2007

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 8th day of May, 2007 that the request to rezone the above described property from "A" Agricultural District to "R1" Single Family Residence District is hereby granted.

Signed and passed by the Sangamon County Board in session on this 8th day of May, 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:

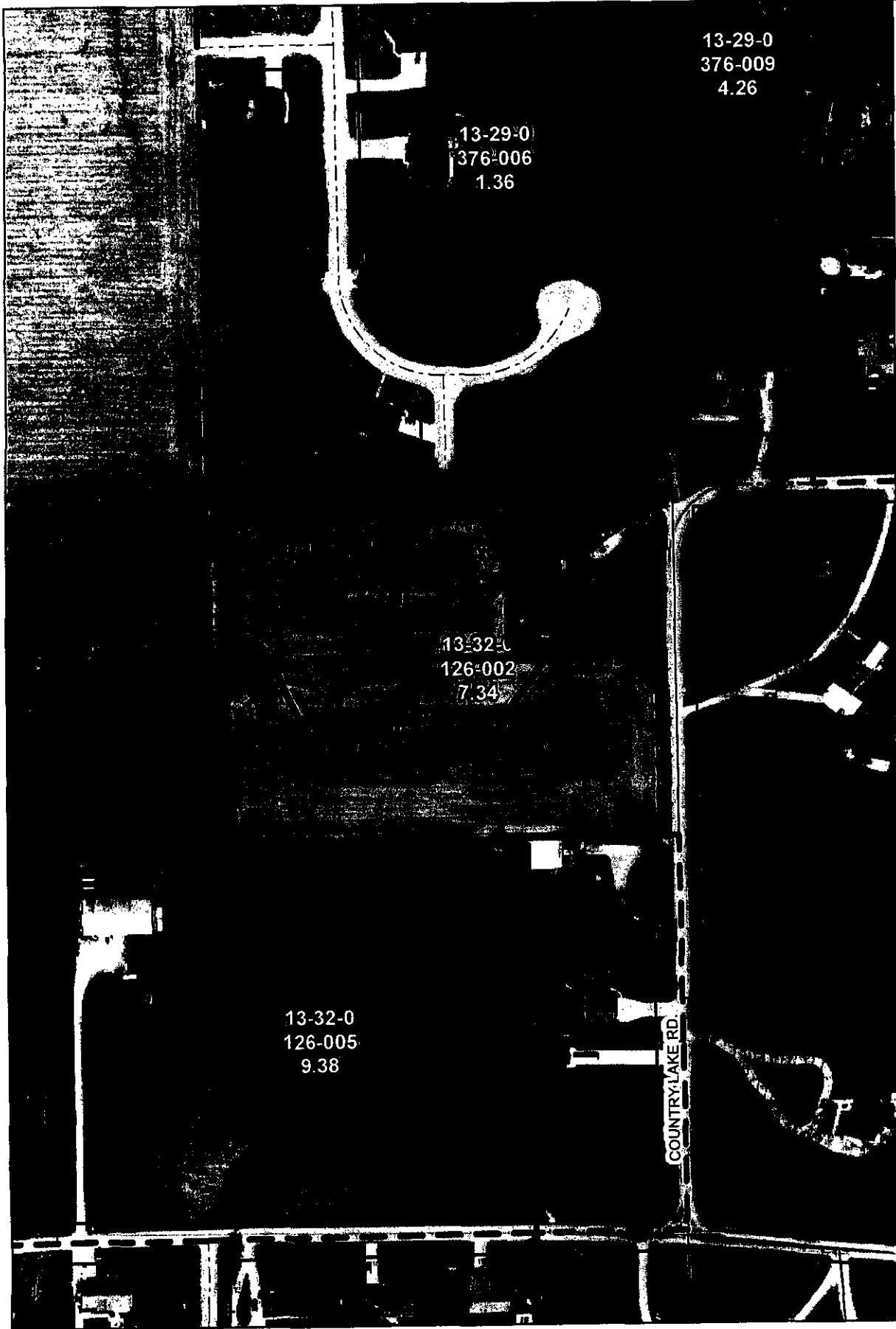


SANGAMON COUNTY CLERK



COUNTY BOARD CHAIRMAN

175



13-29-0
376-009
4.26

13-29-0
376-006
1.36

13-32-0
126-002
7.34

13-32-0
126-005
9.38

2007-20
PJ HATHAWAY
23 CO-LAKE DR.
13-32-126-002

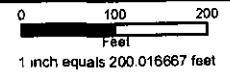
- Legend**
- Tax Parcel Lines
 - Corp Line
 - - - County Line
 - - - Geo Twp Line
 - - - Lot Line
 - Min Rights Line
 - - - Misc Line
 - Parcel Line
 - - - Pol Twp Line
 - - - Railroad Centerline
 - Railroad ROW
 - - - Road Centerline
 - Road ROW
 - - - Section Line
 - Sub Line 100
 - Sub Line 400
 - - - Water Line

Sangamon County, Illinois



**Office Of
Supervisor of Assessments
Sangamon County GIS**

Although strict accuracy standards have been employed in the compilation of this map, Sangamon County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.



Flight Date: April, 2003

3/29/2007

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 1 NAME: Tom Fraase

DOCKET NUMBER: 2007-20

ADDRESS: 23 Country Lake Drive, Springfield, IL 62707

PETITIONER: PJ Hathaway Builders, Inc

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION "R1" Single Family Residence District

AREA: 7.71 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. With the adjacent residential zoning and residential development in the area R-1 zoning would be appropriate for this property.**

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: 2007-20
PJ Hathaway Builders, Inc)
)
) PROPERTY LOCATED AT:
) 23 Country Lake Drive
) 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 an **amendment** 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 19, 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 **23 Country Lake Drive, 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.**
- 5. That the proposed land use of said property is **2 Single Family Residences.**
- 6. That the requested **rezoning** of said property is from **"A" Agricultural District to "R1" Single Family Residence District.**
- 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 **rezoning** 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 **rezoning** be **approved.**

Charles Chimento
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 **Patrick Somers.**

The vote of the Board was as follows:

YES: Charles Chimento, Peggy Egizii, Judith Johnson, Patrick Somers, Marvin Traylor

NO:

ABSENT:

BO Armstrong
RECORDING SECRETARY

EXHIBIT A

That strip of land beginning at a stone located where the North and South center line of Section 32, Township 16 North, Range 6 West of the 3rd Principal Meridian in Sangamon County, Illinois adjoins the North and South center line of Section 29, Township 16 North, Range 6 West of the 3rd Principal Meridian in Sangamon County, Illinois, beginning at said stone, thence in a Westerly direction 660 feet, thence in a Southerly direction 544.5 feet, thence in an Easterly direction 660 feet, thence in a Northerly direction 544.5 feet to the point of beginning, containing in all 7.5 acres, more or less.

78

SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 4/4/07 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-20
 ADDRESS 23 Country Lake Drive
 Property Index # 13-32-126-002

PETITIONER PJ Hathaway Builders, Inc.

REQUESTED ZONING R-1

PROPOSED LAND USE 2 single family residences

EXISTING:

ZONING A

LAND USE Single family residence

ROAD FRONTAGE Country Lake Dr. 510' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence

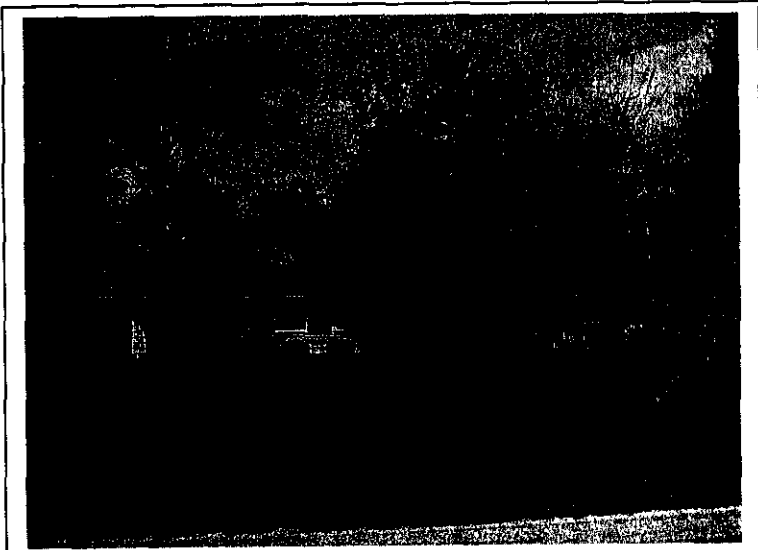
CONDITION OF STRUCTURE Good

LOT AREA 7.71 acres

FRONT YARD 125'

SIDE YARDS 105'/366'

REAR YARD 520'



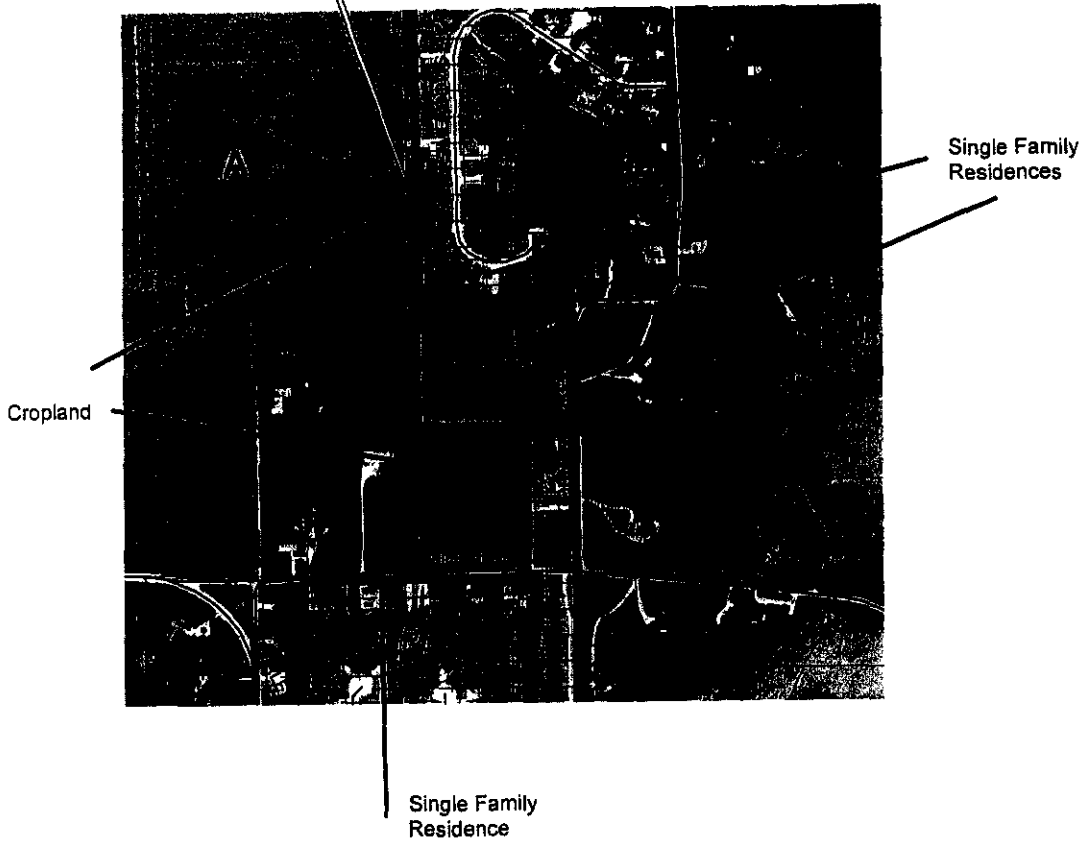
Would the proposed zoning be spot zoning? No

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval. With the adjacent residential zoning and residential development in the area R-1 zoning would be appropriate for this property.

County Zoning

Case# 2007-20

Requested:
R-1



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 - FINDINGS OF FACT**

Case #: **2007-20**

Address: **23 Country Lake Drive**

- (i) Existing uses of property within the general area of the property in question.

To the south and northwest is cropland. To the east, west and north are single family residences.

- (ii) The zoning classification of property within the general area of the property in question.

To the west and east is zoned A. Directly north is zoned R-1. To the south is A and R-1.

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

The Land Evaluation and Site Assessment score of 187 indicates the property is considered suitable for agricultural use only. However, with residential zoning to the north and south and many residences in the area the proposed residential zoning is seen as appropriate.

- (iv) The trend of development, within the vicinity since the property was originally classified.

In 1988 and 1993 , property directly south was rezoned to R-1. In 1978, property directly north was rezoned to R-1.

LAND EVALUATION AND SITE ASSESSMENT**Part 1: Site Assessment**

	Available Points	Points
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<u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u>		
90% or more	20	
75-89%	10	5
50-74%	5	
Under 50%	0	

<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	
75-89%	10	5
50-74%	5	
Under 50%	0	

<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	
50-74%	5	10
Under 50%	0	

<u>COUNTY SECTOR</u>		
Rural	20	
0.5 mile from incorporated area	10	20
Incorporated area	0	

<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	
50-74%	10	20
25-49%	5	
Less than 25% or sewer available	0	

<u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u>		
Negative impact	15	
Little or none with protective measures	5	0
Little or none	0	

<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	
No impact	0	0

<u>CONDITION OF ROAD</u>		
unpaved, <40' ROW, or < 16' pavement	20	
16'-18' pavement, 40' ROW	15	15
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

<u>AVAILABILITY OF PUBLIC SEWER</u>		
Not available	15	
Sewer over 600'-1200' away	8	15
Private central sewage system	5	
Sewer 600' or less away and available	0	

<u>AVAILABILITY OF PUBLIC WATER</u>		
Not available	20	
1,000-1,500' away	15	0
Less than 1,000' away	5	
Public water available at site	0	

<u>DISTANCE FROM RESPONDING FIREHOUSE</u>		
Not in fire protection district	20	
More than 5 miles or fire protection by assignment	10	5
2.6-5 miles	5	
0-2.5 miles	0	

<u>DRIVING TIME TO HIGH SCHOOL</u>		
Over 30 minutes	10	
15-30 minutes	5	0
Less than 15 minutes	0	

SITE ASSESSMENT TOTAL		95
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Part 2: Agricultural Land Evaluation (Based on Sangamon County Soil Survey)

<u>Soil</u>	<u>Name</u>	<u>Type</u>	<u>%</u>	<u>Relative Value</u>	<u>Points</u>
8D3	Hickory	Important		55	
8E	Hickory	Important		55	
8E3	Hickory	Non-prime		52	
8F	Hickory	Non-prime		0	
17	Keomah	Prime		77	
19C2	Sylvan	Important		72	
19D	Sylvan	Important		72	
19D3	Sylvan	Important		55	
19E3	Sylvan	Non-prime		52	
36A	Tama	Prime		100	
36B	Tama	Prime		95	
36C2	Tama	Prime		90	
36D2	Tama	Important		72	
43	Ipava	Prime	77	100	77
45	Denny	Prime		77	
50	Virden	Prime		87	
67	Harpster	Prime		87	
68	Sable	Prime		95	
73	Ross	Prime		95	

74	Radford	Prime*	87		
77	Huntsville	Prime*	95		
107	Sawmill	Prime*	87		
112	Cowden	Prime	77		
119D	Elco	Important	72		
119D3	Elco	Important	55		
119E3	Elco	Non-prime	52		
131C	Alvin	Prime	77		
131D	Alvin	Prime	77		
131E2	Alvin	Important	55		
134A	Camden	Prime	90		
134B	Camden	Prime	77		
134C2	Camden	Important	72		
134D3	Camden	Important	55		
138	Shiloh	Prime	87		
198	Elburn	Prime	100		
199A	Plano	Prime	95		
199B	Plano	Prime	90		
208	Sexton	Prime	77		
212D3	Thebes	Important	55		
242	Kendall	Prime	77		
244	Hartsburg	Prime	87		
249	Edinburg	Prime	77		
259C	Assumption	Prime	77		
259D2	Assumption	Important	72		
280B	Fayette	Prime	77	19	15
280C2	Fayette	Important	72		
280D2	Fayette	Important	72		
280D3	Fayette	Important	55		
284	Tice	Prime*	90		
451	Lawson	Prime*	95		
551F	Gosport	Non-prime	0		
567C	Elkhart	Prime	77		
567D2	Elkhart	Important	72		
684B	Broadwell	Prime	87		
684C2	Broadwell	Prime	77		
685B	Middletown	Prime	77		
685C2	Middletown	Important	72		
801	Orthents	Non-prime	0		

*subject to flooding

AGRICULTURAL LAND EVALUATION TOTAL	92
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GRAND TOTAL	187
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Fewer than 150 points shall be deemed acceptable for non-agricultural development.
 From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.
Greater than 175 points shall be considered suitable for agricultural use only.