

CASE # 2008-49
RESOLUTION NUMBER 8-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
331 E. HOUSTON ST., 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 a variance to** the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

Lots 21 & 22 of Block 13, Grandview Subdivision (Clear Lake Village)

WHEREAS, the Petitioner, **Heather McMullen**, has petitioned the Sangamon County Board for a **variance of section 17.44.010B to allow height of a privacy fence along the side and rear property lines to be 8' and 10' in height rather than the allowed 6' height; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **August 21, 2008**, 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 variance; and**

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

ATTEST

AUG 29 2008

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 September, 2008 that the request for a variance of section 17.44.010B to allow height of a privacy fence along the side and rear property lines to be 8' and 10' in height rather than the allowed 6' height on the above described property is hereby granted.

Signed and passed by the Sangamon County Board in session on this 9th day of September, 2008.

Respectfully submitted,

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

TIM MOORE, CHAIRMAN

Abe Forsyth

ABE FORSYTH, VICE CHAIRMAN

JENNIFER DILLMAN

DAVID MENDENHALL

GEORGE PRECKWINKLE

SAM SNELL

DON STEPHENS

LINDA DOUGLAS WILLIAMS

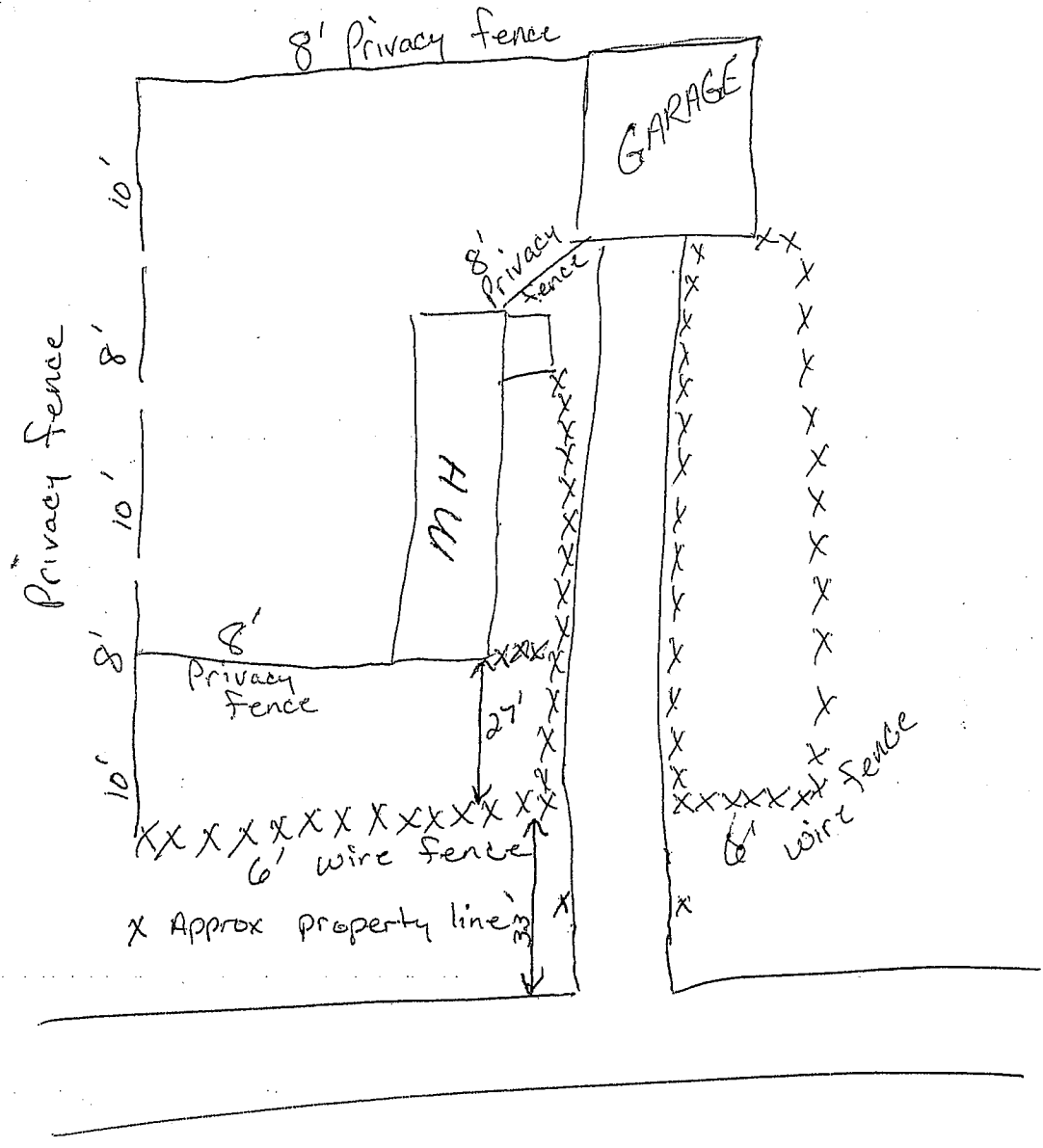
ATTEST:

Joe DiIullo

SANGAMON COUNTY CLERK

A. V. Williams

COUNTY BOARD CHAIRMAN



8-4

E. WILCOX ST.

15-29
204-007

15-29
204-008

15-29
204-009

15-29
204-010

15-29
204-011

15-29
204-013

15-29
204-014

15-29
204-015

15-29
204-016

2008-49
McMULLEN
331 E HOUSTON
15-29-204-044

SUBJECT

PROPERTY

15-29
204-042

15-29
204-043

15-29
204-044

15-29
204-029

15-29
204-030

15-29
204-031

15-29
204-032

E. HOUSTON ST.

15-29
252-037

15-29
252-034

15-29
252-035
62-51

15-29
252-036

15-29
252-039
62-51

15-29
252-024

15-29
252-040

15-29
252-028

15-29
252-029

15-29
252-030

15-29
252-031

15-29
252-032

15-29
252-033

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #9 NAME: Sarah Musgrave

DOCKET NUMBER: 2008-49

ADDRESS: 331 E. Houston St., Springfield, IL 62707

PETITIONER: Heather McMullen

PRESENT ZONING CLASSIFICATION: "RM4" Manufactured Home District

REQUESTED ZONING CLASSIFICATION: "RM4" Manufactured Home District with a variance of section 17.44.010B to allow height of a privacy fence along the side and rear property lines to be 8' and 10' in height rather than the allowed 6' height

AREA: .26 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: Recommend approval of requested variance. The existing 8' and 10' privacy fence has no impact on adjacent property owners.

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: 2008-49
Heather McMullen)	
)	PROPERTY LOCATED AT:
)	331 E. Houston St.
)	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 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 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 **331 E. Houston St., Springfield, IL 62707** and more particularly described as:

Lots 21 & 22 of Block 13, Grandview Subdivision (Clear Lake Village)

87

Page 2

3. That the present zoning of said property is "**RM4**" **Manufactured Home District**.
4. That the present land use of said property is a **Manufactured Home site**.
5. That the proposed land use of said property is a **Manufactured Home site**.
6. That the requested **variance** of said property is of **section 17.44.010B to allow height of a privacy fence along the side and rear property lines to be 8' and 10' in height rather than the allowed 6' height**.
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 **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 **approved**.

Charles Chimento
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Byron Deaner** 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 **Charles Chimento**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Judith Johnson, Marvin Traylor, Peggy Egizii**

NO:

ABSENT:

Bob Armstrong
RECORDING SECRETARY

8-8

SSCRPC Springfield
Sangamon County Regional
Planning Commission

Staff Findings and Recommendation
(inspected 8/1/08 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2008-49

ADDRESS 331 East Houston

Property Index # 15-29-204-044

PETITIONER McMullen, Heather

REQUESTED ZONING A variance of section 17.44.010B to allow the height of the existing privacy fence along the side and rear property lines to be 8' and 10' instead of the required 6'.

PROPOSED LAND USE Manufactured home

EXISTING:

ZONING RM-4

LAND USE Manufactured home

ROAD FRONTAGE E. Houston - 80' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Mobile home

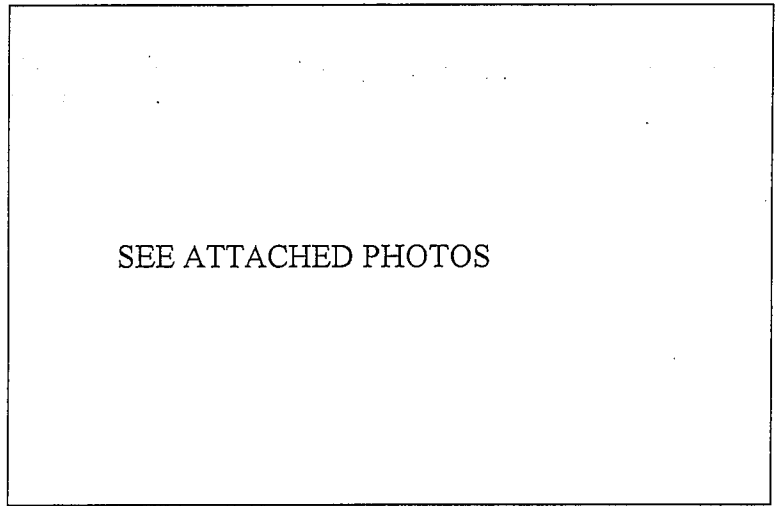
CONDITION OF STRUCTURE Good

LOT AREA .26 acre

FRONT YARD 25'

SIDE YARDS 21' / 42'

REAR YARD 45'



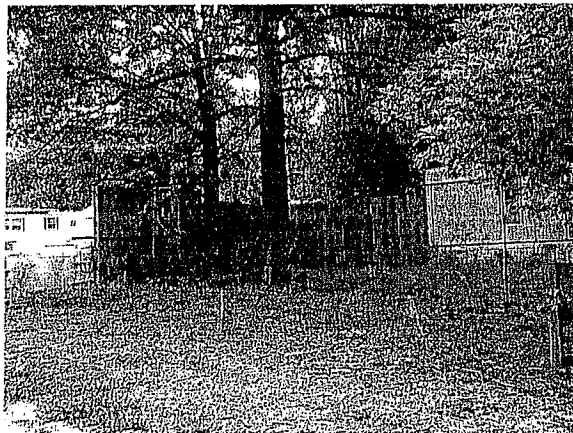
Would the proposed zoning be spot zoning? N/A

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval of requested variance. The existing 8' and 10' privacy fence has no impact on adjacent property owners.**

89

Case #: 2008-049

Address: 331 East Houston



2008-49 (A)

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2008-49 (B)

County Zoning

Case# 2008-49

Requested:
Variance

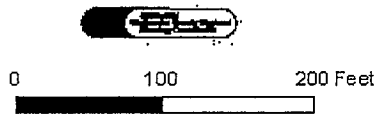


County Zoning

	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 #: **2008-49**

Address: **331 East Houston**

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 proposed variance would allow for more privacy on the property.

- (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 subject property sits on a .26 acre lot and is larger than most lots in this area. The requested variance would have little impact on adjacent property owners.

- (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.