

DON GRAY

SANGAMON COUNTY CLERK

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MINUTES

SANGAMON COUNTY BOARD

MARCH 14, 2017

The Sangamon County Board met in Reconvened Adjourned September Session on March 14, 2017 in the County Board Chambers. Chairman Van Meter called the meeting to order at 7:00 p.m. Pastor A.B. Bennett, from the First Assembly of God Church, gave the Invocation and Mr. Hall led the County Board in the Pledge of Allegiance.

ROLL CALL

Chairman Van Meter asked County Clerk Gray to call the roll. There were 25 Present – 4 Absent. Mr. Krell, Mr. O’Neill, Mrs. Ruzic and Mr. Snell were excused.

MINUTES

A motion was made by Ms. Sheehan, seconded by Mr. Bunch, for approval of the minutes of February 7, 2017. A voice vote was unanimous.

MOTION CARRIED
MINUTES ADOPTED

CORRESPONDENCE

A motion was made by Mr. Bunch, seconded by Ms. Sheehan, to place correspondence on file with the County Clerk. A voice vote was unanimous.

RESOLUTION 1

1. Resolution approving a Federal Aid Agreement with the Illinois Department of Transportation for a county-wide guardrail end section upgrade project.

A motion was made by Mr. Fraase, seconded by Mrs. Williams, to place Resolution 1 on the floor. Chairman Van Meter asked County Clerk Gray to call the roll. Upon a roll call vote, there were 24 Yeas – 0 Nays.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTION 2

2. 2016-038 – Richard Fritz, 2860 S. 15th Street, Springfield – Granting a Variance. County Board Member – Joel Tjelmeland, Jr., District #14.

A motion was made by Mr. Mendenhall, seconded by Mrs. Douglas Williams, to place Resolution 2 on the floor. Chairman Van Meter asked the professional staff to give the procedural history of the case.

Zoning Administrator Trustin Harrison stated the petitioner is requesting a variance to allow an accessory structure (garage) in the rear yard to be one foot instead of the required three feet from the property line. Steve Keenan, professional staff, stated the Planning Commission recommends approval. The Building Department issued a permit for the garage and it was later determined, after inspection, that the garage was built too close to the property line. Requiring the garage to be moved could result in a financial hardship for the property owner. The standards for variation are met. Mr. Harrison stated the Zoning Board of Appeals concurs with the staff recommendations.

Petitioner Richard Fritz, residing at 2860 S. 15th Street, Springfield, addressed the County Board. He stated he is saddened that a piece of grass is going to separate him from someone he considers a friend. The grass is not his or hers. It is Gods. He wanted a garage, called professionals, they came and signed the papers, and they got a permit. The garage sat for two months with the forms out there, and it wasn't until the last shingle was put up that the neighbor said it needed to be moved. But, if he paid money it would be forgotten about. He couldn't do that, even if it was just a dollar.

Objector Barbara Carnduff, residing at 136 Greencastle Circle, Springfield, addressed the County Board. She stated this is rental property that she is protesting. She was on vacation the first two weeks in September, and when she came back the garage was up. She is protesting the recommended approval from the Regional Planning Commission office, which was a garage being built 6 inches from the property line at 2856 S. 15th Street, for the following reasons: (1) a financial hardship does not constitute breaking a zoning ordinance; (2) the garage was built 6 inches from the property line, which is a clear violation of the required 3 feet from the property line;

(3) this garage did diminish and impair her property value; (4) the Regional Planning Commission office stated in their report that the garage was one foot off the property line in error. There is a recorded document #2016 R 28317 showing the garage is 6 inches off the property line; (5) she was told by the Building Department, on September 15, 2016, to have the property surveyed to prove where the pins were to contest their findings, which she did and recorded it on October 12, 2016. The Building Permit Department should know where the pins are or have the survey before issuing the permit; (6) the Planning Commission's staff recommended approval of the variance before notice of public hearing on February 9, 2017. The hearing was on February 16, 2017.

Mr. Fritz gave his rebuttal. He stated that it is not true. The garage sat there with the cement not poured for two months because of rain. They knew exactly where it was going to be. They said nothing until after the last shingle was put up. And then they wanted it moved, but if he paid the money it could stay and they wouldn't protest it. He wouldn't pay a dime of it.

Mrs. Linda Fulgenzi asked what the money was for. Mr. Fritz stated it was for the survey. He was told it was \$1,000, but he called the survey people and they said it was \$500 or \$600. They wanted \$1,000 and they would forget about it. That's what he was told by the person that called him.

Mrs. Carnduff gave her rebuttal. She stated on the record that she knows nothing about the \$1,000 he is talking about. She paid \$540 for the survey, not \$1,000. She does not know what he is talking about.

Mr. DelGiorno asked if the survey shows if the garage is completely on the neighbor's property, or if some of it is on her property at all. Mrs. Carnduff stated it is 6 inches from the line. Mr. DelGiorno asked if it is on his property. Mrs. Carnduff stated it is. Mr. DelGiorno asked if the only issue here is that he did not abide by their setback rules. Mrs. Carnduff stated that is correct. Mr. DelGiorno asked, in terms of where the property line is, if it hinders his use of the garage that has been built. Mrs. Carnduff stated it is difficult for him to get into his garage because of the driveway. Mr. DelGiorno commented, as an attorney, he has been through these property line disputes, and he really recommends they work out an agreement that is favorable to the two of them because this is really no longer a County Board issue but is a property line dispute. They can grant the variance which would allow that building to be one foot away from the property line. He urged both of them to work out an agreement that would be favorable for the two of them. This is really a civil property line dispute, and is not something for the board to rectify for them.

Mr. Stumpf concurred with Mr. DelGiorno's comments. The Zoning Board of Appeals did agree it could be on the one-foot setback. Once they get the approval tonight it would be up to both parties to take care of this civilly. Mrs. Carnduff stated that it is six inches.

Chairman Van Meter asked for a vote on Resolution 2. A voice vote was unanimous for the adoption of Resolution 2.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTION 3

3. 2017-006 – Barbara Carlson, Karen Hubbs, Robert Lytle, Nancy Ledbetter & Eric Secoy, 15845 Mechanicsburg-Illiopolis Road, Buffalo – Granting a Variance. County Board Member – David Mendenhall, District #3.

A motion was made by Mr. Mendenhall, seconded by Mrs. Small, to place Resolution 3 on the floor. A motion was made by Mr. Stumpf to waive the reading of the professional staff's report. There were no objections. A voice vote was unanimous for the adoption of Resolution 3.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 4

4. 2017-007 – Paul and Amy Bulpitt, 1750 N. Walnut Road, Rochester – Granting a Rezoning and Variances. County Board Member – Tom Madonia, Jr., District #9.

A motion was made Mr. Madonia, seconded by Mrs. Scaife, to place Resolution 4 on the floor. A motion was made by Mr. Stumpf to waive the reading of the professional staff's report. There were no objections. A voice vote was unanimous for the adoption of Resolution 4.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 5

5. Resolution approving the purchase of new firearms by the Sheriff's Office.

A motion was made by Mr. Tjelmeland, seconded by Mrs. Deppe, to place Resolution 5 on the floor. A motion was made by Ms. Sheehan that the roll call vote for Resolution 1 stands as the roll call vote for Resolution 5. A voice vote was unanimous.

MOTIONS CARRIED
RESOLUTION ADOPTED

WAIVER OF TEN-DAY FILING PERIOD

A motion was made by Ms. Sheehan, seconded by Mr. Bunch, to waive the ten-day filing period. A voice vote was unanimous.

MOTION CARRIED

TEN-DAY FILING PERIOD WAIVED

RESOLUTIONS 6 – 8

6. Resolution certifying names to take the examination for County Engineer.

A motion was made by Mr. Fraase, seconded by Mr. Miller, to place Resolution 6 on the floor. A motion was made by Mr. Fraase, seconded by Mr. Bunch, to amend Resolution 6. Mr. Fraase read the amendment. The resolution should read: Resolution presenting Brian Davis of Springfield, IL 62703, Registered Professional Engineer Certificate No. 062.056627 to take the examination of County Engineer at 126 E. Ash Street, Springfield, IL. A voice vote was unanimous on the amendment.

A motion was made by Mr. Bunch, seconded by Mr. Smith, to consolidate Resolutions 6 – 8. Chairman Van Meter asked County Clerk Gray to read Resolutions 7 and 8.

7. Resolution authorizing the execution and amendment of the Section 5311 Grant Agreement.
8. Resolution authorizing the execution and amendment of the Downstate Operating Assistance Program Grant Agreement.

A voice vote was unanimous on the consolidation. A motion was made by Ms. Sheehan that the roll call vote for Resolution 1 stands as the roll call vote for Resolutions 6 – 8, as consolidated and amended. A voice vote was unanimous.

MOTIONS CARRIED

RESOLUTIONS ADOPTED

OLD BUSINESS

There was no old business.

NEW BUSINESS

- A. Resolutions

There were no new resolutions.

B. Appointments

Appointment of Terry Young to the Community Services Block Grant Advisory Board for a term expiring March, 2020.

A motion was made by Ms. Sheehan, seconded by Mr. Bunch, for approval of the appointments. A voice vote was unanimous.

MOTION CARRIED
APPOINTMENTS ADOPTED

The nominations for appointment in April were also submitted.

**REPORTS OF COUNTY OFFICIALS, REPORTS OF STANDING COMMITTEES,
REPORTS OF SPECIAL COMMITTEES, COMMITTEE REPORT ON CLAIMS**

A motion was made by Ms. Sheehan, seconded by Mr. Bunch, to place the reports on file with the County Clerk. A voice vote was unanimous.

MOTION CARRIED
REPORTS FILED

RECESS

A motion was made by Ms. Sheehan, seconded by Mr. Bunch, to recess the meeting to Monday, April 10, 2017 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED
MEETING RECESSED

Don Gray
Sangamon County Clerk