

CASE# 2011-002 31
RESOLUTION NUMBER

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
1563 TOZER ROAD, 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 conditional permitted use** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Linda K. Friend**, has petitioned the Sangamon County Board for a **conditional permitted use to allow for a personal greenhouse**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **January 20, 2011** 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 conditional permitted use in the rear yard of the single family residence**; and

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

FILED

JAN 27 2011


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 February, 2011 that the request for a conditional permitted use to allow for a personal greenhouse in the rear yard of the single family residence on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 8th day of February, 2011.

Respectfully submitted,

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


TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

Exhibit A

Tract No. 6 As Shown on Plat of Survey of Part of the East Half of the Northwest Quarter of Section 8, Township 16 North Range 5 West of the Third Principal Meridian, Recorded August 4, 1995 As Document No. 95-25575. Except All Coal and Minerals Lying Thereunder and the Right to Make Entries and Mine and Remove Same.

Situated in Sangamon County, Illinois.

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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #17 NAME: John Fulgenzi

DOCKET NUMBER: 2011-002

ADDRESS: 1563 Tozer Road, Springfield, IL. 62707

PETITIONER: Linda K. Friend

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a conditional permitted use to allow for a single family residence, farm agriculture and personal greenhouse.

AREA: 14.04 acres

COMMENTS: None

OBJECTORS: None


PLANNING COMMISSION RECOMMENDATION: Previous recommendation amended at hearing as follows; Staff cannot fully evaluate the findings of fact because the petition did not indicate size and location of the proposed greenhouse. For example, a greenhouse structure approaches the size of the current structure on the property is seen as inappropriate, especially if located in the front yard of the property. This large size greenhouse would create a negative visual impact on the immediate area and have an adverse affect on adjacent properties. Also, testimony should be obtained regarding the nature of the personal use of the greenhouse.

Based on the testimony at the hearing, the proposed location of

the greenhouse in the rear yard and the proposed method of operation, staff recommends approval of the requested CPU to allow for a personal greenhouse in the rear yard of the single family residence; 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: 2011-002
Linda K. Friend)	
)	PROPERTY LOCATED AT:
)	1563 Tozer 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 a **conditional permitted use** 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 **January 20, 2011** 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, contract to purchase, or is the County Board Member representing the property commonly known as: **1563 Tozer Road, Springfield, IL.** 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 a single family residence and farm agriculture.
- 5. That the proposed land use of said property is a single family residence, farm agriculture and a greenhouse in the rear yard of the single family residence.
- 6. That the requested conditional permitted use of said property is to allow for a personal greenhouse.
- 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 conditional permitted use in the rear yard of the single family residence 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 conditional permitted use in the rear yard of the single family residence be approved.

Charles Chimento/cx
 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Byron Deaner**, to concur with the amended 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 **Peggy Egizii**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Marvin Traylor, John Luchessi**

NO:

ABSENT: **Judith Johnson, Don Wulf**

Cyndi Knowled
 RECORDING SECRETARY