

CASE# 2011-008 4-1
RESOLUTION NUMBER 4-1

GRANTING A REZONING AND VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
4816 MARGARET AVE., 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 and variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Jeff Snyder, Trustee for Parents Trust**, has petitioned the Sangamon County Board for **rezoning from "A" Agricultural District to "R-1" Single Family Residence District and a variance to allow zero (0) feet of road frontage instead of the required eighty (80) feet for each parcel after the parcel is divided; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **March 17, 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 rezoning and variance; and**

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

FILED

MAR 24 2011

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 5th day of April, 2011 that the request for rezoning from "A" Agricultural District to "R-1" Single Family Residence District and a variance to allow zero (0) feet of road frontage instead of the required eighty (80) feet for each parcel after the parcel is divided on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 5th day of April, 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

THAT PART OF THE SOUTH ONE-THIRD (S 1/3) OF THE WEST HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 35, TOWNSHIP 16 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID HALF QUARTER (1/2 1/4) SECTION AND RUNNING THENCE NORTH 00 DEGREES 10 MINUTES 37 SECONDS WEST, 365.00 FEET ALONG THE EAST LINE OF SAID WEST HALF (W 1/2), SOUTHWEST QUARTER (SW 1/4) TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 59 MINUTES 08 SECONDS WEST, 504.92 FEET TO A SET IRON PIN ON THE EAST LINE OF FREY SUBDIVISION; THENCE NORTH 00 DEGREES 06 MINUTES 06 SECONDS WEST, 513.77 FEET ALONG THE EAST LINE OF FREY SUBDIVISION TO AN IRON PIPE AT THE NORTHEAST CORNER OF FREY SUBDIVISION; SAID PIPE ALSO BEING ON THE NORTH LINE OF SAID SOUTH ONE-THIRD (S 1/3) WEST HALF (W 1/2), SOUTHWEST QUARTER (SW 1/4) SECTION 35; THENCE NORTH 90 DEGREES 00 MINUTES EAST, 504.17 FEET ALONG THE NORTH LINE OF SAID SOUTH ONE-THIRD (S 1/3) WEST HALF (W 1/2), SOUTHWEST QUARTER (SW 1/4), SECTION 35 TO AN IRON PIN AT THE NORTHEAST CORNER OF SAID SOUTH ONE-THIRD (S 1/3) WEST HALF (W 1/2), SOUTHWEST QUARTER (SW 1/4), SECTION 35, THENCE SOUTH 00 DEGREES 10 MINUTES 37 SECONDS EAST, 513.90 FEET ALONG THE EAST LINE OF SAID WEST HALF (W 1/2), SOUTHWEST QUARTER (SW 1/4), SECTION 35 TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT ENTITLING THE GRANTEE HEREIN ITS SUCCESSORS AND ASSIGNS THE RIGHT TO INSTALL, MAINTAIN AND OPERATE A TWO-INCH WATER LINE TO SERVICE THE ABOVE DESCRIBED PREMISES, ALL AS CREATED IN A CERTAIN WARRANTY DEED OF BERNARD J. FLESCH AND JO ANN FLESCH, HUSBAND AND WIFE, IN FAVOR OF FRANK E. STRANG, DATED 20TH DAY OF NOVEMBER 1985, AND

**RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS
OF SANGAMON COUNTY ON NOVEMBER 25, 1985, AS
DOCUMENT NO. 005273, PAGE 057171, WHICH EASEMENT IS
OVER THE WEST 10 FEET OF THE FOLLOWING DESCRIBED
REAL ESTATE, TO WIT:**

**BEGINNING AT THE SOUTHEAST CORNER OF THAT ONE-
HALF QUARTER (1/2 1/4) SECTION AND RUNNING THENCE
WEST ALONG THE SOUTH LINE OF THE SAID ONE-HALF
QUARTER (1/2 1/4) SECTION 505.33 FEET TO THE POINT OF
THE EAST LINE OF FREY SUBDIVISION, SAID POINT BEING
THE POINT OF BEGINNING; THENCE NORTH ALONG THE
EASTERN LINE OF FREY SUBDIVISION 365 FEET TO A SAID
IRON PIN, THENCE EASTERLY AND PARALLEL TO THE
SOUTHERLY LINE OF SAID WEST ONE-HALF (W 1/2) OF THE
OF THE SOUTHWEST ONE-QUARTER (SW 1/4) 150 FEET;
THENCE SOUTHERLY PARALLEL WITH THE EASTERLY
LINE OF FREY SUBDIVISION 365 FEET TO A POINT ON THE
SOUTHERN LINE OF WEST ONE-HALF ONE-QUARTER (W 1/2
1/4) SECTION; THENCE WESTERLY 150 FEET TO THE POINT
OF BEGINNING.**

**SUBJECT TO EASEMENTS, COVENANTS, RESTRICTIONS, AND
RESERVATIONS OF RECORD, INCLUDING, BUT NOT LIMITED
TO, RIGHTS-OF-WAY FOR DRAINAGE COURSES, FEEDERS,
LATERALS, AND UNDERGROUND DRAIN TILES. SITUATED IN
THE COUNTY OF SANGAMON, IN THE STATE OF ILLINOIS.**

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #27 NAME: Abe Forsyth

DOCKET NUMBER: 2011-008

ADDRESS: 4816 Margaret Ave

PETITIONER: Jeff Snyder, Trustee for Parents Trust.

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "R-1" Single Family Residence District with a variance to allow zero (0) feet of road frontage instead of the required eighty (80) feet for each parcel after the land is divided.

AREA: 5.75 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the R-1 zoning. The LESA score is 152 which is considered marginal requiring mitigating factors for non-agricultural development, but the property currently contains two single-family dwelling units. Recommend approval of the variance request to allow for zero (0) feet of road frontage instead of the required eighty (80) feet for each parcel. The property is within a mile and a half of the City of Springfield. Therefore, the division of the property is under the jurisdiction of the City's Land Subdivision Ordinance and cannot be divided without approval through that process. The petitioner has submitted a location sketch map to the Land**

petitioner has submitted a location sketch map to the Land Subdivision Committee for review. The initial review indicated that the owner would be required to construct a cul-de-sac on the property to serve the two parcels if divided as well as meet other requirements of the City's Subdivision Ordinance. The variance is required to be approved by the County before the property owner can proceed through the City's Land Subdivision process.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:



RECORDING SECRETARY

Approval

SANGAMON COUNTY ZONING BOARD OF APPEALS
SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: 2011-008
Jeff Snyder Trustee for Parents Trust)
)
) PROPERTY LOCATED AT:
) 4816 Margaret Ave
)
) Springfield, IL. 62711-6142

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 and 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 **March 17, 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: **4816 Margaret Ave., 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 a manufactured home.
- 5. That the proposed land use of said property is two (2) single family residences, after land is divided.
- 6. That the requested rezoning of said property is from "A" Agricultural District to "R-1" Single Family Residence District and a variance to allow zero (0) feet of road frontage instead of the required eighty (80) feet for each parcel after the land is divided.
- 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 and 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 rezoning and variance be approved.

Charles Chimento/ck
 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 **Don Wulf**.

The vote of the Board was as follows:

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

NO:

ABSENT: **Peggy Egizii**

Cyndi Knowles
 RECORDING SECRETARY