

CASE# 2013-059
RESOLUTION NUMBER 7-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
7374 N. STATE ROUTE 29, 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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See **EXHIBIT A**

WHEREAS, the Petitioner, **Albert L. Richardson**, has petitioned the Sangamon County Board for a **variance to allow two (2) parcels greater than five (5) acres and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for proposed Parcel 2 to allow approximately five (5) acres to be divided off the existing fourteen point three (14.3) acre parcel;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **December 19, 2013** 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 variances;** and

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

FILED

DEC 26 2013

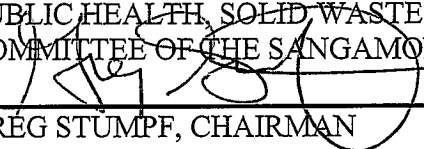
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14th Day of January, 2014 that the request for a variance to allow two (2) parcels greater than five (5) acres and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for proposed Parcel 2 to allow approximately five (5) acres to be divided off the existing fourteen point three (14.3) acre parcel on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14th Day of January, 2014.

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

JOHN FULGENZI

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTIS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

A PART OF THE SOUTHWEST QUARTER OF SECTION 21 TOWNSHIP 17 NORTH, RANGE 5 WEST, THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS. COMMENCING AT THE NORTHWEST CORNER, SOUTHWEST QUARTER OF SAID SECTION 21; THENCE SOUTH 02 DEGREES 00 MINUTES 17 SECONDS EAST ALONG SAID SECTION LINE, 332.49 FEET; THENCE NORTH 87 DEGREES 59 MINUTES 43 SECONDS EAST, 70.35 FEET TO THE EXISTING RIGHT OF WAY LINE OF IL. RTE 29 AND THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING; THENCE NORTH 87 DEGREES 47 MINUTES 00 SECONDS EAST, 602.25 FEET; THENCE NORTH 02 DEGREES 07 MINUTES 06 SECONDS WEST, 332.75 FEET; THENCE NORTH 87 DEGREES 47 MINUTES 00 SECONDS EAST, 664.59 FEET; THENCE SOUTH 02 DEGREES 07 MINUTES 06 SECONDS EAST, 197.53 FEET; THENCE SOUTH 87 DEGREES 47 MINUTES 00 WEST, 574.00 FEET; THENCE SOUTH 29 DEGREES 51 MINUTES 03 SECONDS WEST, 103.16 FEET; THENCE SOUTH 87 DEGREES 47 MINUTES 00 SECONDS WEST, 481.38 FEET; THENCE SOUTH 04 DEGREES 05 MINUTES 43 SECONDS EAST, 131.34 FEET; THENCE NORTH 88 DEGREES 04 MINUTES 55 SECONDS WEST, 165.64 FEET TO SAID EXISTING RIGHT OF WAY LINE; THENCE NORTH 01 DEGREE 44 MINUTES 49 SECONDS EAST, A DISTANCE OF 44.28 FEET, THENCE NORTH 02 DEGREES 01 MINUTES 22 SECONDS WEST, A DISTANCE OF 167.12 FEET TO THE POINT OF BEGINNING. (THE LAST TWO CALLS WERE ALONG SAID EXISTING RIGHT OF WAY. CONTAINING 5.01 ACRES±

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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 2 NAME: Todd Smith

DOCKET NUMBER: 2013-059

ADDRESS: 7374 N. State Route 29, Springfield, IL 62707

PETITIONER: Albert L. Richardson

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow two (2) parcels greater than five (5) acres and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for proposed Parcel 2 to allow approximately five (5) acres to be divided off the existing fourteen point three (14.3) acre parcel

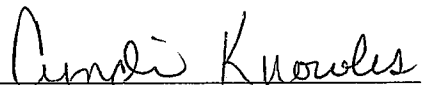
AREA: 14.3 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The standards for variation are met. The property contains two (2) single-family residences and granting the variance would divide the property so each parcel contains one (1) single-family residence and allow the property to come into compliance with zoning regulations. No negative effects are anticipated in allowing the division.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION: **Approve**


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2013-059
Albert L. Richardson)	
)	PROPERTY LOCATED AT:
)	7374 N. State Route 29
)	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 **variances** 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 **December 19, 2013** 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: **7374 N. State Route 29, Springfield, IL 62707** and more particularly described as:

See EXHIBIT A

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3. That the present zoning of said property is "A" Agricultural District.
4. That the present land use of said property is **2 single family residences, garage and barn.**
5. That the proposed land use of said property is **2 single family residences, garage and barn.**
6. That the requested **variances** of said property are **a variance to allow two (2) parcels greater than five (5) acres and a variance to allow the lot depth to be greater than two and one-half (2 1/2) times the lot width for proposed Parcel 2 to allow approximately five (5) acres to be divided off the existing fourteen point three (14.3) acre parcel.**
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 **variances** 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 **variances** be **approved**.

Charles Chimento /cc
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Don Wulf**, 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 **Byron Deaner**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Judith Johnson, Don Wulf, John Lucchesi**

NO:

PRESENT:

ABSENT: **Peggy Egizii, Janet Dobrinsky**

Cynthia Knowles
RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2013-059

Address: 7434 N. State Route 29, Springfield

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 request is made to facilitate division of the property so each resulting parcel has one single-family residence.

- (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 parcel contains 2 single-family residences and granting the variance would bring the property into compliance with the zoning regulations.

- (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 impacts are anticipated in allowing the proposed division.