

CASE# 2017-008  
RESOLUTION NUMBER 7-1

**GRANTING A REZONING AND VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**301 & 317 N. STEPHEN AVENUE, 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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**Lots One Hundred Forty Five (145) through One Hundred Forty Nine (149) in Spaulding's Capital Park Addition to the City of Springfield.**

WHEREAS, the Petitioner, **Thomas Clement**, has petitioned the Sangamon County Board for **Lot 147 & Lot 148: a rezoning from "RM-4" Manufactured Home District to "R-2" Single-Family and Two-Family Residence District. For Proposed Parcel 1: a variance to allow the lot width to be sixty (60) feet instead of the required eighty (80) feet; and, for Proposed Parcel 2: (a) a variance to allow the side yard to be one (1) foot instead of the required five (5) feet for the accessory structures, (b) a variance to allow an accessory structure to be within the required front yard, and (c) a variance to allow the front yard setback to be four (4) feet instead of the required twenty-five (25) feet for the accessory structures; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **March 16, 2017** 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,

**FILED**

MAR 29 2017

  
Sangamon County Clerk

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 variances**; and,

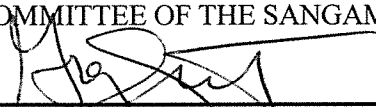
WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this **10<sup>th</sup> Day of April, 2017** that the request for **Lot 147 & Lot 148: a rezoning from “RM-4” Manufactured Home District to “R-2” Single-Family and Two-Family Residence District; for Proposed Parcel 1: a variance to allow the lot width to be sixty (60) feet instead of the required eighty (80) feet; and, for Proposed Parcel 2: (a) a variance to allow the side yard to be one (1) foot instead of the required five (5) feet for the accessory structures, (b) a variance to allow an accessory structure to be within the required front yard, and (c) a variance to allow the front yard setback to be four (4) feet instead of the required twenty-five (25) feet for the accessory structures on the above described property is hereby approved.**

Signed and passed by the Sangamon County Board in session on this **10<sup>th</sup> day of April, 2017.**

Respectfully submitted,

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

  
\_\_\_\_\_  
GREG STUMPF, CHAIRMAN

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DAVID MENDENHALL, VICE CHAIRMAN

\_\_\_\_\_  
CRAIG HALL

\_\_\_\_\_  
SAM SNELL

\_\_\_\_\_  
ABE FORSYTH

\_\_\_\_\_  
JASON RATTS

\_\_\_\_\_  
LINDA DOUGLAS WILLIAMS

\_\_\_\_\_  
ANNETTE FULGENZI

\_\_\_\_\_  
LINDA FULGENZI

\_\_\_\_\_  
LISA HILLS

\_\_\_\_\_  
MIKE SULLIVAN

\_\_\_\_\_  
ROSE RUZIC

**ATTEST:**

\_\_\_\_\_  
SANGAMON COUNTY CLERK

\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: #18                      NAME: Rose Ruzic

DOCKET NUMBER: 2017-008

ADDRESS: 301 & 317 N. Stephen Avenue, Springfield, IL 62702

PETITIONER: Thomas Clement

PRESENT ZONING CLASSIFICATION: **“RM-4” Manufactured Home District & “R-2” Single-Family and Two-Family Residence District**

REQUESTED ZONING CLASSIFICATION: **“R-2” Single-Family and Two-Family Residence District (Lots 147 & 148).  
Proposed Parcel 1: A variance to allow the lot width to be sixty (60) feet instead of the required eighty (80) feet.  
Proposed Parcel 2: A variance to allow the side yard to be one (1) foot instead of the required five (5) feet for the accessory structures, a variance to allow an accessory structure to be within the required front yard, and a variance to allow the front yard setback to be four (4) feet instead of the required twenty-five (25) feet for the accessory structures.**

AREA: 24,000 sq. ft.

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The purpose of this request is to allow the petitioner to reconfigure two lots and remove the split zoning so both parcels would be zoned R-2. The property is better suited for the R-2 zoning classification given the subject property only contains single-family residences and no manufactured homes. The block face contains several previously established residences and accessory structures**

that encroach into the required setback areas similar to the situation with the subject property. Denying the property owner the variances would result in a hardship because the preexisting structures were constructed on smaller lots of record and likely predate the Zoning Ordinance. The Standards for Variation are met.

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

Approval of staff recommendation.

  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS  
SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: ) DOCKET NO: **2017-008**  
**Thomas Clement** )  
)  
) PROPERTY LOCATED AT:  
) **301 & 317 N. Stephen Ave**  
) **Springfield, IL 62702**  
)

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 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 **March 16, 2017** 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: **301 & 317 N. Stephen Ave., Springfield, IL 62702** and more particularly described as:

**Lots One Hundred Forty Five (145) through One Hundred Forty Nine (149) in Spaulding's Capital Park Addition to the City of Springfield.**

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3. That the present zoning of said property is **“RM-4” Manufactured Home District & “R-2” Single-Family and Two-Family Residence District.**
4. That the present land use of said property is **single-family residences.**
5. That the proposed land use of said property is **single-family residences.**
6. That the requested **rezoning and variances** of said property are **for Lot 147 & Lot 148 a rezoning from “RM-4” Manufactured Home District to “R-2” Single-Family and Two-Family Residence District. For Proposed Parcel 1: a variance to allow the lot width to be sixty (60) feet instead of the required eighty (80) feet; and, for Proposed Parcel 2: (a) a variance to allow the side yard to be one (1) foot instead of the required five (5) feet for the accessory structures, (b) a variance to allow an accessory structure to be within the required front yard, and (c) a variance to allow the front yard setback to be four (4) feet instead of the required twenty-five (25) feet for the accessory structures.**
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 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 **rezoning and variances** be **approved.**

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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 **Tony Mares**.

The vote of the Board was as follows:

YES: **Charles Chimento, Tony Mares, Don Wulf, Merilyn Herbert**

NO:

PRESENT:

ABSENT: **Andrew Spiro**

  
RECORDING SECRETARY



**SANGAMON COUNTY  
RECOMMENDED - FINDINGS OF FACT**

Case #: **2017-008**

Address: **301 & 317 N. Stephen Avenue, Springfield**

(i) Existing uses of property within the general area of the property in question.

**North, East, South, & West – Mixed Residential.**

(ii) The zoning classification of property within the general area of the property in question.

**North, East, & South – R-2. West – RM-4.**

(iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

**While a single-family residence is allowed in the RM-4 district, the property is better suited for the R-2 zoning classification given the subject property only contains single-family residences and no manufactured homes.**

(iv) The trend of development, within the vicinity since the property was originally classified.

**There are a number of parcels that have been re-zoned from R-2 to RM-4 within this area between 1980 and 1994. In Zoning Case #1981-A-10, Lot 148 of the subject property was re-zoned to RM-4. In Zoning Case #1991-53, Lot 147 of the subject property was re-zoned to RM-4. In Zoning Case #1992-59, Lots 145 & 146 of the subject property were granted variances for the minimum lot area and to allow more than one principal building on a lot.**

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2017-008

Address: 301 & 317 N. Stephen Avenue, 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 block face contains several previously established residences and accessory structures that encroach into the required setback areas similar to the situation with the subject property. Denying the property owner the variances would result in a hardship because the preexisting structures were constructed on smaller lots of record and likely predate the Zoning Ordinance.**

- (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 reconfiguration of the parcels changes the front yard for parcel -051 from Stephen Avenue to Mason Street triggering some of the variance requests. The variances are requested to bring preexisting structures into compliance with the minimum yard and bulk regulations of the Zoning Ordinance. The subject property is made up of small lots of record with preexisting structures providing for the unique circumstance for granting these variances.**

- (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 granting the requested variances.**