

CASE# 2013-008
RESOLUTION NUMBER 9-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
3128, 3132 & 3136 ALLIS, 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, **Ronald Boggs**, has petitioned the Sangamon County Board for a variance of proposed Parcel 2 to allow a two foot (2') total side yard setback instead of the required fifteen foot (15') total side yard setback, and a variance for proposed Parcel 3 to allow a eight foot (8') total side yard setback instead of the required fifteen foot (15') total side yard setback to allow for the property to be divided into three (3) parcels; and

WHEREAS, a public hearing was held at the Sangamon County Building on **January 17, 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


JAN 24 2013

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13th day of February, 2013 that the request for a variance of proposed Parcel 2 to allow a two foot (2') total side yard setback instead of the required fifteen foot (15') total side yard setback, and a variance for proposed Parcel 3 to allow a eight foot (8') total side yard setback instead of the required fifteen foot (15') total side yard setback to allow for the property to be divided into three (3) parcels on the above referenced property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13th day of February, 2013.

Respectfully submitted,
PUBLIC HEALTH, SAFETY & 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

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 14 NAME: Joel Tjelmeland, Jr.

DOCKET NUMBER: 2013-008

ADDRESS: 3128, 3132 & 3136 Allis, Springfield, IL. 62703

PETITIONER: Ronald Boggs

PRESENT ZONING CLASSIFICATION: "R-2" Single & Two-Family Residence District

REQUESTED ZONING CLASSIFICATION: "R-2" Single & Two-Family Residence District with a variance of proposed Parcel 2 to allow a two foot (2') total side yard setback instead of the required fifteen foot (15') total side yard setback, and a variance for proposed Parcel 3 to allow a eight foot (8') total side yard setback instead of the required fifteen foot (15') total side yard setback to allow for the property to be divided into three (3) parcels.

AREA: .64 acre

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval of the requested variances. The standards for variation have been met. The petitioner has requested to reconfigure the current lot lines so that each residence is on its own separate parcel, which would correct a lot line issue on the subject properties. No negative impact is anticipated with the requested reconfiguration.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval


RECORDING SECRETARY

9-4

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2013-008
Ronald Boggs)	
)	PROPERTY LOCATED AT:
)	3128, 3132 & 3136 Allis
)	Springfield, IL. 62703

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 **January 17, 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: **3128, 3132 & 3136 Allis, Springfield, IL.** and more particularly described as:

Lots 10 & 11 of block 8 Belmont Park Garden Subdivision

3. That the present zoning of said property is **“R-2” Single & Two-Family Residence District.**
4. That the present land use of said property is **3 single-family residences, a garage and portable buildings.**
5. That the proposed land use of said property is **3 single-family residences, a garage and portable buildings.**
6. That the requested **variances** of said property are **a variance of proposed Parcel 2 to allow a two foot (2’) total side yard setback instead of the required fifteen foot (15’) total side yard setback, and a variance for proposed Parcel 3 to allow a eight foot (8’) total side yard setback instead of the required fifteen foot (15’) total side yard setback to allow for the property to be divided into three (3) parcels.**
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 **granted**.

Charles Chimento/cx
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Judith Johnson**, 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, Peggy Egizii, Judith Johnson, Don Wulf**

NO:

PRESENT:

ABSENT: **Janet Dobrinsky**

Cyndi Knowles
RECORDING SECRETARY

SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS

Case #: 2013-008

Address: 3128, 3132, & 3136 Allis, 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 properties can be used economically in their current state, however, the petitioner is requesting to reconfigure the two (2) existing lots into three (3) lots in order to correct a lot line issue, which will allow the properties to be sold individually with a higher return.

- (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.

There are currently three (3) residences on two (2) parcels. The petitioner is requesting to reconfigure the lot lines so there will be three (3) residences on three (3) separate parcels.

- (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 impact is anticipated with the reconfiguration of the two (2) existing parcels into three (3) parcels.