

CASE # 2007-25 5-1
RESOLUTION NUMBER

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
7666 N. State Route 29
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 variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Edward & Elizabeth Ritter**, have petitioned the Sangamon County Board for a **variance of the lot area requirement to allow 2 lots less than 40 acres**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **May 17, 2007**, 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 variance**; and

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

FILED

MAY 24 2007


Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 4th day of June, 2007 that the requested variance of the lot area requirement to allow 2 lots less than 40 acres on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 4th day of June, 2007.

Respectfully submitted,

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



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

CATHY SCAIFE

TYRONE PACE

SAM SNELL

DON STEPHENS

DAVID MENDENHALL

ATTEST:



SANGAMON COUNTY CLERK



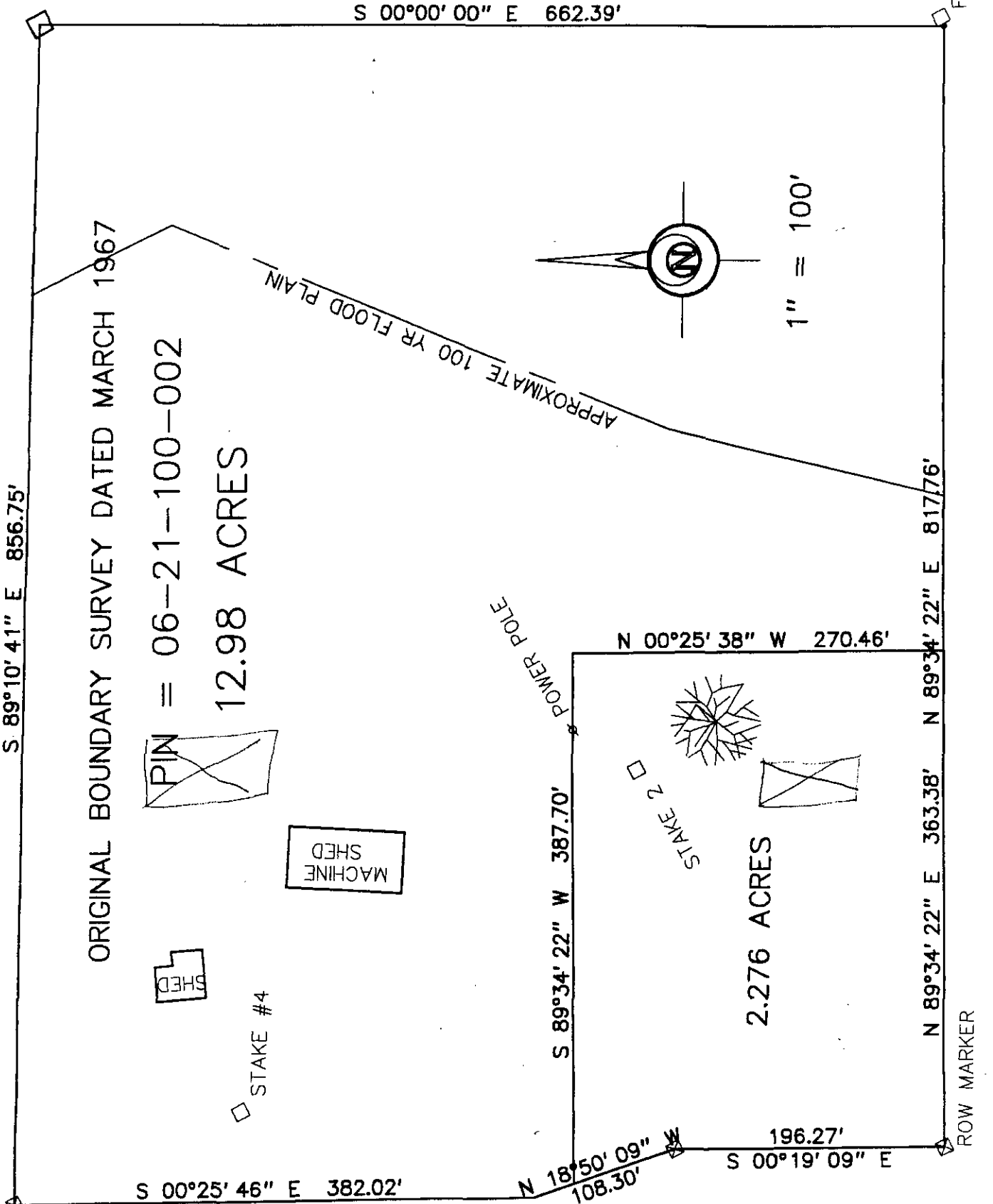
COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of the Northwest Quarter of Section 21, Township 17 North, Range 5 West of the Third Principal Meridian described as follows:

Beginning at a point on the South line of said Northwest Quarter, 176.1 feet West of the Southeast corner thereof; thence North along a line forming a 90 degree 29 minute angle with said south line (as measured from West to North), 663.3 feet; thence West along a line forming an 89 degree 38 minute angle with the last described course (as measured from South to West), 857.6 feet to the East right of way line of State Highway Number 29; thence South along said right of way line forming an 89 degree 58 minute angle with the last described course (as measured from East to South), 382.4 feet; thence South along said right of way line forming a 161 degree 30 minute angle with the last described course (as measured from North to East to South), 108.3 feet; thence South along said right of way line forming a 198 degree 31 minute angle with the last described course (as measured from North to East to South), 197.4 feet to the South line of said Northwest Quarter; thence East along said South line 818.2 feet to the place of beginning in Sangamon County, Illinois.

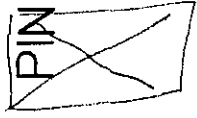
54
in AREA



S 89°10'41" E 856.75'

ORIGINAL BOUNDARY SURVEY DATED MARCH 1967

PIN = 06-21-100-002
12.98 ACRES



STAKE #4



POWER POLE

N 00°25'38" W 270.46'

STAKE 2



2.276 ACRES



S 89°34'22" W 387.70'

N 89°34'22" E 363.38' N 89°34'22" E 817.76'

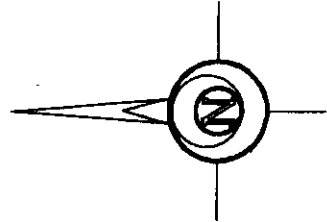
ROW MARKER

S 00°25'46" E 382.02'

N 18°50'09" W 108.30'

S 00°19'09" E 196.27'

STAKE 1
FOUND 1/2" PIPE



1" = 100'

SECTION LINE

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 2 NAME: **Todd Smith**

DOCKET NUMBER: **2007-25**

ADDRESS: **7666 N. State Route 29, Springfield, IL 62707**

PETITIONER: **Edward & Elizabeth Ritter**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District**

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance of the lot area requirement to allow 2 lots less than 40 acres.**

AREA: **13.48 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval.**

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: 2007-25
Edward & Elizabeth Ritter)	
)	PROPERTY LOCATED AT:
)	7666 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 a **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 **May 17, 2007** 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 or contract to purchase the property commonly known as **7666 N. State Route 29, Springfield, IL 62707** and more particularly described as:

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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 Agriculture.
- 5. That the proposed land use of said property is 2 Single Family Residences.
- 6. That the requested variance of said property is of the lot area requirement to allow 2 lots less than 40 acres.
- 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 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 variance be approved.

Charles Chimento

 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor** 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 **Peggy Egizii**.

The vote of the Board was as follows:

YES: **Charles Chimento, Peggy Egizii, Judith Johnson, Patrick Somers, Marvin Traylor**

NO:

ABSENT:

Bob Armstrong

 RECORDING SECRETARY

SSCRPC **Springfield Sangamon County Regional Planning Commission**

Staff Findings and Recommendation
 (inspected 5/2/07 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-25
 ADDRESS 7666 N. State Route 29
 Property Index # 06-21-100-002

PETITIONER Ritter, Edward & Elizabeth

REQUESTED ZONING A variance of the lot area requirement to allow 2 tracts less than 40 acres.

PROPOSED LAND USE 2 single family residences

EXISTING:

ZONING A

LAND USE Outbuildings

ROAD FRONTAGE N. State Route 29 665' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Outbuilding

CONDITION OF STRUCTURE Good

LOT AREA 13.48 acres

FRONT YARD NA

SIDE YARDS NA

REAR YARD NA



Would the proposed zoning be spot zoning? NA

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval.**

County Zoning

Case# 2007-25



Requested:
Variance

County Zoning

	RM-4		I1
	R3		I2
	R2		B3
	R1a		B2
	R1		B1
	OFF		A

City Zoning

	R5		H1		OFF
	R1		H2		PUD
	R2		H3		B1
	R3a		S1		B2
	R3b		S2		I1
	R4		S3		I2



05000 200 Feet

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2007-25

Address: 7666 N. State Route 29

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.

Granting the variance would facilitate division of the property.

- (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.

Yes. The topography of the property (dropping into the floodplain at the rear), existing timber, location on a well traveled state highway and nearby residential subdivision support the request.

- (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.