

CASE # 2009-12 4-1
RESOLUTION NUMBER _____

GRANTING A REZONING
DENYING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
1614 N. 29TH ST. 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 deny a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

The South 60 feet of lot 113 of Wanless Ridge Addition.

WHEREAS, the Petitioner, **Harry A. Gines**, has petitioned the Sangamon County Board for a rezoning from **"R2" Single-Family and Two-Family Residence District** to **"RM4" Manufactured Home District** and a variance of **17.06.080** to allow two manufactured homes on one lot; and

WHEREAS, a public hearing was held at the Sangamon County Building on **March 19, 2009**, 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 **approve the rezoning and deny the variance**; and

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

FILED

APR 02 2009

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 15th day of April, 2009 that the request for. a rezoning from "R2" Single-Family and Two-Family Residence District to "RM4" Manufactured Home District and a variance of 17.06.080 to allow two manufactured homes on one lot on the above described property is hereby approved for the amendment and denied for the variance.

Signed and passed by the Sangamon County Board in session on this 15th day of April, 2009.

Respectfully submitted,

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

TIM MOORE, CHAIRMAN

abe forsyth

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

ATTEST:

Joe Aiello

SANGAMON COUNTY CLERK

A. Sam Stebbins

COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 10 NAME: Rosemarie Long

DOCKET NUMBER: 2009-12

ADDRESS: 1614 N. 29th St. Springfield, Il 62702

PETITIONER: Harry A. Gines

PRESENT ZONING CLASSIFICATION: "R2" Single-Family and Two-Family Residence District

REQUESTED ZONING CLASSIFICATION: "RM4" Manufactured Home District with a variance of 17.06.080 to allow two manufactured homes on one lot.

AREA: 6720 Sq. ft.

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the RM-4 zoning due to similar uses and zoning in the area. Recommend denial of the requested variance to allow two manufactured homes on one lot. RM-4 regulations require 50' lot width. The subject parcel is 60' wide which essentially results in 30' lot width for each mobile home if this variance were granted. This reduction is significantly less than RM-4 regulations and inappropriate for the area.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval of Staff recommendation to approve the RM-4 zoning but deny the variance to allow two manufactured homes on one lot.

Cyndi Knowles
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS
SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: **2009-12**
Harry A. Gines)
)
) PROPERTY LOCATED AT:
) **1614 N. 29th St**
) **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 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 **March 19, 2009** 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 **1614 N. 29th St. Springfield, Il 62702** and more particularly described as:

The South 60 feet of lot 113 of Wanless Ridge Addition.

- 3. That the present zoning of said property is a rezoning is **"R2" Single-Family and Two-Family Residence District.**
- 4. That the present land use of said property is **a fenced adjacent lawn to home.**
- 5. That the proposed land use of said property is **2 trailer homes for rental purpose.**
- 6. That the requested **rezoning and variance** of said property is **from "R2" Single-Family and Two-Family Residence District to "RM4" Manufactured Home District and to allow two manufactured homes on one lot.**
- 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** 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** be **approved** and the **variance** be **denied**.

Charles Chimento/ck
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 for rezoning and denied for variance** which was duly seconded by **Peggy Egizii**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, Marvin Traylor**

NO:

ABSENT:

Cyndi Knowles
RECORDING SECRETARY

46

14-24
379-001

14-24
379-011

2004-12
Gines
1614 N 29th
14-24-379-003

14-24
379-002

14-24
379-012

14-24
378-017

14-24
379-013

SUBJECT PROPERTY

14-24
379-003

14-24
379-014

14-24
378-032

14-24
379-004

14-24
379-015

14-24
378-031

14-24
379-005

14-24
379-016

14-24
378-019

14-24
379-023

N 29th ST

14-24
378-020

14-24
379-024

47

SSCRPC Springfield
Sangamon County Regional
Planning Commission

Staff Findings and Recommendation
(inspected 3/2/09 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2009-12
ADDRESS 1614 N. 29th Street
Property Index # 14-24-379-003

PETITIONER Harry Gines

REQUESTED ZONING RM-4 and a variance of 17.06.080 to allow two manufactured homes on one lot.

PROPOSED LAND USE 2 manufactured homes

EXISTING:

ZONING R-2

LAND USE Vacant

ROAD FRONTAGE N. 29th St. - 60' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR N/A

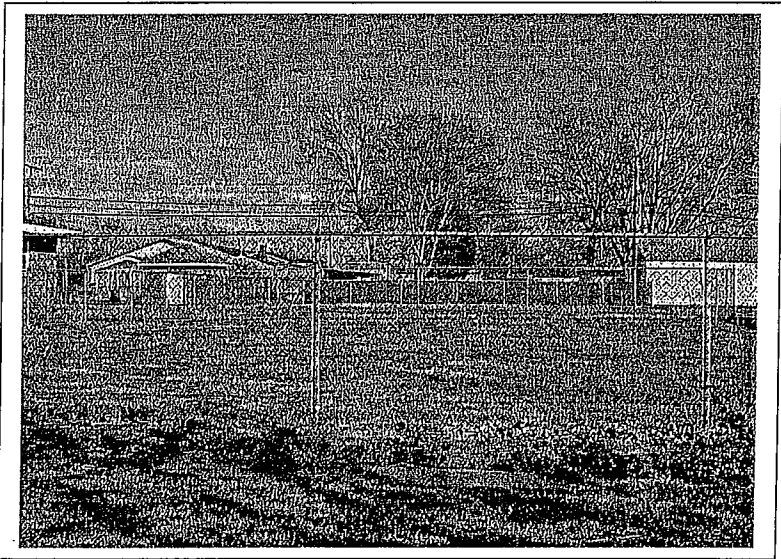
CONDITION OF STRUCTURE N/A

LOT AREA 6,720 sq. ft.

FRONT YARD N/A

SIDE YARDS N/A

REAR YARD N/A



Would the proposed zoning be spot zoning? No

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval of the RM-4 zoning due to similar uses and zoning in the area. Recommend denial of the requested variance to allow two manufactured homes on one lot. RM-4 regulations require 50' lot width. The subject parcel is 60' wide which essentially results in 30' lot width for each mobile home if this variance were granted. This reduction is significantly less than RM-4 regulations and inappropriate for the area.

SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT

Case #: 2009-12

Address: 1614 N. 29th Street

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

The area is a mix of single family residences and mobile homes. There are 11 mobile homes within a 2 block area of the property. Three (3) additional properties are zoned RM-4 but do not currently contain mobile homes.

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

To the south, west and north is R2 zoning. To the east is RM4. Further east and northeast is B2 & B3 zoning. Further west and southeast is RM4 zoning.

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

The area is developed with single family residences and mobile homes.

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

Property to the east was rezoned to RM4 in 2005. Property further northeast was rezoned to B3 in 1974. Properties further east were rezoned to B2 in 1995. Property further southeast was rezoned to RM4 in 1983 and R3 in 1976. Property further west was rezoned to RM4 in 1977 and 1993.

SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS

Case #: 2009-12

Address: 1614 N. 29th Street

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 allow 2 principal structures on a 6,720 square foot tract. A single structure on one tract is a reasonable use of land.

- (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 is a vacant, fenced adjacent lot to property to the south. No plight of special circumstances were presented in the petition.

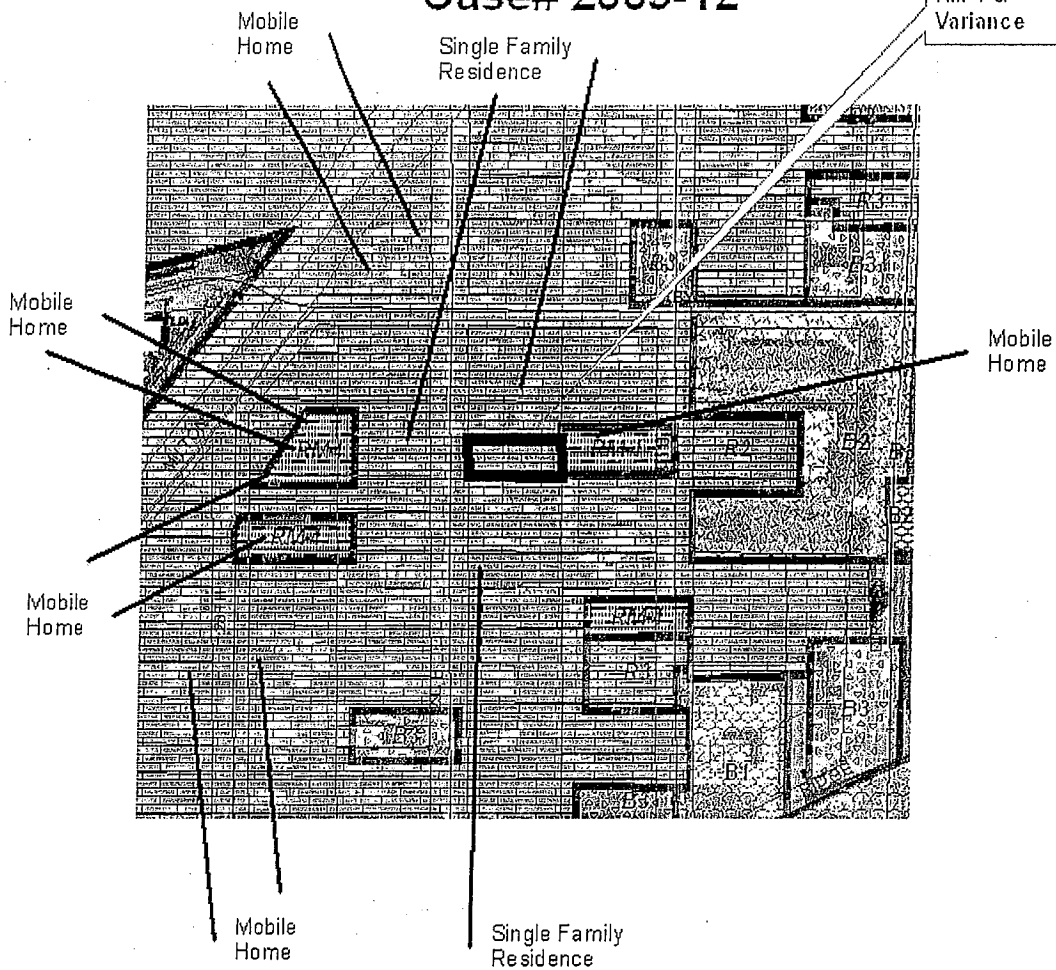
- (iii) that the variation, if granted, will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality.

RM-4 regulations require a lot width of 50' for one (1) mobile home. The subject lot is 60' side. The owner is requesting a variance to allow two (2) mobile homes on the parcel essentially resulting in 30' lot width for each structure. Such intensity would alter the essential character of the area and could potentially set a negative precedent.

County Zoning

Case# 2009-12

Requested:
RM-4 &
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

SSC RPC
Springfield-Seminole County
Regional Planning Commission

0 100 200 Feet