

CASE # 2005-10 2-1
RESOLUTION NUMBER _____

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
4160 OLD RT. 36
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, **Clear Lake Township**, has petitioned the Sangamon County Board for a **variance to allow the lot width to be met greater than 60' from a public road and a variance to allow the lot depth to exceed 2 ½ times the lot width for one lot**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **March 17, 2005**, 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

APR 01 2005

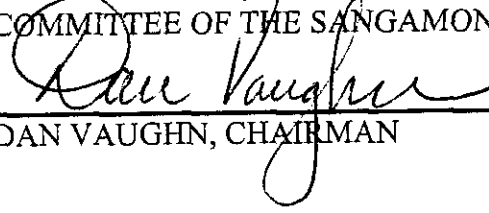
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 11th day of April, 2005 that a variance to allow the lot width to be met greater than 60' from a public road and a variance to allow the lot depth to exceed 2 ½ times the lot width for one lot on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 11th day of April, 2005.

Respectfully submitted,

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



DAN VAUGHN, CHAIRMAN

ABE FORSYTH

BILL MOSS

TYRONE PACE

TIM MOORE

DON STEPHENS

ATTEST:



SANGAMON COUNTY CLERK



COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of the Northwest Quarter of Section 29, Township 16 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

From the Southwest corner of the Northwest Quarter of said Section 29, North on the Section Line 525.65 feet; thence deflecting to the right 113 degrees 09'26", 212.16 feet; thence deflecting to the left 86 degrees 10'48", 170.24 feet; thence deflecting to the right 55 degrees 16'53", 269.84 feet; thence deflecting to the left 82 degrees 13'17", 146.74 feet; thence deflecting to the right 90 degrees 00'00", 132.00 feet to the point of beginning; thence deflecting to the left 90 degrees 00'00", 104.74 feet; thence deflecting to the right 90 degrees 00'00" 130 feet; thence deflecting to the left 90 degrees 00'00", 134.99 feet; thence deflecting to the left 9 degrees 26'34", 240.16 feet; thence deflecting to the right 58 degrees 24'09", 337.49 feet; thence deflecting to the right 131 degrees 03'02", 357.56 feet; thence deflecting to the left 90 degrees 03'06", 30.00 feet; thence deflecting to the right 90 degrees 03'06", 288.34 feet; thence deflecting to the right 86 degrees 33'49", 97.84 feet; thence deflecting to the left 9 degrees 56'06", 60.78 feet; thence deflecting to the left 10 degrees 17'57", 238.26 feet; thence deflecting to the right 113 degrees 39'38", 63.16 feet to the point of beginning, containing 3.567 acres, more or less.

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS
▶ As Recommended by the Board of Appeals ◀**

Case #: **2005-10**
Address: **4160 Old Rte. 36**

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 to allow expansion of the adjacent Clear Lake Township Facility.

- (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 existing mobile home is located far back from the road and already shares a driveway with the home to the front. All 3 of the proposed, reconfigured parcels will have actual ownership on the public road.

- (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.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 9 NAME: Sarah Musgrave

DOCKET NUMBER: 2005-10

ADDRESS: 4160 Old Rte. 36, Springfield, IL. 62707

PETITIONER: Clear Lake Township

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow the lot width to be met greater than 60' from a public road and a variance to allow the lot depth to exceed 2 1/2 times the lot width for one lot.

AREA: 3.57 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend denial. The requested variance would create a situation of adjacent flag lots which is contrary to the intent of the zoning ordinance.

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: 2005-10
Clear Lake Township))
)	PROPERTY LOCATED AT:
)	4160 Old Rte. 36
)	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 **March 17, 2005** 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 **4160 Old Rte. 36, Springfield, IL. 62707** and more particularly described as:

See **EXHIBIT A**

- 3. That the present zoning of said property is **"A" Agricultural District.**
- 4. That the present land use of said property is **Mobile Home.**
- 5. That the proposed land use of said property is a **mobile home and township yard.**
- 6. That the requested **variances** of said property are: **to allow the lot width to be met greater than 60' from a public road and to allow the lot depth to exceed 2 1/2 times the lot width for 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 **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
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor**, in accord with the amended **standards for variations** that the petition be **approved**, which was duly seconded by **John Goleman.**

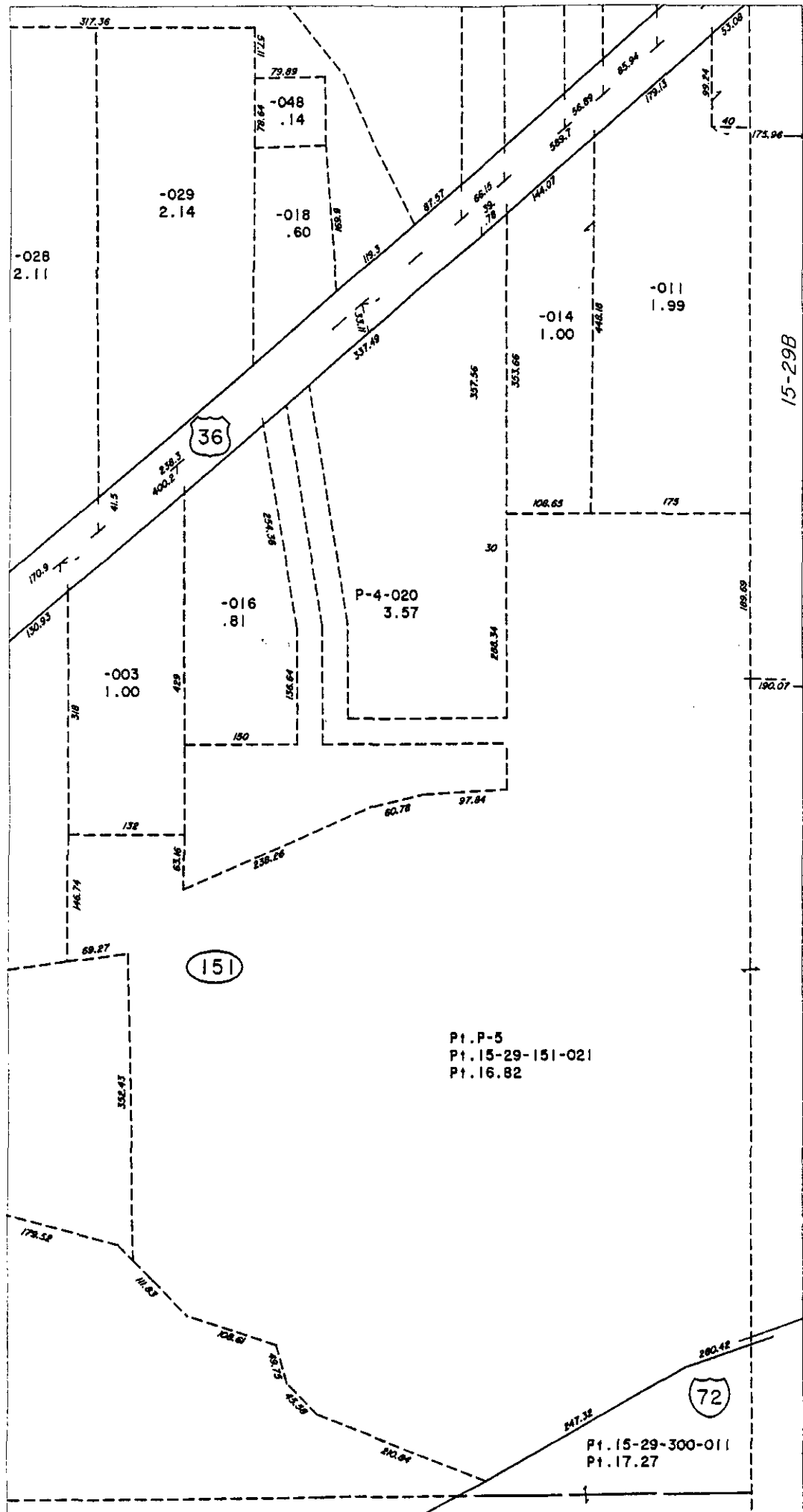
The vote of the Board was as follows:

YES: Charles Chimento, Donn Malwick, John Goleman, Patrick Somers, Marvin Traylor

NO:

ABSENT:

John Goleman
RECORDING SECRETARY



-028
2.11

-029
2.14

73.89
-048
.14
78.64
-018
.60
185.5

-014
1.00

-011
1.99

36

151

Pt. P-5
Pt. 15-29-151-021
Pt. 16.82

72

Pt. 15-29-300-011
Pt. 17.27

15-29B

ZONING VARIANCE CHECK LIST

DATE: 3-7-05

INSPECTED BY: DK LW

PETITIONER: Clear Lake Township

ADDRESS: 4160 Old Rte. 36

EXISTING ZONING: A

REQUEST DESCRIPTION: Variance is requested to allow the lot width to be met greater than 60' from a public road and to allow the lot depth to exceed 2 1/2 times the lot width for one lot.

Staff Estimate of the Effect of the Variance on the Area		None	Slight	Mod.	Great
CONTRASTS: CURRENT VS. PROPOSED	land use	X			
	appearance	X			
	height	X			
	parking	X			
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow	X			



Frontage	Lineal Feet	Existing Yards (ft.)			Area
Old Rt. 36 - 337	370	10/180	60	3.57 acres	
	front	side	rear		

OTHER COMMENTS:

STAFF RECOMMENDATIONS: Recommend denial. The requested variances would create a situation of adjacent flag lots which is contrary to the intent of the zoning ordinance.

County Zoning

Case# 2005-010



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

0 200 400 Feet





RECOMMENDED STANDARDS FOR VARIATIONS

Case #: 2005-10

Address: 4160 Old Rte. 36

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- (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 to allow expansion of the adjacent Clear Lake Township Facility.

- (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 existing mobile home is located far back from the road, however, access is already shared with the house to the southwest and the proposed reconfiguration would place another flag lot adjacent to the northeast creating a situation that is contrary to the intent of the zoning ordinance to assure all lots have owned, non-easement based access.

- (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