

CASE # 2005-63  
RESOLUTION NUMBER 6-1

**GRANTING VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**2741 GREEN VALLEY ROAD**  
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:

**Morrison Subdivision, Lot 1.**

WHEREAS, the Petitioners, **Charles & Shannon Lynch**, have petitioned the Sangamon County Board for a **variance to allow a lot area of .8 acre instead of the required one acre, a variance of the front yard setback requirement from 30' to 11' and a variance of the side yard requirement when a side yard adjoins a road to 11'**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **September 15, 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**

SEP 20 2005

*Jan Dill*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 11<sup>th</sup> day of October, 2005 that the request for a variance to allow a lot area of .8 acre instead of the required one acre, a variance of the front yard setback requirement from 30' to 11' and a variance of the side yard requirement when a side yard adjoins a road to 11' on the above referenced property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 11<sup>th</sup> day of October, 2005.

Respectfully submitted,

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

*Dan Vaughn*  
\_\_\_\_\_  
DAN VAUGHN, CHAIRMAN

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

\_\_\_\_\_  
BILL MOSS

\_\_\_\_\_  
TYRONE PACE

\_\_\_\_\_  
TIM MOORE

\_\_\_\_\_  
DON STEPHENS

\_\_\_\_\_  
DAVID MENDENHALL

**ATTEST:**

*Joe Aiello*  
\_\_\_\_\_  
SANGAMON COUNTY CLERK

*A. Van Meter*  
\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

**RECOMMENDED STANDARDS FOR VARIATIONS**

**► As Recommended by the Board of Appeals ◀**

Case #: **2005-63**

Address: **2741 Green Valley Road**

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 petitioners would like to replace the existing mobile home with a single family residence and reconfigure the two lots in Morrison Minor Subdivision so that all of the pond is located on the other lot.**

- (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 buildable area on this lot is extremely limited due to location of the well and topography. The acreage that would be conveyed from this lot is in a location that would not be useable for a septic system because of topography and this is the main reason for the one acre requirement.**

- (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.

**The road right-of-way is currently much larger than the road pavement and so the existing mobile home appears to be located a safe distance off the road. The County Highway Department has indicated that if the proposed structure is no closer than 11' to the r-o-w line that they do not object and the new structure would be 6' farther back than the existing mobile home.**

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 11 NAME: **Dick Bond**

DOCKET NUMBER: **2005-63**

ADDRESS: **2741 Green Valley Rd., Springfield, IL. 62707**

PETITIONER: **Charles & Shannon Lynch**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance to allow a lot area of .8 acre instead of the required one acre, a variance of the front yard setback requirement from 30' to 11' and a variance of the side yard requirement when a side yard adjoins a road to 11'.**

AREA: **1.16 acres**

COMMENTS: **none**

OBJECTORS: **yes**

PLANNING COMMISSION RECOMMENDATION: **denial unless the County Highway Department deems the road right-of-way issue not a concern.**

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION: **approval**

  
RECORDING SECRETARY

6-5

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: 2005-63
<b>Charles &amp; Shannon Lynch</b> )	
)	PROPERTY LOCATED AT:
)	<b>2741 Green Valley Rd.</b>
)	<b>Springfield, IL. 62707</b>
)	

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 **September 15, 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 **2741 Green Valley Rd., Springfield, IL. 62707** and more particularly described as:

**Morrison Subdivision, Lot 1.**

6-6

Page 2

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is a **Manufactured Home and garage.**
- 5. That the proposed land use of said property is a **Single Family Residence and garage.**
- 6. That the requested **variances** of said property are: **to allow a lot area of .8 acre instead of the required one acre, a variance of the front yard setback requirement from 30' to 11' and a variance of the side yard requirement when a side yard adjoins a road to 11'.**
- 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 **approved.**

  
 \_\_\_\_\_  
 CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor** based on the new findings to recommend to the County Board that the petition be **approved**, which was duly seconded by **Patrick Somers.**

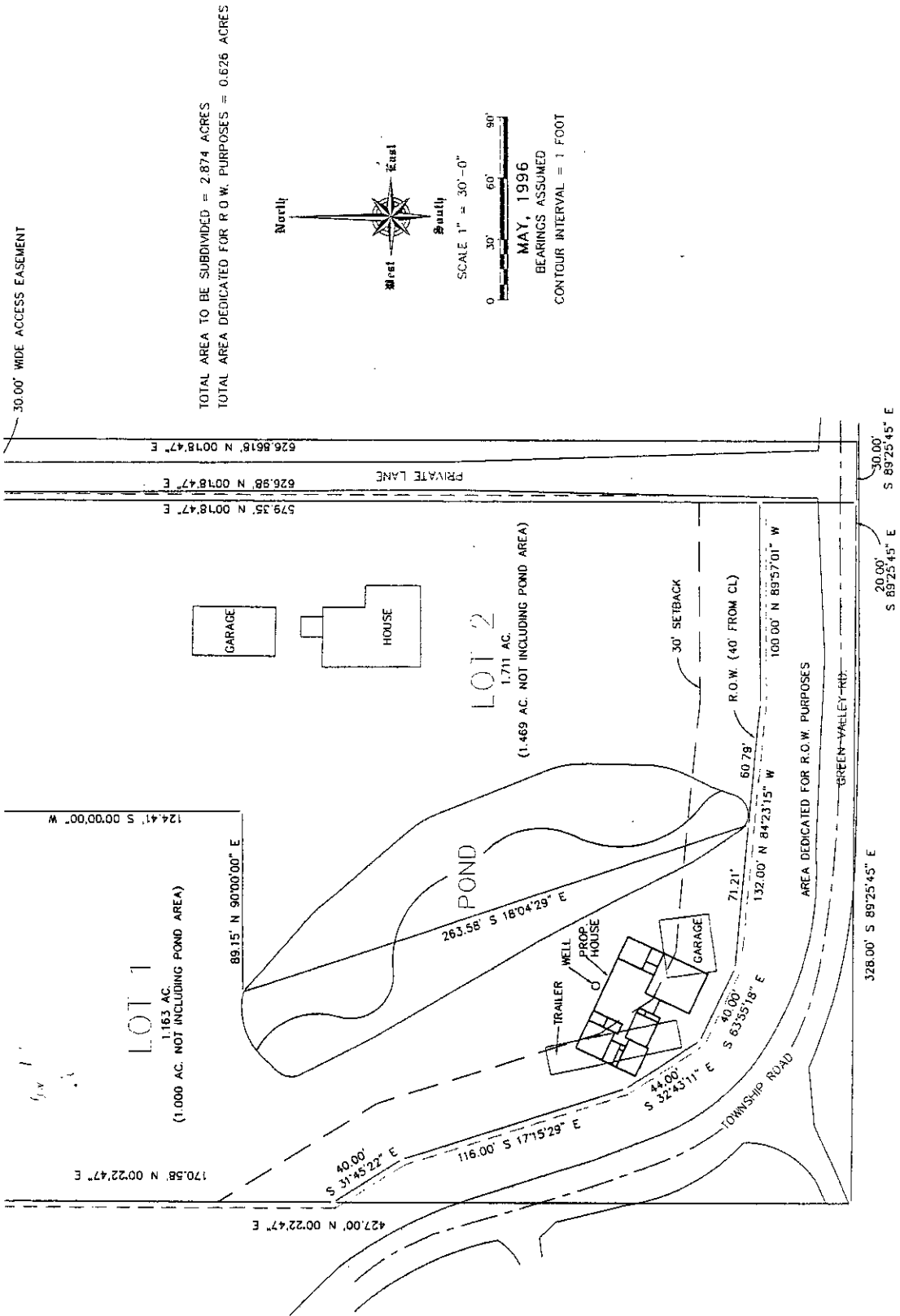
The vote of the Board was as follows:

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

NO:

ABSENT:

  
 \_\_\_\_\_  
 RECORDING SECRETARY



TOTAL AREA TO BE SUBDIVIDED = 2.874 ACRES  
 TOTAL AREA DEDICATED FOR R.O.W. PURPOSES = 0.626 ACRES

**ZONING VARIANCE CHECK LIST**

PETITIONER: Lynch, Charles & Shannon  
 ADDRESS: 2741 Green Valley Road  
 EXISTING ZONING: A

REQUEST DESCRIPTION: **Variance is requested to allow a lot area of .8 acre instead of the required one acre, a variance of front yard setback requirements from 30' to 11' and a variance of side yard requirements when a side yard adjoins a road.**

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



Frontage	Lineal Feet	Existing Yards (ft.)			Area
<u>Green Valley Rd. - 311</u>	<u>5</u>	<u>8/250</u>	<u>70</u>	<u>1.16 acres</u>	
	front	side	rear		

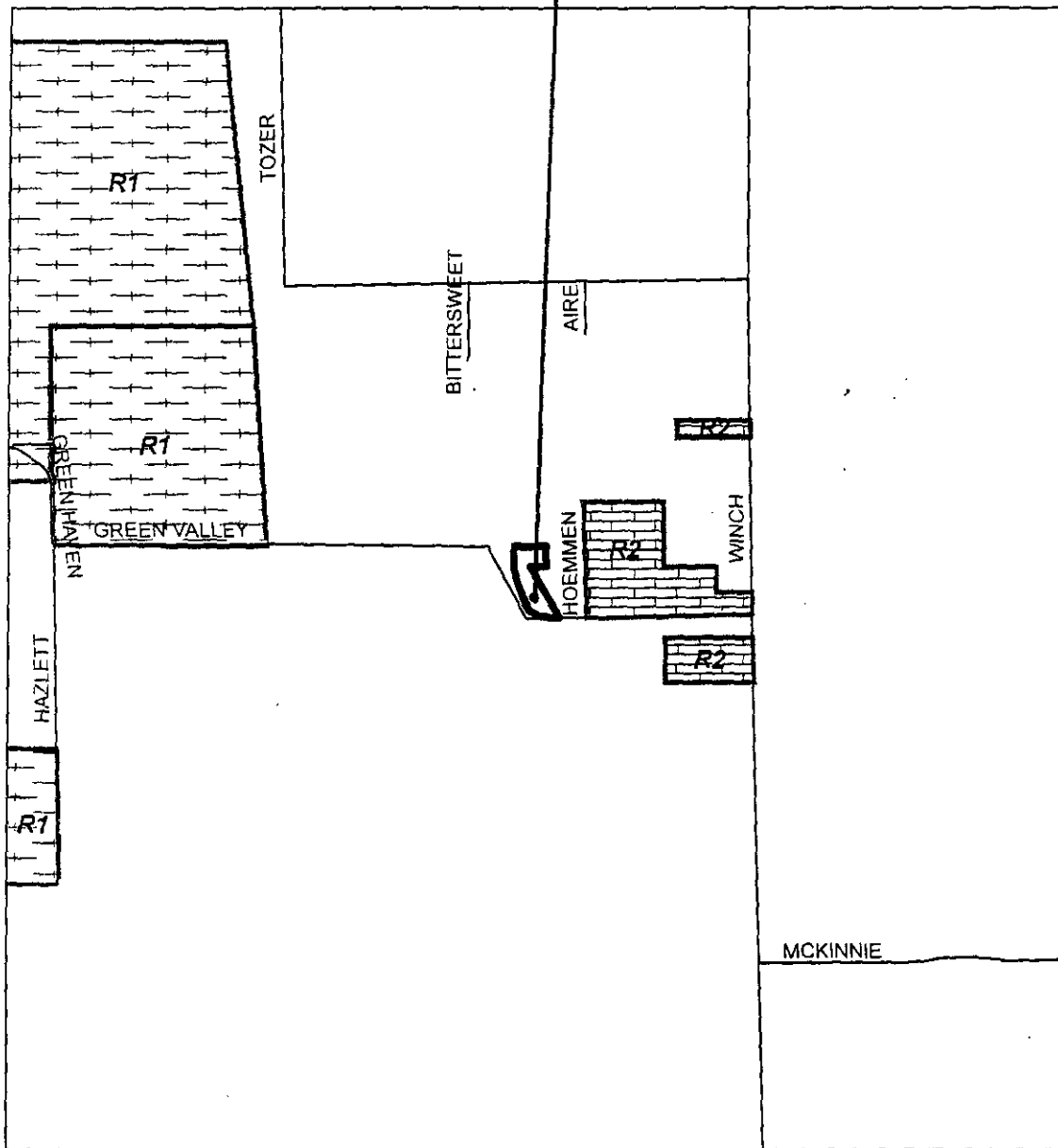
OTHER COMMENTS:

STAFF RECOMMENDATIONS: **Recommend denial unless the County Highway Department deems the road right-of-way issue not a concern.**



# County Zoning

## Case# 2005-063



### 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

0 500 1,000 Feet





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**The road right-of-way is currently much larger than the road pavement and so the existing mobile home appears to be located a safe distance off the road. If this right-of-way is ever utilized to widen the road, however, the proximity of the house to the roadway and visibility issues on the curve could be problems.**