

CASE # 2005-57
RESOLUTION NUMBER 10-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
633 THISTLE RIDGE
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:

Lot 54 of Plat 3 Walnut Hills Subdivision, being part of the Northwest quarter of Section 21, Township 17 North, Range 5 West of the Third Principal Meridian.

WHEREAS, the Petitioner, **Phillip Ulinski**, has petitioned the Sangamon County Board for a **variance of the east side yard setback requirement from 10' to 6'**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **August 18, 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 variance**; and

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

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13th day of September, 2005 that the request for a variance of the east side yard setback requirement from 10' to 6' on the above referenced property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13th day of September, 2005.

Respectfully submitted,

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

DAN VAUGHN, CHAIRMAN

ABE FORSYTH

BILL MOSS

TYRONE PACE

Tim Moore

TIM MOORE

DON STEPHENS

ATTEST:

Joe Quillo

SANGAMON COUNTY CLERK

A. Vaughn

COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 2 NAME: Dale "Dan" Vaughn

DOCKET NUMBER: 2005-57

ADDRESS: 633 Thistle Ridge, Springfield, IL. 62707

PETITIONER: Phillip Ulinski

PRESENT ZONING CLASSIFICATION: "R-1" Single Family Residence District

REQUESTED ZONING CLASSIFICATION: "R-1" Single Family Residence District with a variance of the east side yard setback requirement from 10' to 6'.

AREA: 1 acre

COMMENTS: none

OBJECTORS: none

PLANNING COMMISSION RECOMMENDATION: Approval. The standards for variation are met.

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: 2005-57
Phillip Ulinski))
)	PROPERTY LOCATED AT:
)	633 Thistle Ridge
)	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 **August 18, 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 **633 Thistle Ridge, Springfield, IL. 62707** and more particularly described as:

Lot 54 of Plat 3 Walnut Hills Subdivision, being part of the Northwest quarter of Section 21, Township 17 North, Range 5 West of the Third Principal Meridian.

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- 3. That the present zoning of said property is **“R-1” Single Family Residence District.**
- 4. That the present land use of said property is a **Single Family Residence.**
- 5. That the proposed land use of said property is **A Single Family Residence with garage addition.**
- 6. That the requested **variance** of said property is: **of the east side yard setback requirement from 10’ to 6’.**
- 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.**

CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **John Goleman** 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 **Donn Malwick.**

The vote of the Board was as follows:

YES: **Charles Chimento, Donn Malwick, John Goleman, Patrick Somers, Barbara Braner**

NO:

ABSENT: **Marvin Traylor**

RECORDING SECRETARY

ZONING VARIANCE CHECK LIST

DATE: 8-3-05

INSPECTED BY: DK LW

PETITIONER: Ulinski, Phillip
 ADDRESS: 633 Thistle Ridge
 EXISTING ZONING: R-1
 REQUEST DESCRIPTION: Variance of the east side yard setback requirement from 10' to 6'.

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			



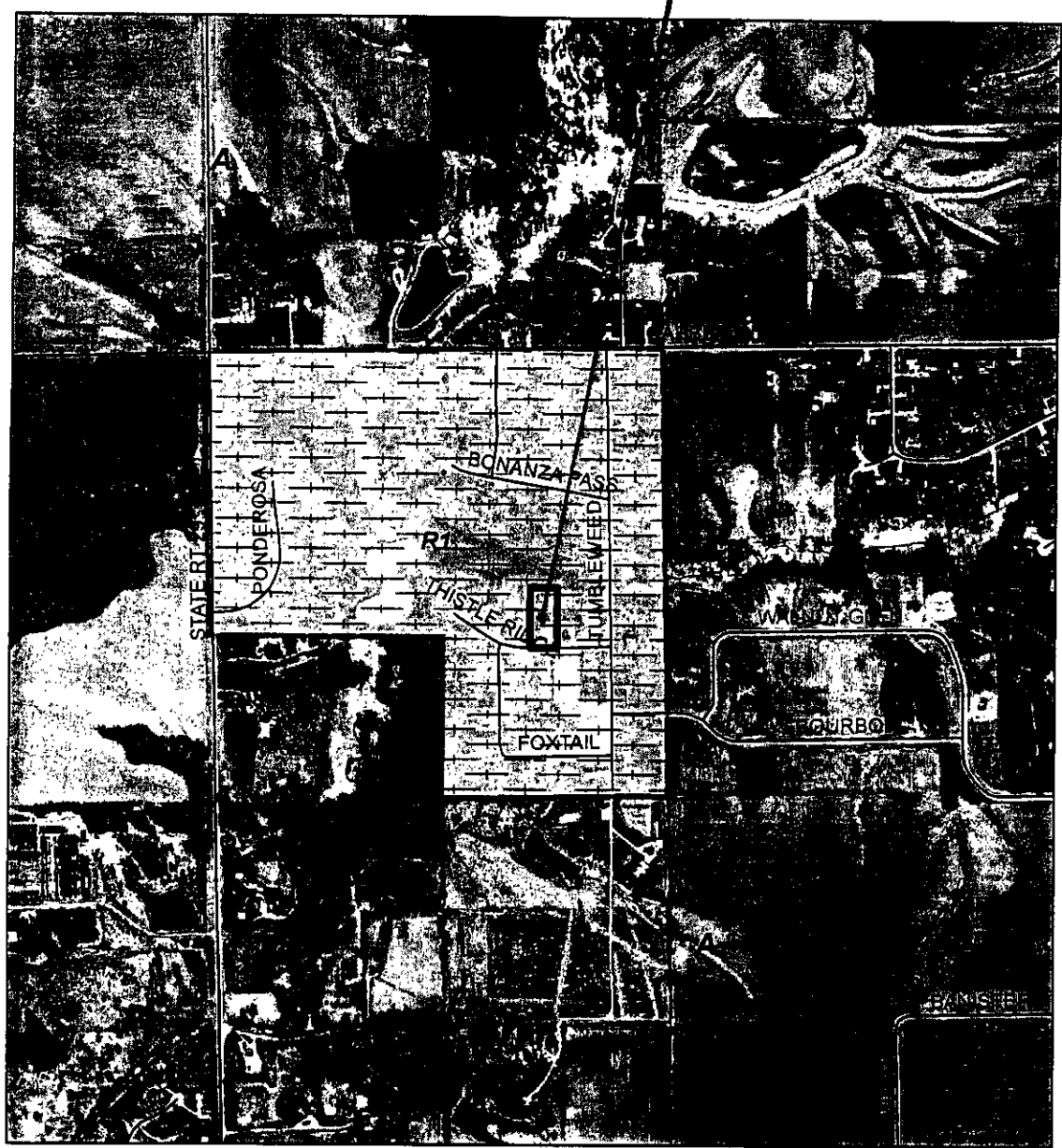
Frontage	Lineal Feet	Existing Yards (ft.)			Area
<u>Thistle Ridge - 150</u>		<u>30</u>	<u>18/60</u>	<u>200</u>	<u>1 acre</u>
		front	side	rear	

OTHER COMMENTS:

STAFF RECOMMENDATIONS: **Recommend approval. The standards for variation are met.**

County Zoning

Case# 2005-057

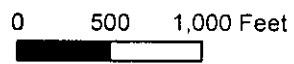


County Zoning

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

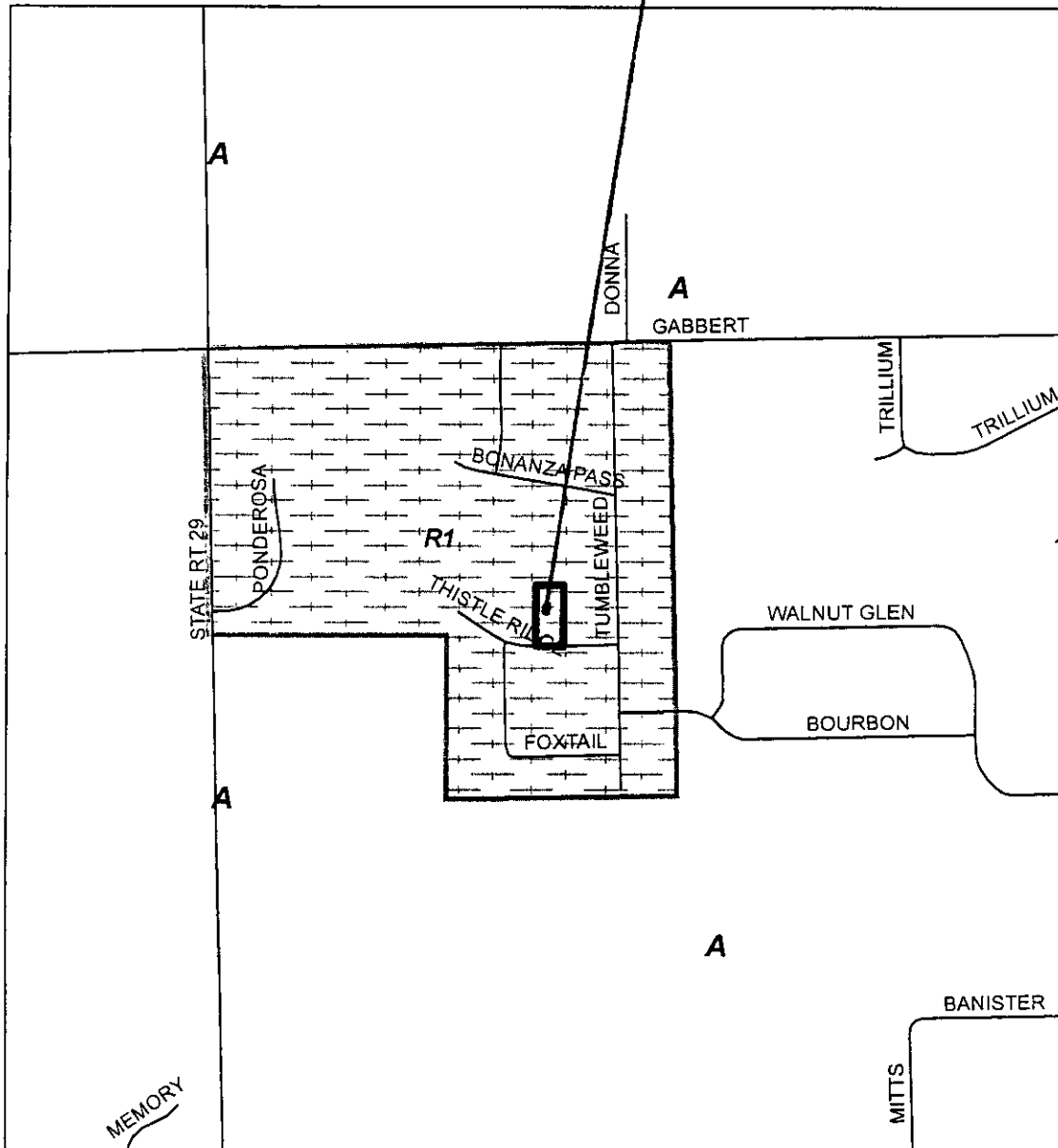
City Zoning

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



County Zoning

Case# 2005-057



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





RECOMMENDED STANDARDS FOR VARIATIONS

Case #: **2005-57**

Address: **633 Thistle Ridge**

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 garage addition would add to the utility 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.

The house to the east is elevated quite a bit higher than the subject property and is located further back on the lot than the proposed addition. Although the subject property is 1 acre in size the topography is very limiting for additions to the existing structure.

- (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.

Due to the elevation and location of the home on the lot to the east no negative impact is anticipated.