

CASE # 2006-38 6-1
RESOLUTION NUMBER _____

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
2218 N. 15TH 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 a variance to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:**

Lot 24 of J.R. Saunders Subdivision of the Southwest quarter of Section 14, Township 16 North Range 5 West of the Third Principle Meridian.

WHEREAS, the Petitioner, **Robert Bolton**, has petitioned the Sangamon County Board for a **variance to allow the front yard requirement to be reduced from 20' to 1'**, said **variance request was to amended to request a variance from 20' to 11'**, and

WHEREAS, a public hearing was held at the Sangamon County Building on **July 20, 2006**, 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 **as amended grant the variance of the front yard requirement from 20' to 11'**; and

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

FILED

JUL 28 2006

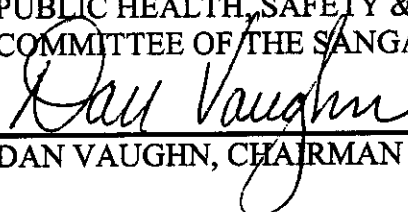
Joe Giello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 8th day of August, 2006 that the requested variance to allow the front yard requirement to be reduced from 20' to 11' to build a garage on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 8th day of August, 2006.

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

DAVID MENDENHALL

ATTEST:



SANGAMON COUNTY CLERK



COUNTY BOARD CHAIRMAN

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

Case #: **2006-38**

Address: **2218 N. 15th Street, Springfield**

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.

A garage would add to the utility of the property and there are few options on where to build.

- (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.

Circumstances are unique since there is not a good location to build a garage and there are other structures

- (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.

Since the house to the rear is higher, the proposed 8' fence would nearly match the section of 6' fence the neighbor has. Also, the permitted 6' fence would block the view of the neighbor to the rear as would the 8' fence. The amended petition proposes keeping the fence 18' from the east side lot line which will therefore, not create a visibility problem when the neighbor back out of the drive.

6-4

PHOTO DATE	PHOTO TIME:
SITE NAME Robert Bolton	CASE #: 2006-38
ADDRESS 2218 N. 15 th St., Springfield, IL 62702	INDEX #: 14-14-0-354-004



COMMENTS: From 15th Street looking east.

LAND AREA:	EXISTING ZONING:	PROPOSED ZONING:
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OTHER COMMENTS:

PHOTO TAKEN BY:	DISC #:	PHOTO #:
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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 17 NAME: **John Fulgenzi**

DOCKET NUMBER: **2006-38**

ADDRESS: **2218 N. 15th St., Springfield, IL 62702**

PETITIONER: **Robert Bolton**

PRESENT ZONING CLASSIFICATION: **"RM-4" Manufactured Home District**

REQUESTED ZONING CLASSIFICATION: **"RM-4" Manufactured Home District with a variance to allow the front yard requirement to be reduced from 20' to 11' to build a garage**

AREA: **6,360 sq. ft.**

COMMENTS: **NONE**

OBJECTORS: **YES**

PLANNING COMMISSION RECOMMENDATION:

Recommend denial. While a few properties on this block encroach on the required set back, to allow such to continue would alter the essential character of the locality. Also to allow backing from a garage within one foot of a sidewalk would be a severe hazard for pedestrians and traffic.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval as amended to 11'



RECORDING SECRETARY

6-6

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: **2006-38**
 Robert Bolton)
)
) PROPERTY LOCATED AT:
) **2218 N. 15th 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 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 **July 20, 2006** 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 **2218 N. 15th St., Springfield, IL 62702** and more particularly described as:

Lot 24 of J.R. Saunders Subdivision of the Southwest quarter of Section 14, Township 16 North Range 5 West of the Third Principle Meridian.

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- 3. That the present zoning of said property is **"RM-4" Manufactured Home District.**
- 4. That the present land use of said property is **Single Family Residence.**
- 5. That the proposed land use of said property is **Single Family Residence with a garage.**
- 6. That the requested **variance, as amended,** of said property is: **to allow the front yard requirement to be reduced from 20' to 11' to build a garage.**
- 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 **Marvin Traylor** in accord with the amended **standard for variation** to recommend to the County Board that the petition, as amended be **approved,** which was duly seconded by **Peggy Egizii.**

The vote of the Board was as follows:

YES: Charles Chimento, Donn Malwick, Patrick Somers, Peggy Egizii, Marvin Traylor

NO:

ABSENT:


RECORDING SECRETARY



14-14
354-015

14-14
354-016

14-14
354-018

14-14
354-012

CL
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14-14
354-004

N. 15th ST.

14-14
354-005

14-14
354-006

14-14
354-007

ZONING VARIANCE CHECK LIST

DATE: 7/7/06

INSPECTED BY: JH LW

PETITIONER: Bolton, Robert

ADDRESS: 2218 N. 15th Street

EXISTING ZONING: RM-4

REQUEST DESCRIPTION: A variance of the front yard requirement from 20' to 1'.

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			

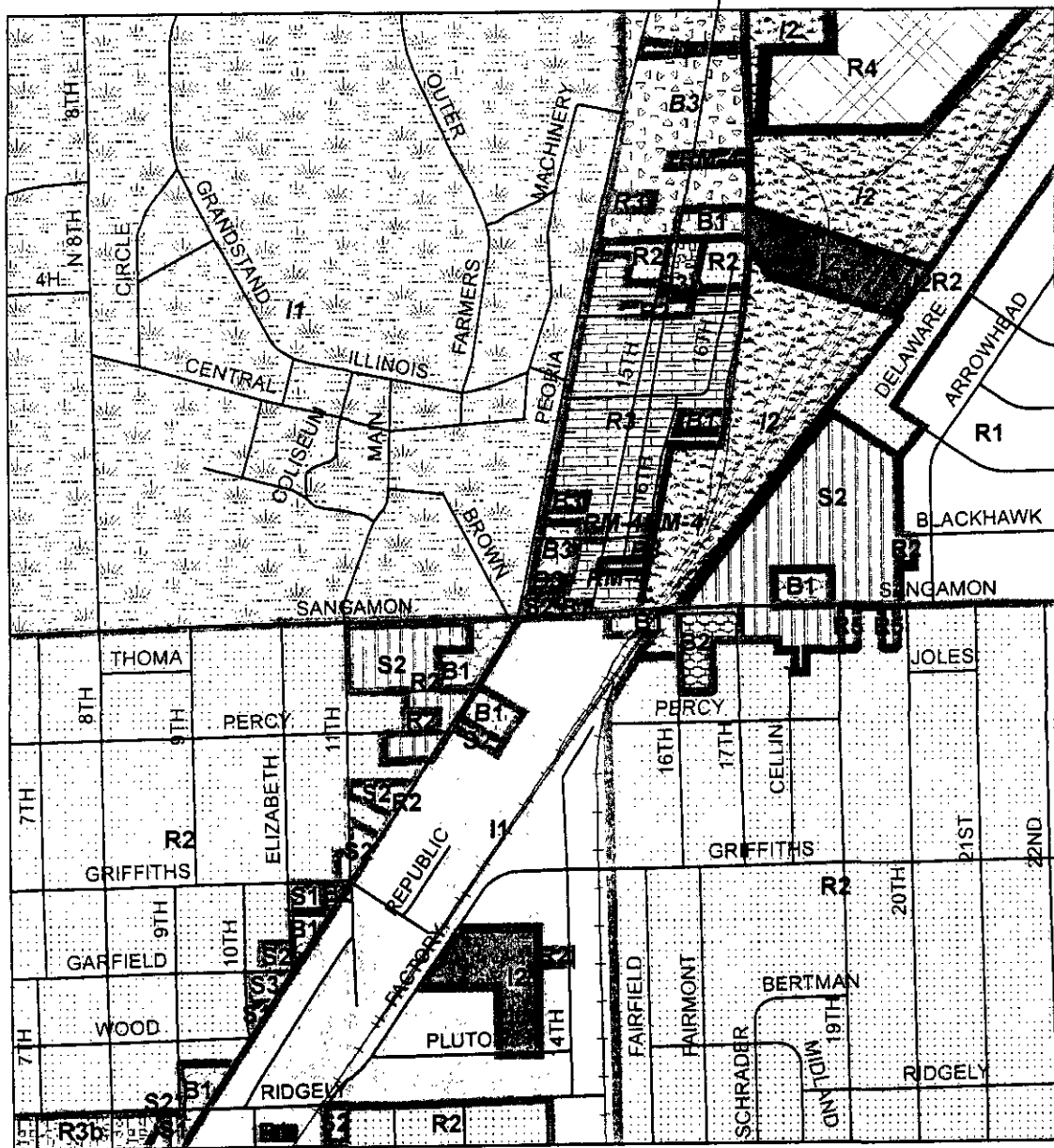


Frontage	Lineal Feet	Existing Yards (ft.)			Area
15 th St.	40'	25'	3'/5'	60'	6,360 sq. ft.
		front	side	rear	

OTHER COMMENTS:

STAFF RECOMMENDATIONS: Recommend denial. While a few properties on this block encroach on the required set back, to allow such to continue would alter the essential character of the locality. Also to allow backing from a garage within one foot of a sidewalk would be a severe hazard for pedestrians and traffic.

County Zoning Case# 2006-38

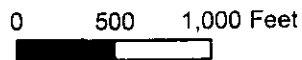


County Zoning

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

City Zoning

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



RECOMMENDED STANDARDS FOR VARIATIONS

Case #: 2006-38

Address: 2218 N. 15th Street

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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.

A garage 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 self imposed screen porch built onto the north of the house has restricted access to the rear to build a garage. Some homes in the area do not have garages.

- (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.

While a few properties on this block have encroached on the required set back, to allow such to continue would alter the essential character of the locality. Also to allow backing from a garage within one foot of a sidewalk would be a severe hazard for pedestrians and traffic.