

FILED

FEB 28 2006

CASE # 2006-09
RESOLUTION NUMBER 7-1

Joe Aiello
Sangamon County Clerk

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
6631 Ryan Ct., Cantrall, IL 62625
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 variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

Lot 31, Presidential Lake Estates

WHEREAS, the Petitioner, **James H. Watts, Jr.**, has petitioned the Sangamon County Board for a **variance of the lot width from the required 150' to 80'**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **February, 16, 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 **grant the variance**; and

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

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14th day of March, 2006 that a variance of the lot width from the required 150' to 80' on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14th day of March, 2006.

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

DAVE MENDENHALL

ATTEST:

Joe Rielto

SANGAMON COUNTY CLERK

A. Varkits

COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 11 NAME: Dick Bond

DOCKET NUMBER: 2006-09

ADDRESS: 6631 Ryan Ct., Cantrall, IL 62625

PETITIONER: James H. Watts, Jr.

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance of
the lot width from the required 150' to
80'

AREA: 1.2 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend 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: **2006-09**
James H. Watts, Jr.)
)
) PROPERTY LOCATED AT:
) **6631 Ryan Ct.**
) **Cantrall, IL. 62525**
)

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 **February 16, 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 **6631 Ryan Ct., Cantrall, IL 62625** and more particularly described as:

Lot 31, Presidential Lake Estates

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is a vacant lot.
- 5. That the proposed land use of said property is to build a home.
- 6. That the requested variance of said property is to reduce the lot width from the required 150' to 80'.
- 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 granted.

Charles Chimento
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Don Wulf** to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **granted**, which was duly seconded by **Donn Malwick**.

The vote of the Board was as follows:

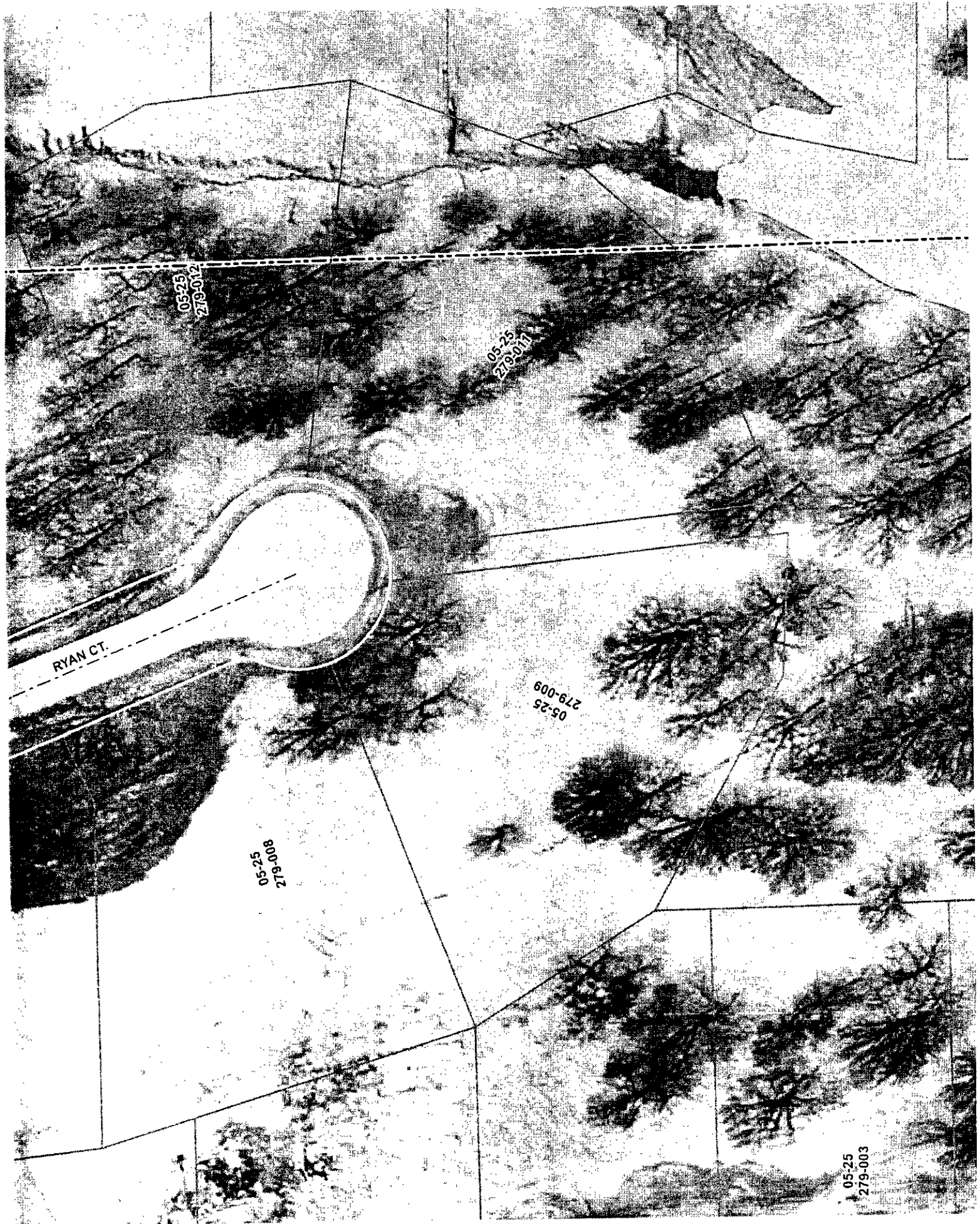
YES: Donn Malwick, Patrick Somers, Marvin Traylor, Don Wulf

NO:

ABSENT: Charles Chimento, Peggy Egizii

BD Austin
RECORDING SECRETARY

76



RYAN CT.

05-25
279-012

05-25
279-011

05-25
279-009

05-25
279-010

05-25
279-003

M

January 20, 2006

Mr. Dave Kiliman
Assistant Director
Springfield Sangamon County
Regional Planning Commission
Room 212
200 South 9th Street
Springfield, IL. 62701-1629

Dear Sir:

We are requesting approval from the Commission for a partial plat vacation to reduce the building set back line on Lot 31, Presidential Lake Estates, in Fancy Creek Township from the current 70 feet to no less than 31 feet.

My wife and I own this lot and intend to build a single family residence as soon as approval is granted for this plat vacation and other building requirements are met. The lot in question is more or less pie shaped and is slopping to the southwest for approximately 2/3 of its depth. From this point on, the lot rises upward into a small hill from the drainage area that flows through this portion of the property.

We have finalized house plans that include a 3 car side load garage and received approval of said plans from the homeowners association. With the current building set back of 70 feet added to the depth of the side load garage (due to the shape of the lot) the foot print of the house places it in the drainage area that runs through the lot. In the event of large volumes of rain this could impact the corner of the residence causing damage.

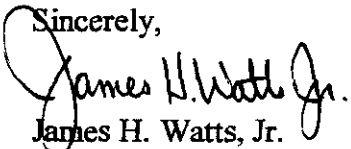
Our research has found that Presidential Lake Estates was one of the last subdivisions in the county that was approved under the agricultural zoning laws before the residential laws were approved. This request for a partial plat vacation will be in compliance with current rules for county residential zoning.

We have also filed a partition for a zoning variance with the Department of Zoning and Building Safety from agricultural zoning to residential zoning.

We have attached letters of agreement from the two adjacent property owners, one of whom is the subdivision owner.

Thank you for your consideration of our request. We can be reached at 217/415-1482 if you need further information.

Sincerely,


James H. Watts, Jr.

ZONING VARIANCE CHECK LIST

DATE: 1-31-06

INSPECTED BY: DK LW

PETITIONER: Watts, James H. Jr.

ADDRESS: 6631 Ryan Court

EXISTING ZONING: A

REQUEST DESCRIPTION: Variance of the lot width from the required 150' to 80'.

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>Ryan Court - 63'</u>		<u>--</u>	<u>--</u>	<u>--</u>	<u>1.2 acres</u>
		front	side	rear	

OTHER COMMENTS:

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

County Zoning Case# 2006-09

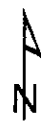
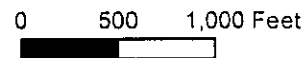


County Zoning

	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 #: 2006-9

Address: 6631 Ryan Court

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.

Because of the topography of the lot the buildable area is very limited.

- (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 lot is located on a cul-de-sac so the pie-shaped configuration is also limiting.

- (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. The eighty feet requested is the minimum required in a residential zoning district and this is a residential subdivision. The minimum side yards will still be met.