

CASE # 2006-18  
RESOLUTION NUMBER 51

**APPROVING A REZONING AND VARIANCE**  
**FOR CERTAIN PROPERTY LOCATED AT**  
**4755 W. WASHINGTON 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 **approve an amendment and variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See **EXHIBIT A**

WHEREAS, the Petitioner, **Doug Dennis**, has petitioned the Sangamon County Board for a rezoning from **"A" Agricultural District** to **"R-1" Single Family Residence District** with a variance to allow the lot depth to exceed 2 ½ times the lot width for one parcel to allow the property to be divided into 2 parcels; and

WHEREAS, a public hearing was held at the Sangamon County Building on **April 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 **approve the rezoning and variance**; and

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

**FILED**

APR 27 2006


*Joe Aiello*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled **this 9<sup>th</sup> day of May, 2006** that the request to rezone the above described property from "A" Agricultural District to "R-1" Single Family Residence District with a variance to allow the lot depth to exceed 2 ½ times the lot width for one parcel to allow the property to be divided into 2 parcels is hereby approved.

Signed and passed by the Sangamon County Board in session on this 9<sup>th</sup> day of May, 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

## **EXHIBIT A**

That part of the Southwest Quarter of Section 26, Township 16 North, Range 6 West bounded and described as follows:

Beginning at an iron pin in the South line of said Southwest Quarter Section and 935 feet West of the Southeast corner of the Southwest Quarter of Section 26, being the true point of beginning; thence running West along said South line 564.5 feet to an iron pin; thence North and Parallel to the East line of said Southwest Quarter 660 feet; thence East and parallel to the South line of said Southwest Quarter 564.5 feet to an iron pin; thence South 660 feet to the place of beginning.

EXCEPT that part described as:

Beginning at the above true point of beginning; thence continuing South 90 degrees 00 minutes 00 seconds West along the Section line a distance of 255.00 feet; thence North 00 degrees 14 minutes 25 seconds West a distance of 327.00 feet to an iron pipe; thence North 90 degrees 00 minutes 00 seconds East a distance of 255.00 feet to an iron pipe; thence South 00 degrees 14 minutes 25 seconds East a distance of 327.00 feet to the true point of beginning.

Except all coal, minerals and mining rights heretofore conveyed of record. Situated in Sangamon County, Illinois

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 1 NAME: **Tom Fraase**

DOCKET NUMBER:           **2006-18**

ADDRESS:                   **4755 W. Washington St., Springfield, IL. 62704**

PETITIONER:           **Doug Dennis**

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

REQUESTED ZONING CLASSIFICATION: **"R-1" Single Family Residence District with a variance to allow the lot depth to exceed 2 ½ times the lot width for one parcel to allow the property to be divided into 2 parcels**

AREA:           **6.636 Ac.**

COMMENTS:           **None**

OBJECTORS:           **Yes**

PLANNING COMMISSION RECOMMENDATION:   **Recommend approval. The LESA score of 124 indicates minimal impact. 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: **2006-18**  
**Doug Dennis** )  
 )  
 ) PROPERTY LOCATED AT:  
 ) **4755 W. Washington St.**  
 ) **Springfield, IL. 62704**  
 )

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 an **amendment and 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 **April 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 **4755 W. Washington St., Springfield, IL. 62704** and more particularly described as:

See **EXHIBIT A**

Page 2

3. That the present zoning of said property is **"A" Agricultural District**
4. That the present land use of said property is **Single Family Residence**
5. That the proposed land use of said property is **2 Single Family Residences**
6. That the requested **rezoning** of said property is from **"A" Agricultural District** to **"R-1" Single Family Residence District** with a **variance** to allow the lot depth to exceed **2 ½ times the lot width** for one parcel to allow the property to be divided into **2 parcels**
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 **rezoning** 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 **rezoning** be **approved**.

  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Patrick Somers** 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 **Marvin Traylor**.

The vote of the Board was as follows:

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

NO:

ABSENT:

  
RECORDING SECRETARY



13-26  
300-003

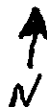
13-26  
300-027

58  
464

1320

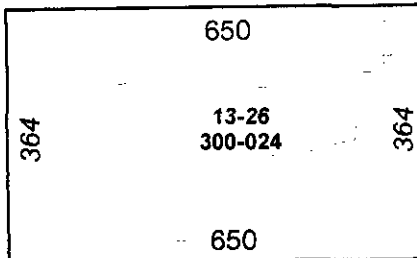
330

828



13-26  
300-004

676.88



1" = 300'  
3-36-2006

31

278.35

13-26  
300-012

385

*SUBJECT PROPERTY*

*2006-16*

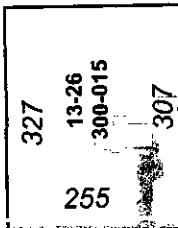
13-26  
300-016

13-26  
300-013

F-112I,J

13-26  
300-021

640.13



660

1320

935

F-112A

100.5 54.91

*W. Washington St.*

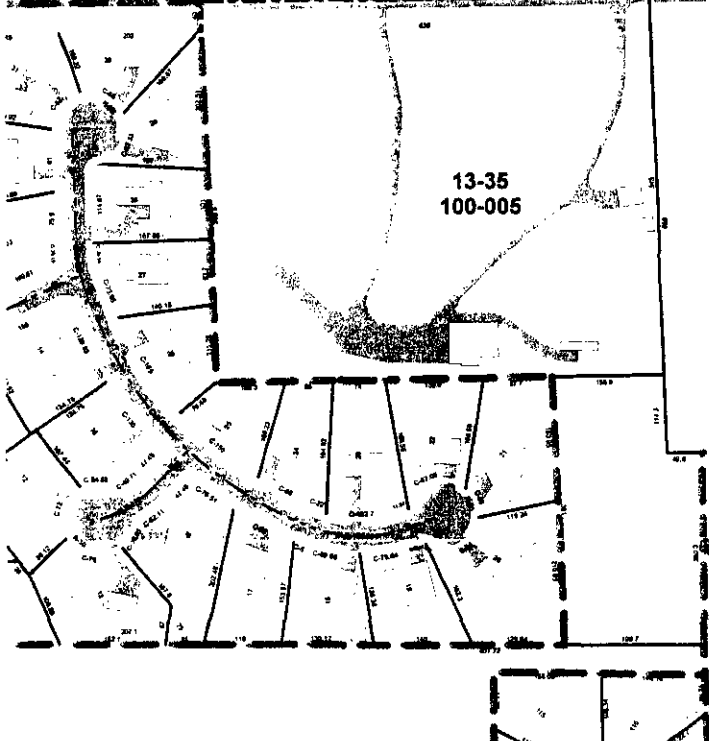
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100-005

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100-021

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100-020

13-35  
126-022

13-35  
100-016





59

SSCRPC

**Springfield  
Sangamon County Regional  
Planning Commission**

CASE #: 2006-18

INDEX #: 13-26-300-016

**ZONING AMENDMENT CHECK LIST**

DATE: 4/3/06

INSPECTED BY: DK JH LW

PETITIONER: Dennis, Doug

 ADDRESS: 4755 West Washington Street TWP. 16N RANGE 6 W SEC. 26 ¼ SEC. SW  
 (OR NEAREST IDENTIFIABLE ROAD) TWP. RANGE W SEC. ¼ SEC.

CITY OR VILLAGE OR NEAREST ONE: Springfield

EXISTING ZONING: A PROPOSED ZONING: R-1 with VAR. \*

LAND AREA: 6.636 Ac. ROAD FRONTAGE: 311 Lineal Ft. ROAD COND: good

EXISTING LAND USE: Single Family Residence

PROPOSED LAND USE: Two Single Family Residences

TYPE OF STRUCTURE: Residential CONDITION OF STRUCTURE: good

EXISTING YARDS: Front 60 ft. Side 10W/30E ft. Rear 470 ft.

SPOT ZONING: X  
Yes No

NEARBY LAND USE:

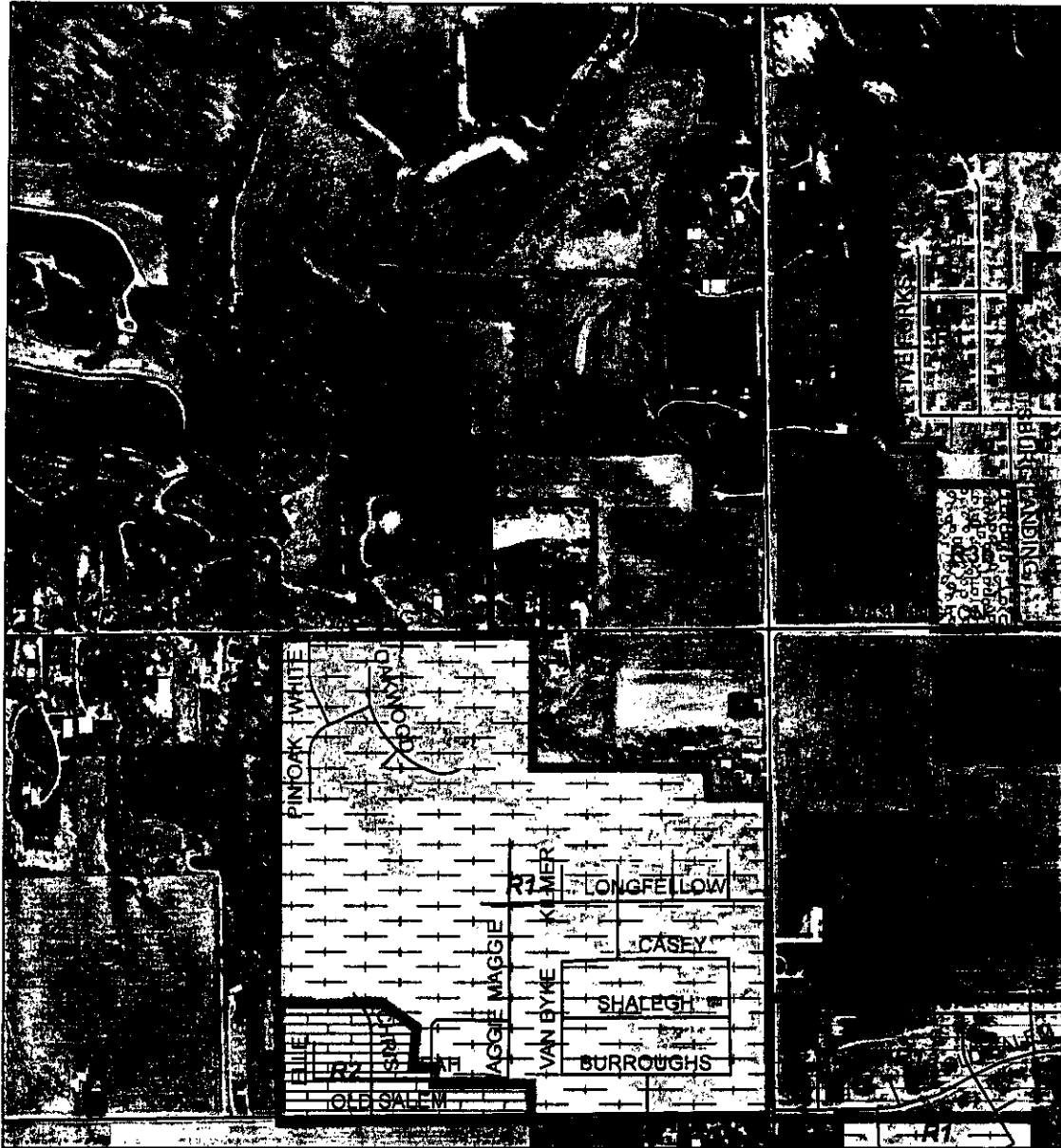
- a. To North Cropland
- b. To South Tree business, Single family residence, Manufactured home
- c. To East Single family residence, cropland
- d. To West Single family residence, flood plain & trees

OTHER COMMENTS: \*A Variance is requested to allow the lot depth to exceed 2½ times the lot width for one parcel.

Staff Estimate of the Effect of the Amendment on the Area		None	Slight	Mod.	Great
CONTRASTS: CURRENT VS. PROPOSED	land use	X			
	appearance		X		
	height	X			
	parking spaces	X			
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow	X			
WILL USE INCREASE	pop. density		X		
	dwelling, density		X		
	school pop.	X			
	traffic volume	X			


**RECOMMENDATIONS:** Recommend approval. The LESA score of 124 indicates minimal impact. The standards for variation are met.

# County Zoning Case# 2006-18



## 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

0 500 1,000 Feet





## RECOMMENDED FINDINGS OF FACT

Case #: 2006-18

Address: 4755 West Washington Street

- (i) Existing uses of property within the general area of the property in question.

**There is cropland to the north. There is a tree business, a single family residence and manufactured home to the south. There is a single family residence and cropland to the east. There is a single family residence and flood plain with trees beyond that to the west.**

- (ii) The zoning classification of property within the general area of the property in question.

**The property has A zoning on all sides, except south, which has a subdivision with R-1 zoning.**

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

**The Land Evaluation and Site Assessment score of 124 indicates the property shall be deemed acceptable for non-agricultural development. With public water available, adequate roads and residential development in the area, rezoning to R-1 is appropriate.**

- (iv) The trend of development, within the vicinity since the property was originally classified.

**There are older subdivisions within a half mile to the east and southwest. There is a new subdivision being developed within a half mile to the south.**



## RECOMMENDED STANDARDS FOR VARIATIONS

Case #: **2006-18**

Address: **4755 West Washington Street**

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 existing pond restricts other economical division. Petitioner desires to divide the 6.636 acres into 2 parcels for a single family residence on each .**

- (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 L-shape configuration of the property creates a greater width at the back of the tract requiring a variance for any division of the property.**

- (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**

**LAND EVALUATION AND SITE ASSESSMENT****Part 1: Site Assessment**

Part 1: Site Assessment	Available Points	Points
<u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u>		
90% or more	20	5
75-89%	10	
50-74%	5	
Under 50%	0	
<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	5
75-89%	10	
50-74%	5	
Under 50%	0	
<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	10
50-74%	5	
Under 50%	0	
<u>COUNTY SECTOR</u>		
Rural	20	10
0.5 mile from incorporated area	10	
Incorporated area	0	
<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	0
50-74%	10	
25-49%	5	
Less than 25% or sewer available	0	
<u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u>		
Negative impact	15	0
Little or none with protective measures	5	
Little or none	0	
<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	0
No impact	0	
<u>CONDITION OF ROAD</u>		
unpaved, <40' ROW, or < 16' pavement	20	10
16'-18' pavement, 40' ROW	15	
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

AVAILABILITY OF PUBLIC SEWER

<b>Not available</b>	<b>15</b>	<b>15</b>
Sewer over 600'-1200' away	8	
Private central sewage system	5	
Sewer 600' or less away and available	0	

AVAILABILITY OF PUBLIC WATER

Not available	20	<b>0</b>
1,000-1,500' away	15	
Less than 1,000' away	5	
<b>Public water available at site</b>	<b>0</b>	

DISTANCE FROM RESPONDING FIREHOUSE

Not in fire protection district	20	<b>10</b>
<b>More than 5 miles or fire protection by assignment</b>	<b>10</b>	
2.6-5 miles	5	
0-2.5 miles	0	

DRIVING TIME TO HIGH SCHOOL

Over 30 minutes	10	<b>0</b>
15-30 minutes	5	
<b>Less than 15 minutes</b>	<b>0</b>	

**SITE ASSESSMENT TOTAL****65****Part 2: Agricultural Land Evaluation (Based on Sangamon County Soil Survey)**

<u>Soil</u>	<u>Name</u>	<u>Type</u>	<u>%</u>	<u>Relative Value</u>	<u>Points</u>
8D3	Hickory	Important		55	
8E	Hickory	Important		55	
8E3	Hickory	Non-prime		52	
<b>8F</b>	<b>Hickory</b>	<b>Non-prime</b>	<b>3</b>	0	
17	Keomah	Prime		77	
19C2	Sylvan	Important		72	
19D	Sylvan	Important		72	
19D3	Sylvan	Important		55	
19E3	Sylvan	Non-prime		52	
36A	Tama	Prime		100	
36B	Tama	Prime		95	
36C2	Tama	Prime		90	
36D2	Tama	Important		72	
43	Ipava	Prime		100	
45	Denny	Prime		77	
50	Virden	Prime		87	
67	Harpster	Prime		87	
68	Sable	Prime		95	
73	Ross	Prime		95	

Parcel # 13-26-300-016Zoning Case # 2006-18

515

74	Radford	Prime*	87	
77	Huntsville	Prime*	95	
107	Sawmill	Prime*	87	
112	Cowden	Prime	77	
119D	Elco	Important	72	
119D3	Elco	Important	55	
119E3	Elco	Non-prime	52	
131C	Alvin	Prime	77	
131D	Alvin	Prime	77	
131E2	Alvin	Important	55	
134A	Camden	Prime	90	
134B	Camden	Prime	77	
134C2	Camden	Important	72	
<b>134D3</b>	<b>Camden</b>	<b>Important</b>	<b>32</b>	<b>18</b>
138	Shiloh	Prime	87	
198	Elburn	Prime	100	
199A	Plano	Prime	95	
199B	Plano	Prime	90	
208	Sexton	Prime	77	
212D3	Thebes	Important	55	
242	Kendall	Prime	77	
244	Hartsburg	Prime	87	
249	Edinburg	Prime	77	
259C	Assumption	Prime	77	
259D2	Assumption	Important	72	
<b>280B</b>	<b>Fayette</b>	<b>Prime</b>	<b>28</b>	<b>22</b>
<b>280C2</b>	<b>Fayette</b>	<b>Important</b>	<b>27</b>	<b>19</b>
280D2	Fayette	Important	72	
280D3	Fayette	Important	55	
284	Tice	Prime*	90	
451	Lawson	Prime*	95	
551F	Gosport	Non-prime	0	
567C	Elkhart	Prime	77	
567D2	Elkhart	Important	72	
684B	Broadwell	Prime	87	
684C2	Broadwell	Prime	77	
685B	Middletown	Prime	77	
685C2	Middletown	Important	72	
801	Orthents	Non-prime	0	

\*subject to flooding

AGRICULTURAL LAND EVALUATION TOTAL

59

GRAND TOTAL

124

Fewer than 150 points shall be deemed acceptable for non-agricultural development.

From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.

Greater than 175 points shall be considered suitable for agricultural use only.

Form Rev. 6/11/02