

CASE # 2006-46
RESOLUTION NUMBER 2-1

APPROVING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
1310, 1320 & 1340 CARVER 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 **approve a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

The North ½ of the North 14 acres of the South 28 acres of the West ½ of the East ½ of the Southeast ¼ of Section 19, Township 16 North, Range 4 West of the 3rd Principal Meridian.

WHEREAS, the Petitioners, **Estate of Wilma Carver and David & Marilyn Carver and Catherine Powell**, have petitioned the Sangamon County Board for a **variance to allow the lot depth to exceed 2 ½ times the lot width for 3 parcels**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **August 17, 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 variance**; and

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

FILED

SEP 01 2006

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12th day of September, 2006 that the request for a variance to allow the lot depth to exceed 2 ½ times the lot width for 3 parcels on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 12th day of September, 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

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 9 NAME: Sara Musgrave

DOCKET NUMBER: 2006-46

ADDRESS: 1310, 1320 & 1340 Carver Road, Springfield, IL 62707

PETITIONER: Estate of Wilma Carver and David & Marilyn Carver
and Catherine Powell

PRESENT ZONING CLASSIFICATION: "A" Agricultural

REQUESTED ZONING CLASSIFICATION: "A" Agricultural with a variance to allow the
lot depth to exceed 2 1/2 times the lot width
for 3 parcels

AREA: 7 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The
standards of variation are met.**

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



RECORDING SECRETARY

2-4

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2006-46
Estate of Wilma Carver)	
and David & Marilyn Carver)	
and Catherine Powell)	PROPERTY LOCATED AT:
)	1310, 1320 & 1340 Carver Road
)	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 17, 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 **1310, 1320 & 1340 Carver Road, Springfield, IL 62707** and more particularly described as:

The North ½ of the North 14 acres of the South 28 acres of the West ½ of the East ½ of the Southeast ¼ of Section 19, Township 16 North, Range 4 West of the 3rd Principal Meridian.

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- 3. That the present zoning of said property is **"A" Agricultural.**
- 4. That the present land use of said property is **3 single family residences on 3 parcels.**
- 5. That the proposed land use of said property is **Same with the parcels reconfigured.**
- 6. That the requested **variance** of said property is: **to allow the lot depth to exceed 2 ½ times the lot width for 3 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 **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.**

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 **approved**, which was duly seconded by **Patrick Somers.**

The vote of the Board was as follows:

YES: Charles Chimento, Donn Malwick, Peggy Egizii, Patrick Somers, Don Wulf

NO:

ABSENT: Barbara Braner, Marvin Traylor

JD Armstrong
RECORDING SECRETARY

2-6

650.43

185.36 235

15-19
400-052

SUBJECT
PROPERTY

15-19
400-051

185.36 235

15-19
400-022

CARVER RD.

15-19
400-020

15-19
400-026

171.61

228

435

ZONING VARIANCE CHECK LIST

PETITIONER: Estate of Wilma Carver and David & Marilyn Carver and Catherine Powell

ADDRESS: 1310, 1320, & 1340 Carver Road

EXISTING ZONING: A

REQUEST DESCRIPTION: A variance to allow the lot depth to exceed 2 1/2 times the lot width for 3 parcels.

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

See attached photos.

Frontage	Lineal Feet	Existing Yards (ft.)			Area
<u>Carver Road</u>	<u>371'</u>	<u>Varied</u>	<u> </u>	<u> </u>	<u>7 acres</u>
		front	side	rear	

OTHER COMMENTS:

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

Case #: 2006-46

Address: 1310, 1320, & 1340 Carver Road



JUL 28 2006

1310 Carver Road

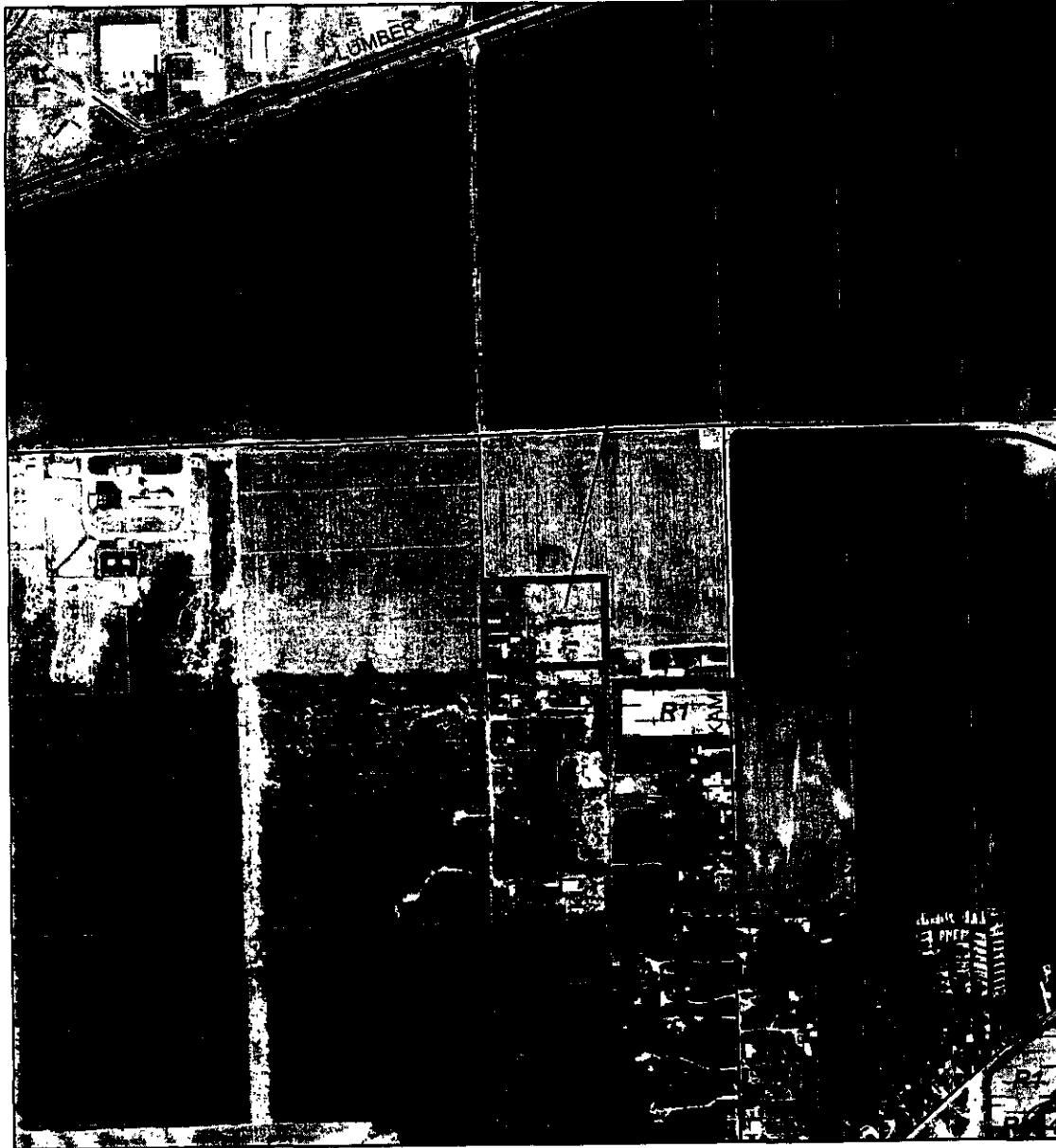


1320 Carver Road



1340 Carver Road

County Zoning Case# 2006-46

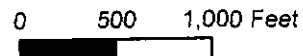


County Zoning

	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 #: **2006-46**

Address: **1310, 1320, 1340 Carver 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 request is made to facilitate a better configuration of 3 parcels.

- (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 variance would allow the squaring off of all 3 parcels by extending dividing lot lines to the rear line of one of the parcels.

- (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