

CASE # 2007-41  
RESOLUTION NUMBER 3-1

**GRANTING VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**8083 MECHANICSBURG ROAD, 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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **Diane Frederick**, has petitioned the Sangamon County Board for a **variance to allow 2 parcels less than 40 acres and a variance to allow the lot depth to exceed 2 ½ times the lot width for 1 parcel**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **July 19, 2007**, 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 variances**; and

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

**FILED**

AUG 02 2007


*Joe Aiello*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 14<sup>th</sup> day of August that the request for a variance to allow 2 parcels less than 40 acres and a variance to allow the lot depth to exceed 2 ½ times the lot width for 1 parcel on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14<sup>th</sup> day of August, 2007.

Respectfully submitted,

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

  
\_\_\_\_\_  
TIM MOORE, CHAIRMAN

\_\_\_\_\_  
ABE FORSYTH, VICE CHAIRMAN

\_\_\_\_\_  
JENNIFER DILLMAN

\_\_\_\_\_  
DAVID MENDENHALL

\_\_\_\_\_  
GEORGE PRECKWINKLE

\_\_\_\_\_  
SAM SNELL

\_\_\_\_\_  
DON STEPHENS

\_\_\_\_\_  
LINDA DOUGLAS WILLIAMS

**ATTEST:**

  
\_\_\_\_\_  
SANGAMON COUNTY CLERK

  
\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

**Exhibit A**

That part of the Southwest Quarter of Section 25, Township 16 North, Range 4 West of The Third Principal Meridian Lying South of the North Fork of the Sangamon River described as follows: From an Iron Pin at the Southwest corner of Section 25, North along the West Line of Section 25 measure 45 feet to the North Right-of-Way Line of County Highway 12; Thence East along said North Right-of-Way Line on an Assumed Bearing of North 88 degrees 25 minutes 37 seconds East, measure 239.31 feet to the East Line of the West 3 acres of the part of said Southwest Quarter lying South of the North Fork of the Sangamon River, said point also being the point of beginning; Thence North 88 degrees 25 minutes 37 seconds East along said North Right-of-way Line, measure 159.49 feet; Thence North 01 degree 41 minutes 46 seconds West, Measure 161.22 feet; Thence North 88 degrees 18 minutes 14 seconds East, measure 115 feet; Thence South 01 degrees 41 minutes 46 seconds East, measure 161.41 feet to a point on said North Right-of-Way Line; Thence North 88 degrees 25 minutes 37 seconds East, measure 355.97 feet; Thence North 0 degrees 21 minutes 00 seconds East, measure 9.87 feet to a concrete Right-of-Way marker; Thence South 87 degrees 38 minutes 45 seconds East, measure 364.6 feet to the Left of Bank on the North Fork of the Sangamon River; Thence along said Left Bank Northerly, Westerly and Southerly measure 2570 feet, more or less to a point on the East Line of the West 3 acres of the part of said Southwest Quarter Lying South of said North Fork; Thence South 0 degrees 34 minutes 10 seconds East along the East Line of said West 3 acres, measure 490 feet more or less to the said point of beginning. Situated in Sangamon County, Illinois.

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 9 NAME: **Sarah Musgrave**

DOCKET NUMBER: **2007-41**

ADDRESS: **8083 Mechanicsburg Road, Springfield, IL 62707**

PETITIONER: **Diane Frederick**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance to allow 2 parcels less than 40 acres and a variance to allow the lot depth to exceed 2 ½ times the lot width for 1 parcel**

AREA: **13.58 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: <b>2007-41</b>
<b>Diane Frederick</b> )	
)	PROPERTY LOCATED AT:
)	<b>8083 Mechanicsburg Road,</b>
)	<b>Springfield, IL 62707</b>
)	

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 **variances** 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 19, 2007** 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 **8083 Mechanicsburg Road, Springfield, IL 62707** 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 and timber.**
- 5. That the proposed land use of said property is **Divide off a parcel for a new home site.**
- 6. That the requested **variances** of said property are: **to allow 2 parcels less than 40 acres and to allow the lot depth to exceed 2 ½ times the lot width for 1 parcel.**
- 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 **variances** 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 **variances** be **approved.**

Charles Chimento  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor** 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, Peggy Egizii, Judith Johnson, Patrick Somers, Marvin Traylor**

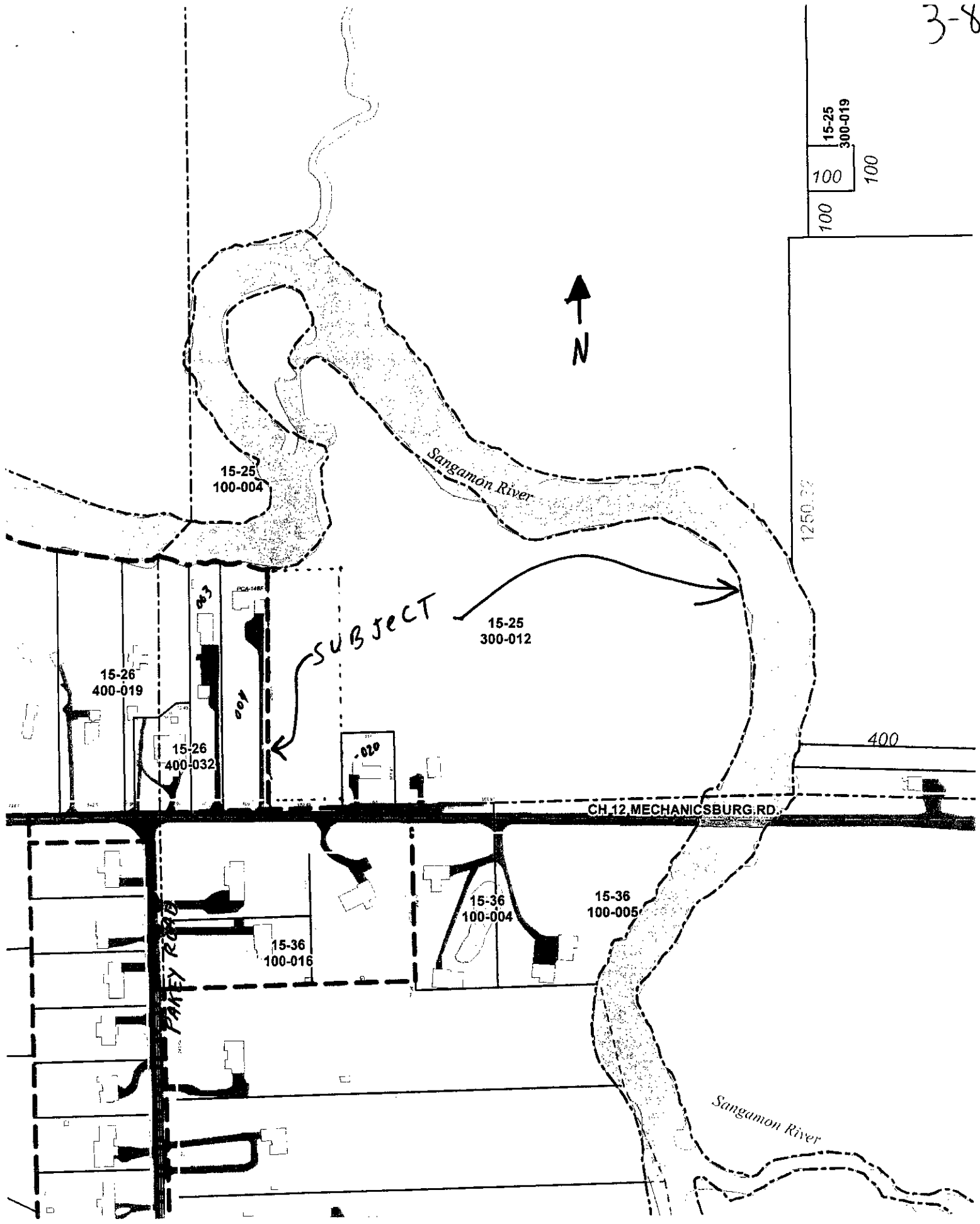
NO:

ABSENT:

A. O. Armstrong  
RECORDING SECRETARY

**Exhibit A**

That part of the Southwest Quarter of Section 25, Township 16 North, Range 4 West of The Third Principal Meridian Lying South of the North Fork of the Sangamon River described as follows: From an Iron Pin at the Southwest corner of Section 25, North along the West Line of Section 25 measure 45 feet to the North Right-of-Way Line of County Highway 12; Thence East along said North Right-of-Way Line on an Assumed Bearing of North 88 degrees 25 minutes 37 seconds East, measure 239.31 feet to the East Line of the West 3 acres of the part of said Southwest Quarter lying South of the North Fork of the Sangamon River, said point also being the point of beginning; Thence North 88 degrees 25 minutes 37 seconds East along said North Right-of-way Line, measure 159.49 feet; Thence North 01 degree 41 minutes 46 seconds West, Measure 161.22 feet; Thence North 88 degrees 18 minutes 14 seconds East, measure 115 feet; Thence South 01 degrees 41 minutes 46 seconds East, measure 161.41 feet to a point on said North Right-of-Way Line; Thence North 88 degrees 25 minutes 37 seconds East, measure 355.97 feet; Thence North 0 degrees 21 minutes 00 seconds East, measure 9.87 feet to a concrete Right-of-Way marker; Thence South 87 degrees 38 minutes 45 seconds East, measure 364.6 feet to the Left of Bank on the North Fork of the Sangamon River; Thence along said Left Bank Northerly, Westerly and Southerly measure 2570 feet, more or less to a point on the East Line of the West 3 acres of the part of said Southwest Quarter Lying South of said North Fork; Thence South 0 degrees 34 minutes 10 seconds East along the East Line of said West 3 acres, measure 490 feet more or less to the said point of beginning. Situated in Sangamon County, Illinois.



15-25  
100-004

15-26  
400-019

15-26  
400-032

15-25  
300-012

15-36  
100-004

15-36  
100-005

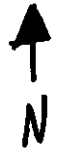
15-36  
100-016

PAVEY ROAD

CH 12 MECHANICSBURG RD.

Sangamon River

Sangamon River



15-25  
300-019  
100  
100

1250.32

400



**SSCRPC** Springfield Sangamon County Regional Planning Commission

**Staff Findings and Recommendation**  
 (inspected 7/2/07 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-41  
 ADDRESS 8083 Mechanicsburg Road  
 Property Index # 15-25-300-012

PETITIONER **Frederick, Diane**

REQUESTED ZONING A variance to allow 2 parcels less than 40 acres and a variance to allow the lot depth to exceed 2 1/2 times the lot width for 1 parcel.

PROPOSED LAND USE Divide off a parcel for a new home site

EXISTING:

ZONING A

LAND USE Single family residence and timber

ROAD FRONTAGE Mechanicsburg Rd. 850' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence

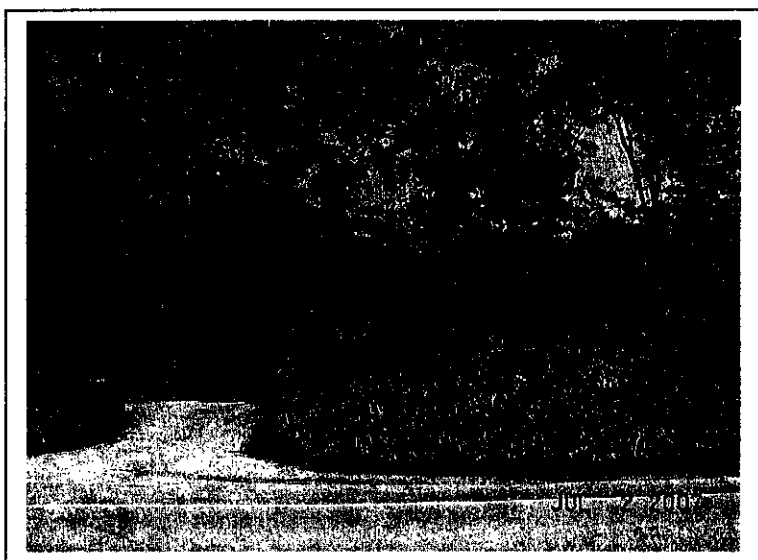
CONDITION OF STRUCTURE Good

LOT AREA 13.58 acres

FRONT YARD 68'

SIDE YARDS 325'/640'

REAR YARD 627'



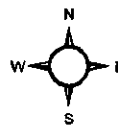
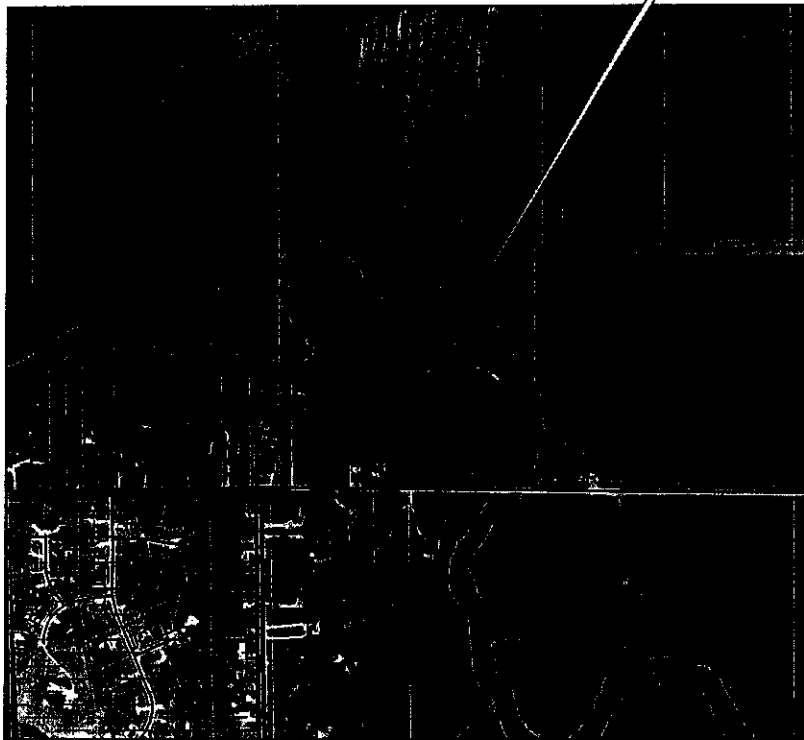
Would the proposed zoning be spot zoning? NA

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

# County Zoning













## Case# 2007-41

Requested:  
Variance





















07\$50300 Feet

### County Zoning

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

### City Zoning

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

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2007-41**

Address: **8083 Mechanicsburg 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 division 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 request is made to divide off the existing home from a suitable building site. The subject property covers a very large road frontage that is interrupted by a house on a separate lot. The petitioner plans to create a new building site on the property on the west side of this separate lot. Given the size of the tracts in the area, division of this property would be in line with the trend.**

- (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 impact is anticipated.**