

CASE # 2007-45 M-1
RESOLUTION NUMBER _____

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
7670 & 7690 N. STATE ROUTE 29, 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:

See Exhibit A

WHEREAS, the Petitioners, **Eddie & Linda Derringer**, have petitioned the Sangamon County Board for a **variance of the lot area requirement to allow 2 parcels less than 40 acres and to allow the lot depth to exceed 2 ½ times the lot width for one parcel**; and

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

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

FILED
AUG 24 2007
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 11th day of September, 2007 that the request for a variance of the lot area requirement to allow 2 parcels less than 40 acres and to allow the lot depth to exceed 2 ½ times the lot width for one parcel on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 11th day of September, 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:

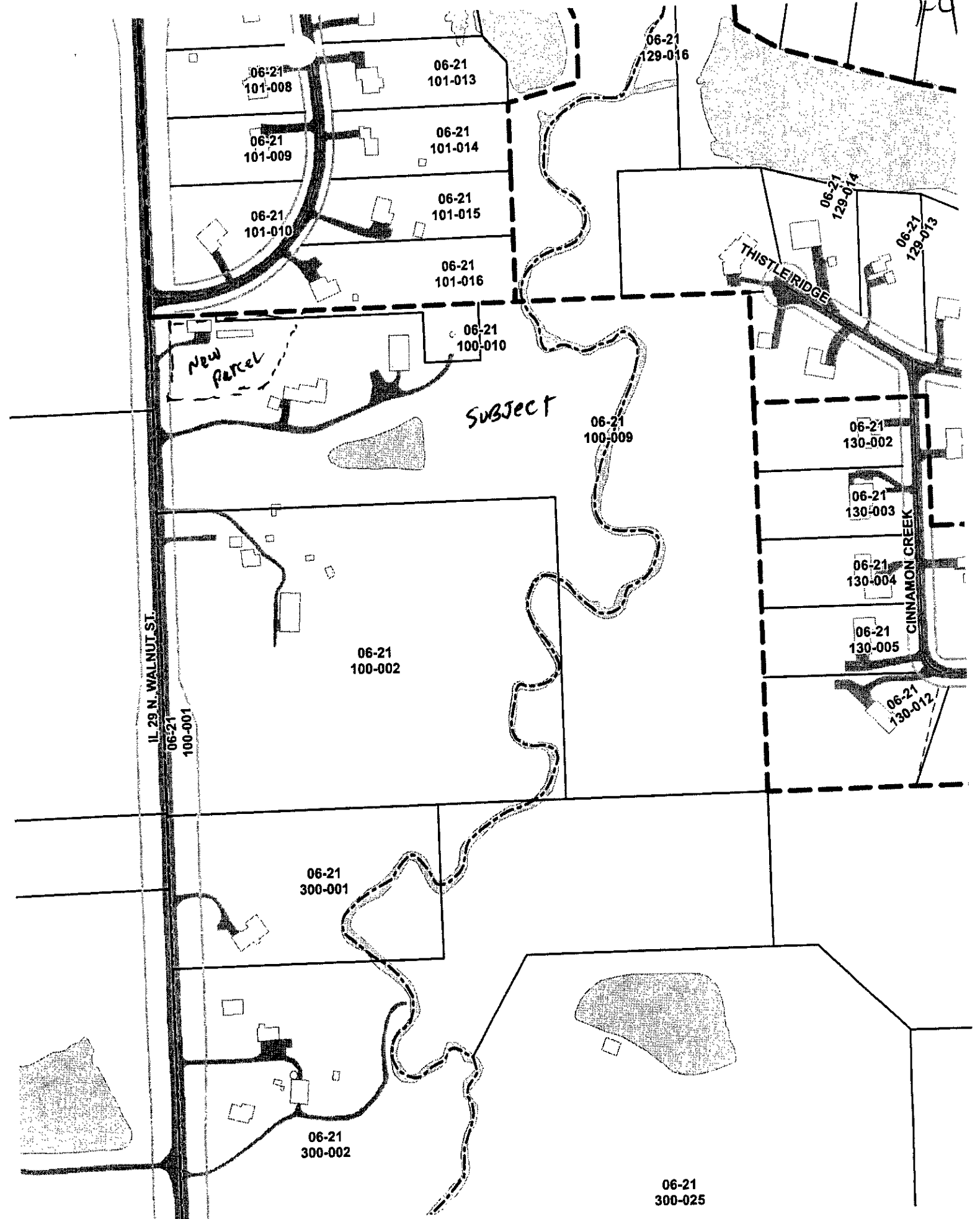

SANGAMON COUNTY CLERK


COUNTY BOARD CHAIRMAN

EXHIBIT "A"

Part of the North Half of the Southwest Quarter of the Northwest Quarter, and the East one-third of the South Half of the Southwest Quarter of the Northwest Quarter of Section 21, Township 17 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

Beginning at the Southeast corner of the Southwest Quarter of the Northwest Quarter of said Section 21, thence West on the Quarter Section line 441.54 feet; thence North parallel to the East line of said Quarter Quarter Section; 663.70 feet; thence West parallel to the aforesaid Quarter Section line 884.40 feet to the West line of said Section; thence North on the Section line 429.00 feet; thence East parallel to the Quarter Section Line 1326.64 feet to the Quarter Quarter Section line; thence South 1092.7 feet to the point of beginning. Accepting therefore a parcel deeded to the city of Athens, document number 2001R67762.



06-21
101-008

06-21
101-013

06-21
129-016

06-21
101-009

06-21
101-014

06-21
101-010

06-21
101-015

06-21
101-016

06-21
129-014

06-21
129-013

THISTLE RIDGE

New Parcel

06-21
100-010

SUBJECT

06-21
100-009

06-21
130-002

06-21
130-003

06-21
130-004

06-21
130-005

06-21
130-012

CINNAMON CREEK

11. 29 N. WALNUT ST.

06-21
100-001

06-21
100-002

06-21
300-001

06-21
300-002

06-21
300-025

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 2 NAME: **Todd Smith**

DOCKET NUMBER: **2007-45**

ADDRESS: **7670 & 7690 N. State Route 29, Springfield**

PETITIONER: **Eddie & Linda Derringer**

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

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

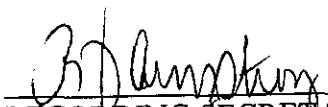
AREA: **19.27 acres**

COMMENTS: **None**

OBJECTORS: **None**

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

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



RECORDING SECRETARY

7-6

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2007-45
Eddie & Linda Derringer))
)	PROPERTY LOCATED AT:
)	7670 & 7690 N. State Route 29
)	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 16, 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 **7670 & 7690 N. State Route 29, Springfield, IL 62707** and more particularly described as:

See Exhibit A

'77

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 Manufactured home.**
5. That the proposed land use of said property is **to divide into 2 parcels.**
6. That the requested **variance** of said property is: **of the lot area requirement to allow 2 parcels less than 40 acres and to allow the lot depth to exceed 2 1/2 times the lot width for one 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 **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 **Peggy Egizii** 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, Peggy Egizii, Patrick Somers, Marvin Traylor, Barbara Braner**

NO:

ABSENT: **Judith Johnson**



 RECORDING SECRETARY

EXHIBIT "A"

Part of the North Half of the Southwest Quarter of the Northwest Quarter, and the East one-third of the South Half of the Southwest Quarter of the Northwest Quarter of Section 21, Township 17 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

Beginning at the Southeast corner of the Southwest Quarter of the Northwest Quarter of said Section 21, thence West on the Quarter Section line 441.54 feet; thence North parallel to the East line of said Quarter Quarter Section; 663.70 feet; thence West parallel to the aforesaid Quarter Section line 884.40 feet to the West line of said Section; thence North on the Section line 429.00 feet; thence East parallel to the Quarter Section Line 1326.64 feet to the Quarter Quarter Section line; thence South 1092.7 feet to the point of beginning. Accepting therefore a parcel deeded to the city of Athens, document number 2001R67762.

SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 8/2/07 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-45
 ADDRESS 7670 and 7690 N. State Route 29
 Property Index # 06-21-100-009

PETITIONER Derringer, Eddie & Linda

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

PROPOSED LAND USE Divide into 2 parcels

EXISTING:

ZONING A

LAND USE Single family residence and manufactured home

ROAD FRONTAGE State Route 29 429' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence

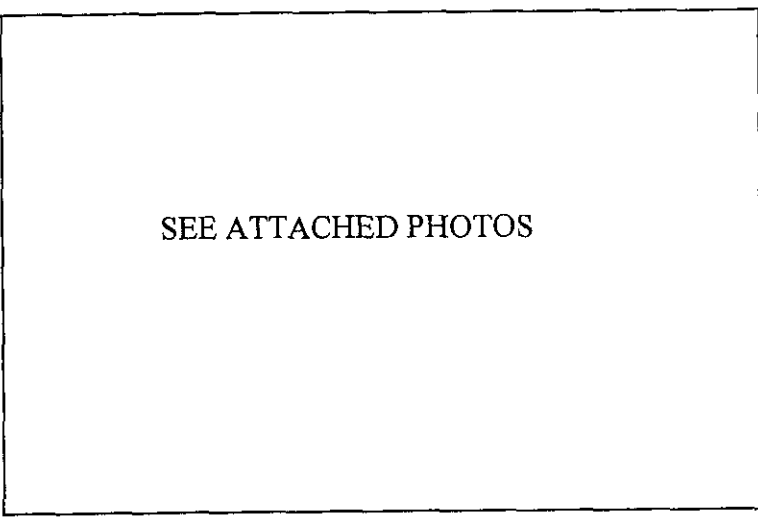
CONDITION OF STRUCTURE Good

LOT AREA 19.27 acres

FRONT YARD Varied

SIDE YARDS Varied

REAR YARD Varied



Would the proposed zoning be spot zoning? NA

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

Case #: 2007-45

Address: 7670 and 7690 N. State Route 29



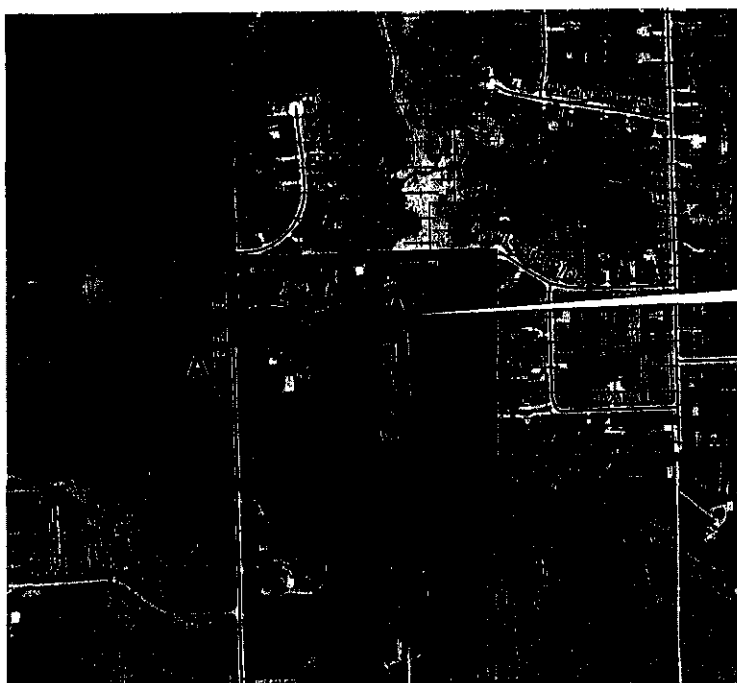
7670 N. State Route 29



7690 N. State Route 29

County Zoning

Case# 2007-45



Requested:
Variance

County Zoning

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

City Zoning

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



**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2007-45**
Address: **7670 and 7690 N. State Route 29**

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.

Petitioner would like to divide the property so each existing home is on a separate lot.

- (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 negative impact is anticipated.