

CASE # 2008-26
RESOLUTION NUMBER 6-1

GRANTING A REZONING AND VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
1335 W. REYNOLDS, 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 an amendment and variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

Lots 136, 137 and 138 of Elmhurst Addition

WHEREAS, the Petitioner, **John Lowe**, has petitioned the Sangamon County Board for a **rezoning from "R-2" Single Family and Two Family Residence District to "RM-4" Manufactured Home District and a variance of 17.60.050 to allow a Certificate of Zoning Compliance for lots that do not have frontage on a publicly maintained road; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **April 17, 2008**, 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 rezoning and variance; and**

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

FILED

MAY 02 2008

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13th day of May, 2008 that the request to rezone the above described property from "R-2" Single Family and Two Family Residence District to "RM-4" Manufactured Home District and a variance of 17.60.050 to allow a Certificate of Zoning Compliance for lots that do not have frontage on a publicly maintained road is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13th day of May, 2008.

Respectfully submitted,

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

TIM MOORE, CHAIRMAN

Abe Forsyth

ABE FORSYTH, VICE CHAIRMAN

JENNIFER DILLMAN

DAVID MENDENHALL

GEORGE PRECKWINKLE

SAM SNELL

DON STEPHENS

LINDA DOUGLAS WILLIAMS

ATTEST:

Joe Bell

SANGAMON COUNTY CLERK

A. [Signature]

COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #11 NAME: Mike Sullivan

DOCKET NUMBER: 2008-26

ADDRESS: 1335 W. Reynolds, Springfield, IL 62702

PETITIONER: John Lowe

PRESENT ZONING CLASSIFICATION: "R2" Single Family and Two Family Residence District

REQUESTED ZONING CLASSIFICATION: "RM-4" Manufactured Home District and a variance of 17.60.050 to allow a Certificate of Zoning Compliance for lots that do not have frontage on a publicly maintained road

AREA: 20,800 Square feet

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval of RM-4 zoning due to many similar uses in the area. Recommend denial of the requested variance unless the petitioner gets approval from the road commissioner for construction of an access road leading to the subject property.

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: 2008-26
John Lowe)	
)	PROPERTY LOCATED AT:
)	1335 W. Reynolds
)	Springfield, IL 62702
)	

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 17, 2008** 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 **1335 W. Reynolds, Springfield, IL 62702** and more particularly described as:

Lots 136, 137 and 138 of Elmhurst Addition

- 3. That the present zoning of said property is **“R2” Single Family and Two Family Residence District.**
- 4. That the present land use of said property is **Vacant lots.**
- 5. That the proposed land use of said property is **Manufactured Home.**
- 6. That the requested **rezoning** of said property is **from “R-2” Single Family and Two Family Residence District to “RM-4” Manufactured Home District and a variance of 17.60.050 to allow a Certificate of Zoning Compliance for lots that do not have frontage on a publicly maintained road.**
- 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 and 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 **rezoning and 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 **Judith Johnson.**

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, Marvin Traylor**

NO:

ABSENT: **Don Wulf**



 RECORDING SECRETARY

6-4

14-29
427-005

14-29
427-006

W. CARPENTER ST.

14-29
428-043

14-29
428-040

14-29
428-013

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428-014

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428-015

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428-016

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428-021

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428-025

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428-026

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428-028

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428-041

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428-031

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428-032

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428-033

14-29
428-048

SUBJECT

W. REYNOLDS ST.

14-29
430-028

14-29
430-017

14-29
430-018

IL 97 W. JEFFERSON ST.

6-7

SSCRPC **Springfield Sangamon County Regional Planning Commission**

Staff Findings and Recommendation
 (inspected 4-2-08 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2008-26
 ADDRESS 1335 W. Reynolds
 Property Index # 14-29-428-026 and -027

PETITIONER Lowe, John

REQUESTED ZONING RM-4 and a variance of 17.60.050 to allow a Certificate of Zoning Compliance for lots that do not have frontage on a publicly maintained road.

PROPOSED LAND USE Manufactured home

EXISTING:

ZONING R-2

LAND USE Vacant

ROAD FRONTAGE W. Reynolds - 0' CONDITION OF PAVEMENT Poor

STRUCTURE DESIGNED FOR N/A

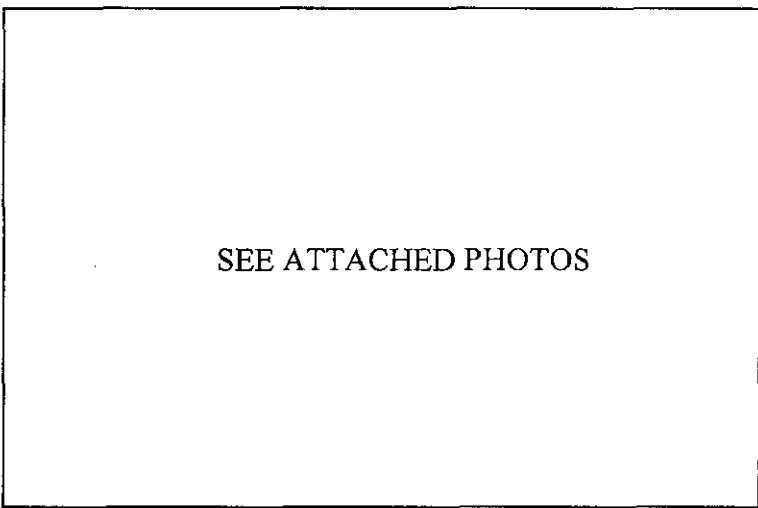
CONDITION OF STRUCTURE N/A

LOT AREA 20,800 square feet

FRONT YARD N/A

SIDE YARDS N/A

REAR YARD N/A



Would the proposed zoning be spot zoning? No

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval of RM-4 zoning due to many similar uses in the area. Recommend denial of the requested variance unless the petitioner gets approval from the road commissioner for construction of an access road leading to the subject property.

6-8

Case #: 2008-26
Address: 1335 W. Reynolds



1335 W. Reynolds



1335 W. Reynolds (b)

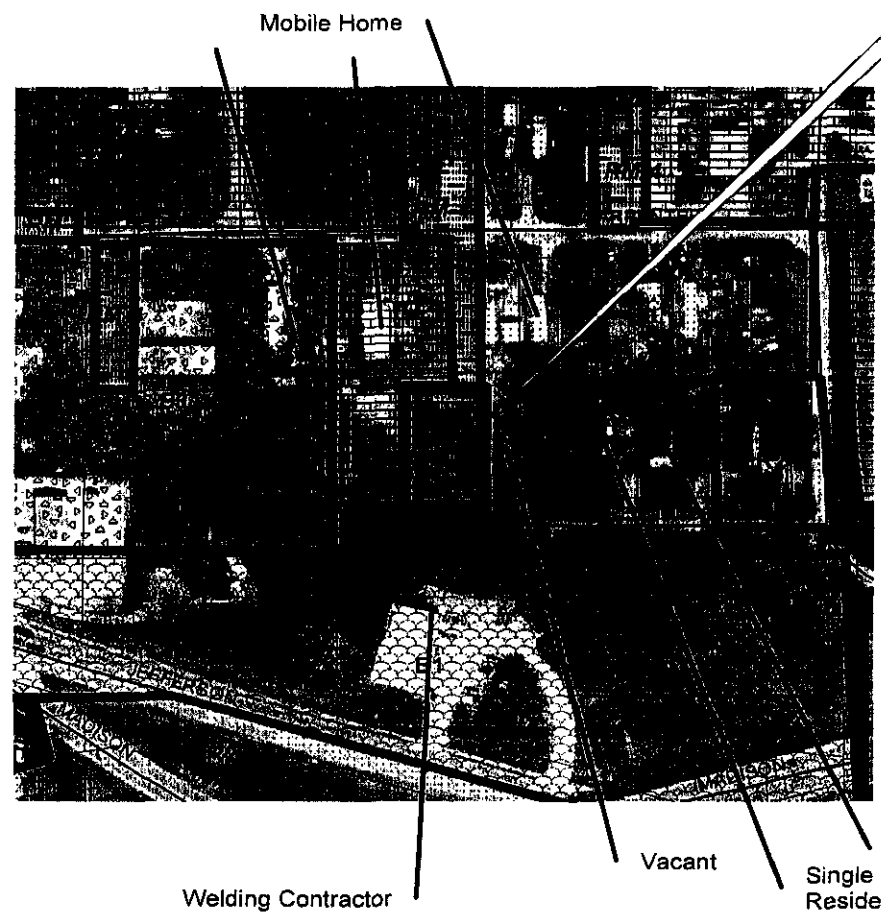


Facing south

County Zoning

Case# 2008-26

Requested:
RM-4 &
Variance



Welding Contractor

Vacant

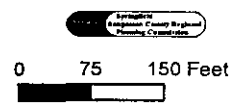
Single Family Residence

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 - FINDINGS OF FACT**

Case #: **2008-26**

Address: **1335 W. Reynolds**

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

There is a mixture of single family residences and mobile homes.

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

To the west is R-2. To the north is R-2 and RM-4. To the east and south is city R-2. Further west is B-3. Further south is B-1.

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

There are a number of mobile homes in the area with some single family residences.

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

Property further west was rezoned to RM-4 in 1990. Properties further north were rezoned to RM-4 in 1979, 2004 and 2007.

6-11

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2008-26**

Address: **1335 W. Reynolds**

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 build an access road and driveway leading to the subject 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 subject property has been in existence since the 1950s with zero road frontage. The petitioner must submit a document for legal access to the property with approval from the road commissioner.

- (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.