

CASE # 2008-58
RESOLUTION NUMBER 10-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
2801 N. 5TH STREET, 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:

The South 500' of the East 350' of the Southwest Quarter of the Northwest Quarter of Section 15, Township 16 North, Range 5 West of the Third Principal Meridian.

WHEREAS, the Petitioner, **David Mendenhall**, has petitioned the Sangamon County Board for a **variance to allow a 6' solid fence in a required front yard**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **September 18, 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 variance**; and

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

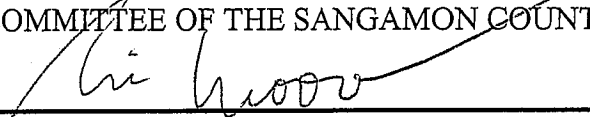
FILED
OCT 01 2008
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14th day of October, 2008 that the request for a variance to allow a 6' solid fence in a required front yard on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14th day of October, 2008.

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

10-3

14-15
100-010

Spring Creek

14-15
100-016

14-15
100-013

ILL. ANN. VETERANS PKWY
14-15
100-017

2008-58
Mendon Hall
2801 N 5th

14-15
100-012

14-15-100-009

14-15
100-021

14-15
100-009

fence

DREXEL AVE.

	14-15 303-016	14-15 303-032	14-15 303-032	14-15 303-015	14-15 307-001	14-15 307-032	14-15 307-017	14-15 308-035	14-15 304-001	14-15 304-003	14-15 304-005	14-15 304-007	14-15 304-009	14-15 304-011	14-15 304-013	14-15 304-015	14-15 304-016	14-15 304-030
N. 2nd St.	14-15 306-002	14-15 306-040	14-15 306-006	14-15 306-017	14-15 306-019	14-15 307-006	14-15 307-018											

14-15
326-001

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #17 NAME: **John Fulgenzi**

DOCKET NUMBER: **2008-58**

ADDRESS: **2801 N. 5th Street, Springfield, IL 62705-2105**

PETITIONER: **David Mendenhall, County Board member**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance to allow a 6' solid fence in a required front yard**

AREA: **4.02 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: 2008-58
David Mendenhall, County Board member)	
)	PROPERTY LOCATED AT:
)	2801 N. 5th Street
)	Springfield, IL 62705-2105
)	

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 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 **2801 N. 5th Street, Springfield, IL 62705-2105** and more particularly described as:

The South 500' of the East 350' of the Southwest Quarter of the Northwest Quarter of Section 15, Township 16 North, Range 5 West of the Third Principal Meridian.

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is a County office and training area for the Office of Emergency Management and Sangamon County Rescue Squad.
- 5. That the proposed land use of said property is a County office and training area for the Office of Emergency Management and Sangamon County Rescue Squad.
- 6. That the requested variance of said property is to allow a 6' solid fence in a required front yard.
- 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 granted which was duly seconded by Judith Johnson.

The vote of the Board was as follows:

YES: Charles Chimento, Byron Deaner, Judith Johnson, Peggy Egizii, John Luchessi

NO:

ABSENT: Marvin Traylor, Don Wulf


 RECORDING SECRETARY

SSCRPC Springfield
Sangamon County Regional
Planning Commission

Staff Findings and Recommendation
(inspected 9/5/08 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2008-58
ADDRESS 2801 N. 5th Street
Property Index # 14-15-100-009

PETITIONER Mendenhall, David

REQUESTED ZONING A variance to allow a 6' solid fence in a required front yard.

PROPOSED LAND USE County office and training area for the Office of Emergency Management and Sangamon County Rescue Squad.

EXISTING:

ZONING A

LAND USE County office and office training area for the Office of Emergency Management and Sangamon County Rescue Squad.

ROAD FRONTAGE N. 5th Street - 495' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Office

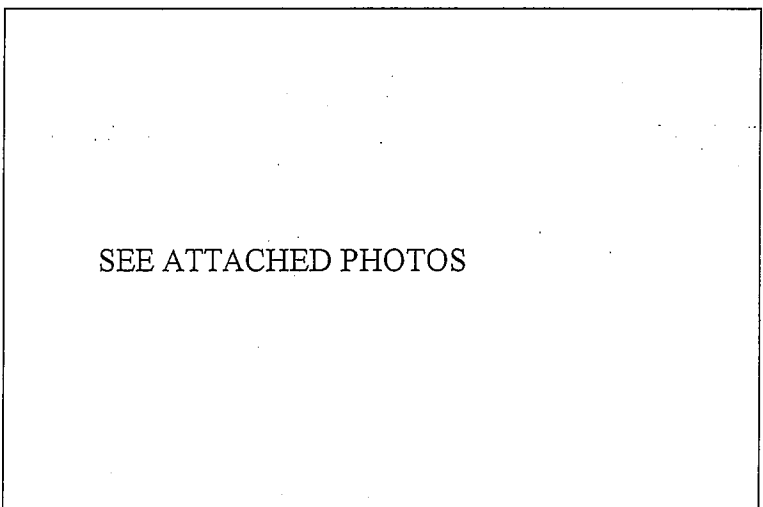
CONDITION OF STRUCTURE Good

LOT AREA 4.02 acres

FRONT YARD 60'

SIDE YARDS 75' / 330'

REAR YARD 160'



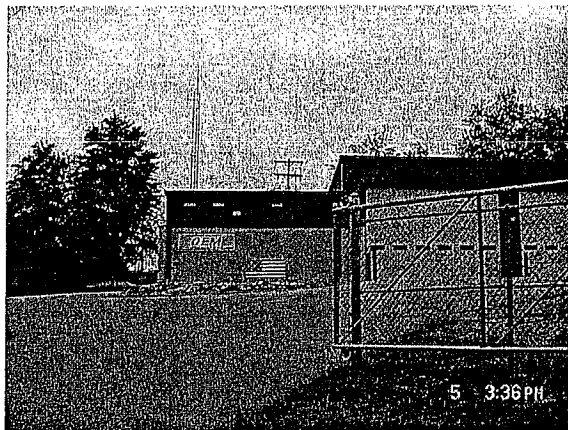
Would the proposed zoning be spot zoning? N/A

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

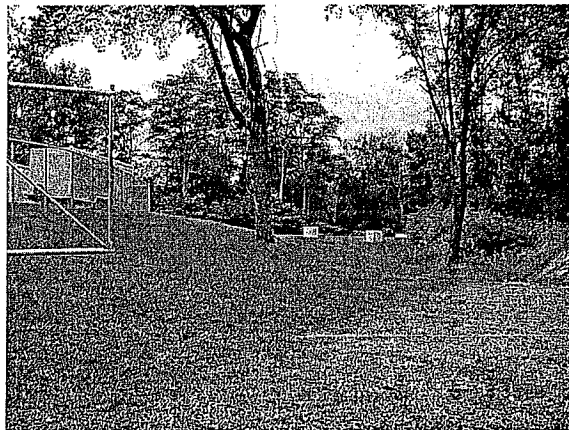
10-8

Case #: 2008-58

Address: 2801 N. 5th Street



2801 N. 5th Street

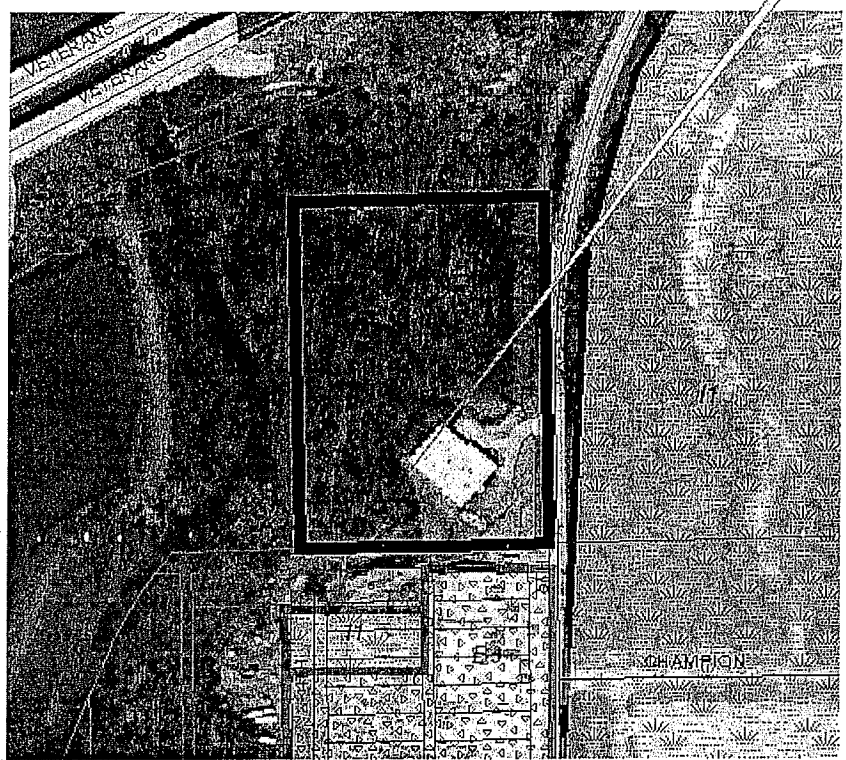


2801 N. 5th Street

County Zoning

Case# 2008-58

Requested:
Variance



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



10-10

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2008-58

Address: 2801 N. 5th 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 proposed variance would allow for more privacy in the training area for the Office of Emergency Management and Sangamon County Rescue Squad.

- (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 sits on a 4 acre lot and the property line is approximately 30 feet from the road.

- (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.