

CASE # 2008-53
RESOLUTION NUMBER 6-1
DENYING A USE VARIANCE

FOR CERTAIN PROPERTY LOCATED AT
1432 NO. MILTON, 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 **deny a use variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

The North 80' of lot 152 of Wanless Ridgewood Addition.

WHEREAS, the Petitioner, **Judith Siens**, has petitioned the Sangamon County Board for **a use variance to allow storage for a home based business in the garage (window and door replacement company.);** 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 **deny the use 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

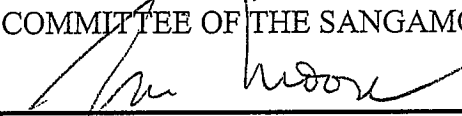
6-2

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 use variance to allow storage for a home based business in the garage (window and door replacement company) on the above described property is hereby denied.

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

6-3

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 10 NAME: Rosemarie Long

DOCKET NUMBER: 2008-53

ADDRESS: 1432 No. Milton, Springfield, IL. 62702

PETITIONER: Judith Siens

PRESENT ZONING CLASSIFICATION: "RM-4" Manufactured Home District

REQUESTED ZONING CLASSIFICATION: "RM-4" Manufactured Home District with a
use variance to allow storage for a home
based business in the garage (window and
door replacement company.)

AREA: 1.6 Acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend denial of requested
use variance. The standards for
variation are not met and are
meant to support a non-permitted
use when no other viable option is
apparent.**

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



RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2008-53
Judith Siens)	
)	PROPERTY LOCATED AT:
)	1432 No. Milton
)	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 a **use 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 **September 18, 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 **1432 No. Milton, Springfield, IL. 62702** and more particularly described as:

The North 80' of lot 152 of Wanless Ridgewood Addition.

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3. That the present zoning of said property is "RM-4" Manufactured Home District.
4. That the present land use of said property is **Garage & Manufactured Home.**
5. That the proposed land use of said property is **Storage for business in garage (window and door replacement.)**
6. That the requested **use variance** of said property is **to allow storage for a home based business in the garage (window and door replacement company.)**
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 not** support the proposition that the adoption of the proposed **use 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 **use variance** be **denied**.



 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Byron Deaner** to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **denied** which was duly seconded by **John Lucchesi**.

The vote of the Board was as follows:

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

NO:

ABSENT: **Marvin Traylor, Don Wulf**



 RECORDING SECRETARY

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14-24
328-001

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377-032

14-24
377-031

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327-002

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377-016

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2008-53
Siens
1432 N MILTON
14-24-377-033

153

152

14-24
377-033

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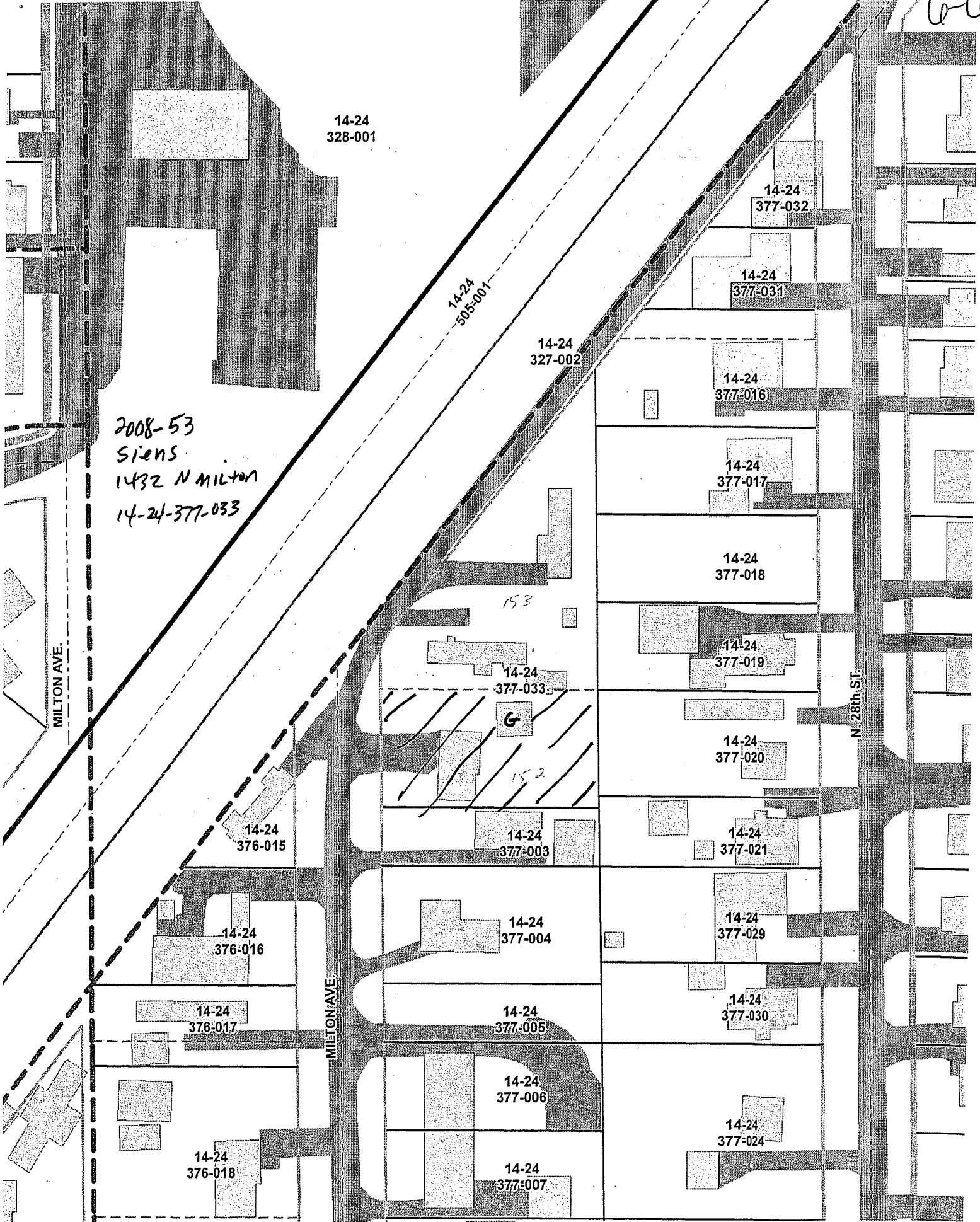
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376-017

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376-018

MILTON AVE.

MILTON AVE.

N 28th ST.



67

SSCRPC

Springfield
Sangamon County Regional
Planning Commission

SANGAMON COUNTY ZONING CASE # 2008-53

Staff Findings and Recommendation

ADDRESS 1432 No. Milton

(inspected 8/8/08 by MB & AJ)

Property Index # 14-24-377-033

PETITIONER Siens, Judith

REQUESTED ZONING Use Variance to allow for storage for business in existing garage as well as painting and staining.

PROPOSED LAND USE Storage for business in garage for window and door replacement.

EXISTING:

ZONING RM-4

LAND USE Two mobile homes, one single family residence and storage of tools and materials in existing garage.

ROAD FRONTAGE N. Milton - 240'

CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residences

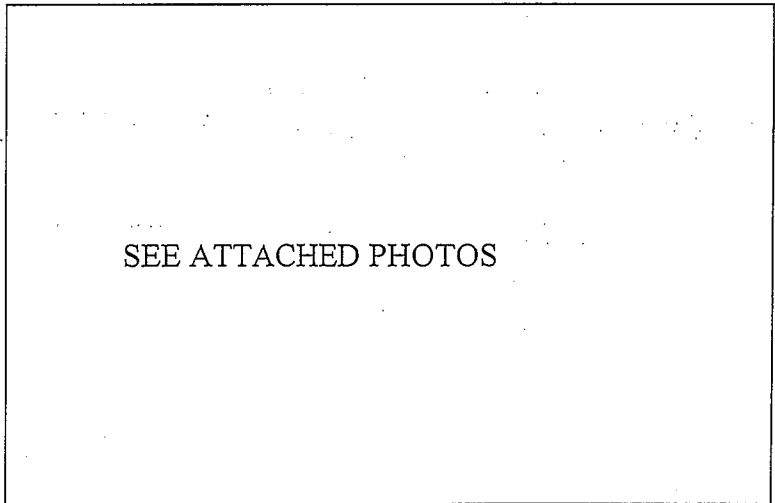
CONDITION OF STRUCTURE Good

LOT AREA 1.6 acres

FRONT YARD Varied

SIDE YARDS Varied

REAR YARD Varied



SEE ATTACHED PHOTOS

Would the proposed zoning be spot zoning? N/A

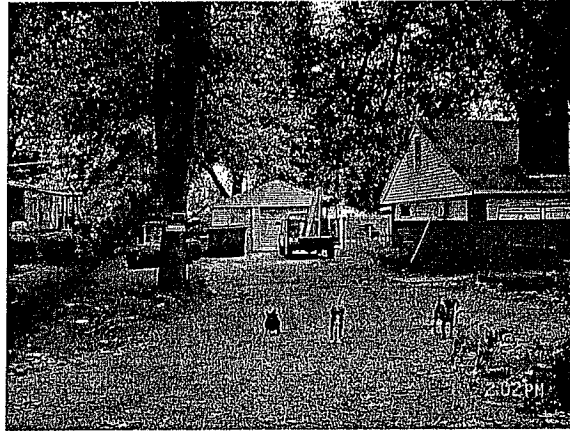
PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend denial of requested use variance. The standards for variation are not met and are meant to support a non-permitted use when no other viable option is apparent.**

option

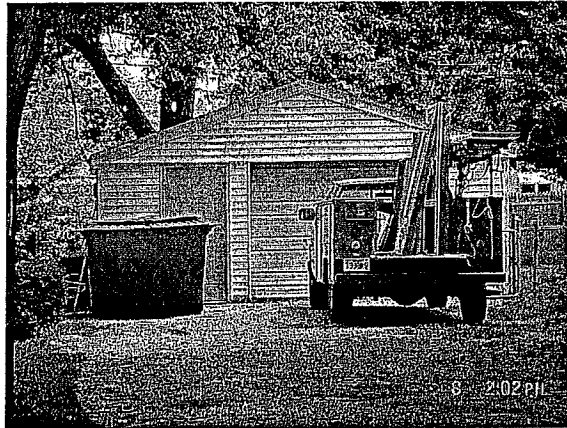
6-8

Case #: 2008-53

Address: 12609 State Rt. 125



1432 N. Milton



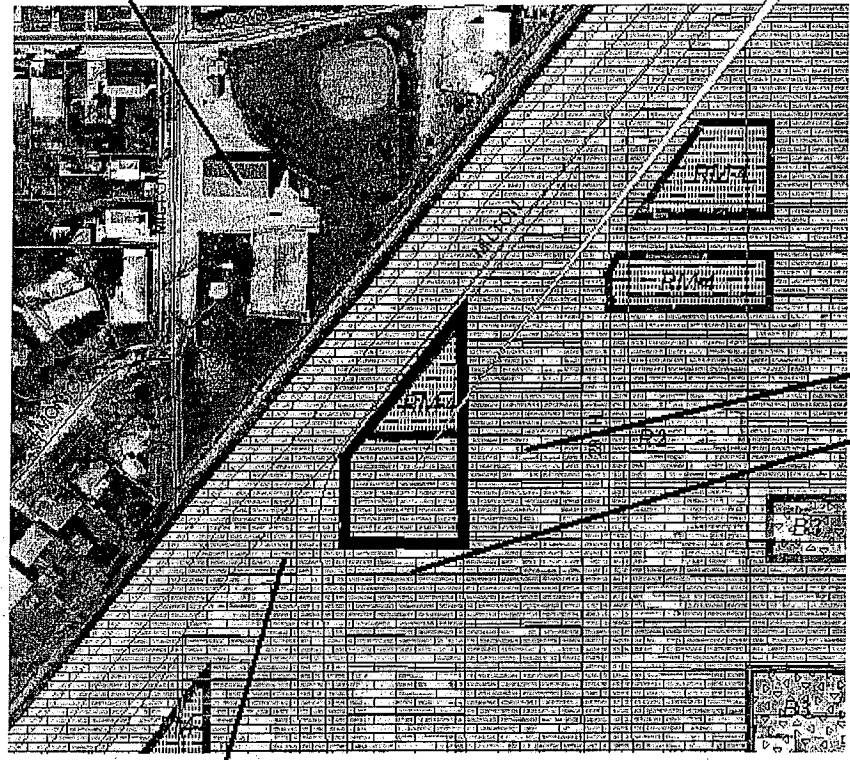
1432 N. Milton

County Zoning

Case# 2008-53

Requested:
Use Variance

Municipal
Building



Single Family
Residence

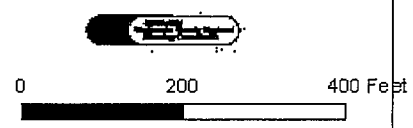
Mobile Home

County Zoning

City Zoning

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

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



RECOMMENDED STANDARDS FOR USE VARIATIONS

Case #: 2008-53

Address: 1432 N. Milton

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of the zoning ordinance be varied as authorized in Section 17.66.010 thereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the variance is justified by a showing of special circumstances demonstrating practical difficulties or particular hardship in the way of carrying out the strict letter of the Zoning Regulations.

No. There is no hardship in relation to this property.

- (ii) that the variance is compatible with the trend of development in the area.

The area has remained residential in character with some home based businesses in the vicinity.

- (iii) that the variance will benefit the community and be in harmony with the general purpose and intent of the Zoning Regulations.

There is no particular benefit to the community in having a storage garage for a window and door replacement company as well as painting and staining of materials on site.

- (iv) that the variance will not create a negative impact on the area, 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.