

CASE # 2008-55 8-1  
RESOLUTION NUMBER

**GRANTING VARIANCES**  
**FOR CERTAIN PROPERTY LOCATED AT**  
**607 N. OAKLANE 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:

**That part of the Southeast Quarter of the Northwest Quarter of Section 28, Township 16 North Range 4 West of the 3<sup>rd</sup> Principal Meridian which lies North and East of Sugar Creek.**

WHEREAS, the Petitioner, **Mark B. Mutzbauer**, 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 one parcel;** 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 variances;** and

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

**MAILED**

**OCT 01 2008**

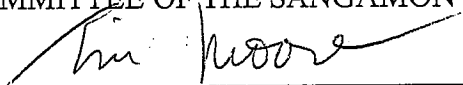
*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14<sup>th</sup> day of October, 2008 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 1/2 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 14<sup>th</sup> 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

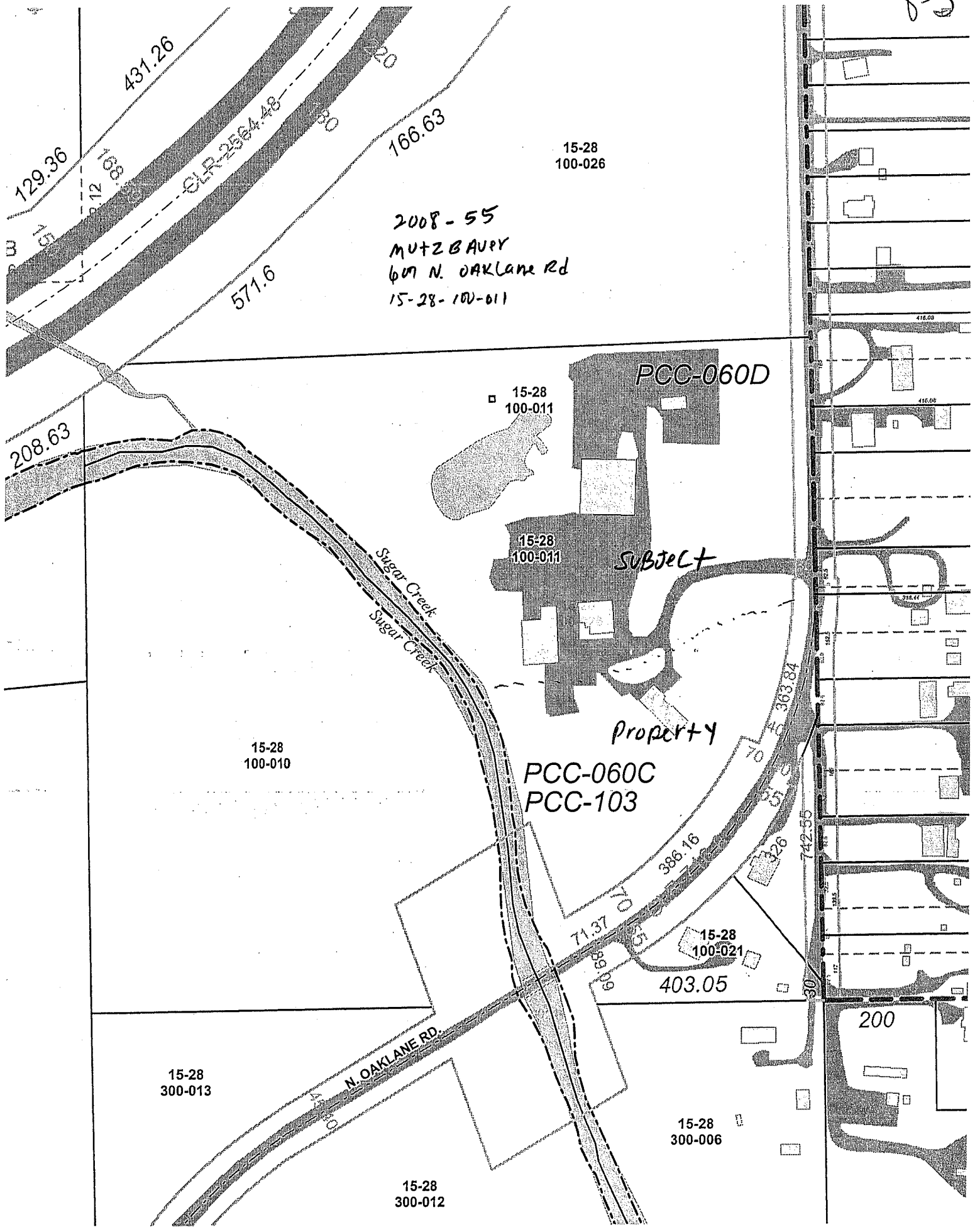
DON STEPHENS

LINDA DOUGLAS WILLIAMS

**ATTEST:**

  
SANGAMON COUNTY CLERK

  
COUNTY BOARD CHAIRMAN



431.26

129.36

168.83

ELP-2564.48

166.63

15-28  
100-026

571.6

2008-55  
MUTZBAUPT  
607 N. OAKLANE RD  
15-28-100-011

208.63

15-28  
100-011

PCC-060D

Sugar Creek  
Sugar Creek

15-28  
100-011

SUBJECT

15-28  
100-010

PROPERTY

PCC-060C  
PCC-103

70° 52' 36.84"

386.16

15-28  
100-021

403.05

15-28  
300-013

N. OAKLANE RD.

15-28  
300-006

15-28  
300-012

200

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 9 NAME: Sara Musgrave

DOCKET NUMBER: 2008-55

ADDRESS: 607 N. Oaklane Road, Springfield, IL 62707

PETITIONER: Mark B. Mutzbauer

PRESENT ZONING CLASSIFICATION: "A" Agricultural District with a use variance for a motor freight terminal.

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a use variance for a motor freight terminal and 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 one parcel.

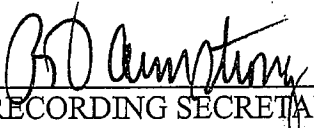
AREA: 15.97 acres

COMMENTS: None

OBJECTORS: Yes

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: **2008-55**  
Mark B. Mutzbauer )  
)  
) PROPERTY LOCATED AT:  
) **607 N. Oaklane Road**  
) **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 **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 **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 **607 N. Oaklane Road, Springfield, IL 62707** and more particularly described as:

**That part of the Southeast Quarter of the Northwest Quarter of Section 28, Township 16 North Range 4 West of the 3<sup>rd</sup> Principal Meridian which lies North and East of Sugar Creek.**

- 3. That the present zoning of said property is "A" Agricultural District with a **variance for a motor freight terminal.**
- 4. That the present land use of said property a **Motor Freight Terminal and a Single Family Residence.**
- 5. That the proposed land use of said property is **continue the existing use.**
- 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 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 **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 **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 **John Luchessi.**

The vote of the Board was as follows:

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

NO:

ABSENT: **Don Wulf, Marvin Traylor**

BJ Armstrong  
RECORDING SECRETARY

**SSCRPC** Springfield  
Sangamon County Regional  
Planning Commission

**Staff Findings and Recommendation**  
(inspected 9/7/08 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2008-55

ADDRESS 607 N. Oaklane Road

Property Index # 15-28-100-011

PETITIONER Mutzbauer, Mark B.

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

PROPOSED LAND USE Separate residence from the business.

EXISTING:

ZONING A with a use variance to allow for a motor freight terminal.

LAND USE Motor freight terminal and single family residence

ROAD FRONTAGE N. Oaklane Road - 1195' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence and business

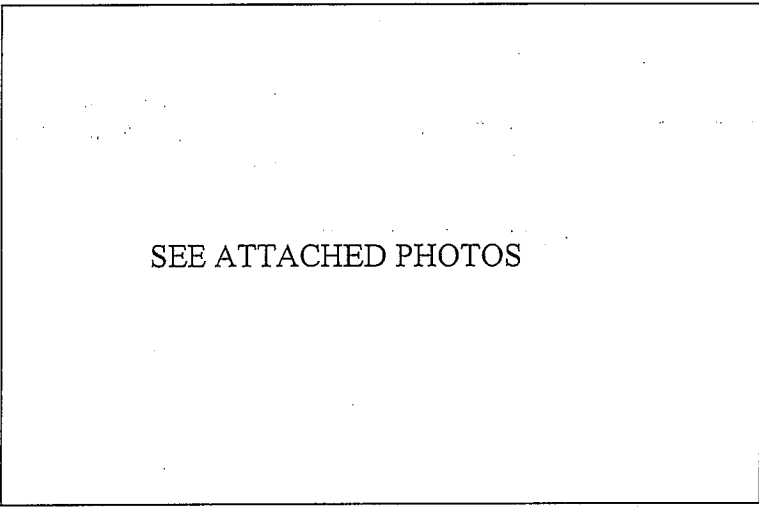
CONDITION OF STRUCTURE Good

LOT AREA 15.97 acres

FRONT YARD Varied

SIDE YARDS Varied

REAR YARD Varied



Would the proposed zoning be spot zoning? N/A

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

Case #: 2008-55

Address: 607 N. Oaklane Road



**607 N. Oaklane Road**



**607 N. Oaklane Road**



# County Zoning

## Case# 2008-55

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



0 200 400 Feet

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 20008-55

Address: 607 N. Oaklane 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.

**Granting the variance would 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 requests to separate the single family residence from the motor freight terminal business.**

- (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.**