

CASE# 2016-038
RESOLUTION NUMBER 2-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
2860 S. 15TH STREET, SPRINGFIELD, IL 62703
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:

Lot 236 of Miller's Bunn Park Addition, according to the plat thereof recorded June 5, 1916 in Volume 11 Page 24 in the Office of the Sangamon County Recorder of Deeds.

WHEREAS, the Petitioner, **Richard Fritz**, has petitioned the Sangamon County Board for a **variance to allow an accessory structure (garage) in the rear yard to be one (1) foot instead of the required three (3) feet from the property line**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **February 16, 2017** 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

MAR 01 2017

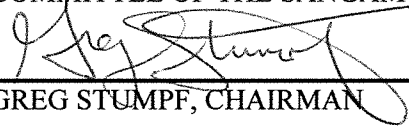
Don J. May
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **14th Day of March, 2017** that the request for a variance to allow an accessory structure (garage) in the rear yard to be one (1) foot instead of the required three (3) feet from the property line on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this **14th day of March, 2017**.

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTS

LINDA DOUGLAS WILLIAMS

ANNETTE FULGENZI

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

2.4

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #14 NAME: Joel Tjelmeland Jr.

DOCKET NUMBER: 2016-038

ADDRESS: 2860 S. 15th Street, Springfield, IL 62703

PETITIONER: Richard Fritz

PRESENT ZONING CLASSIFICATION: **“R-2” Single-Family and Two-Family Residence District.**

REQUESTED ZONING CLASSIFICATION: **“R-2” Single-Family and Two-Family Residence District with a variance to allow the garage in the rear yard to be one (1) foot instead of the required three (3) feet from the property line.**

AREA: 6,200 sq. ft.

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The Building Department issued a permit for the garage, and it was later determined after inspection that the garage was built too close to the property line. Requiring the garage to be moved could result in a financial hardship for the property owner. The Standards for Variation are met.**

SANGAMON COUNTY BOARD OF APPEALS

RECOMMENDATION: **Approval of staff recommendation**


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2016-038
Richard Fritz)	
)	PROPERTY LOCATED AT:
)	2860 S. 15th Street
)	Springfield, IL 62703

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 **February 16, 2017** 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, contract to purchase, or is the County Board Member representing the property commonly known as: **2860 S. 15th Street, Springfield, IL 62703** and more particularly described as:

Lot 236 of Miller's Bunn Park Addition, according to the plat thereof recorded June 5, 1916 in Volume 11 Page 24 in the Office of the Sangamon County Recorder of Deeds.

Page 2

3. That the present zoning of said property is **“R-2” Single-Family and Two-Family Residence District.**
4. That the present land use of said property is **single-family residence with a garage.**
5. That the proposed land use of said property is **single-family residence with a garage.**
6. That the requested **variance** of said property is **to allow an accessory structure (garage) in the rear yard to be one (1) foot instead of the required three (3) feet from the property line.**
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 *TC*

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Andrew Spiro**, 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 **Merilyn Herbert**.

The vote of the Board was as follows:

YES: **Charles Chimento, Tony Mares, Don Wulf, Andrew Spiro, Merilyn Herbert**

NO:

PRESENT:

ABSENT:


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2016-038**

Address: **2860 S. 15th Street, Springfield**

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 garage was constructed following the approval of a building permit by the Sangamon County Building Department and then found to be in violation of the setback requirement. Requiring the garage to be moved could result in a financial hardship for the property owner.

- (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 Building Department issued a permit for the garage, and it was later determined after inspection that the garage was built too close to the property line.

- (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 impacts are foreseen in granting the requested variance.