

**GRANTING A REZONING
FOR CERTAIN PROPERTY LOCATED AT
3 TREECE COURT, 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 rezoning** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Ralph and Kathy Winch**, have petitioned the Sangamon County Board requesting **pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **March 18, 2021** 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 a rezoning**; and,

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

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **12th Day of April, 2021** that the following request(s) on the **above described property is hereby approved:**

FILED

MAR 25 2021

Don Whaley

2-2

- Pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District.

Signed and passed by the Sangamon County Board in session on this 12th day of April, 2021.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

2-3

EXHIBIT A

Lot three (3) in Gardner Place, a subdivision of part of the Northeast Quarter and part of the Southeast Quarter of Section 28, Township 16 North, Range 6 West of the Third Principal Meridian, subject to drainage and utility easements and setback line of record and to roadways, if any, and to taxes for 1983 and subsequent years which Grantees assume and agree to pay; situated in the County of Sangamon, State of Illinois.

Parcel Number: 13-28.0-401-001.

2-4

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #1 NAME: Tom Fraase, Jr.

DOCKET NUMBER: 2021-010

ADDRESS: 3 Treece Court, Springfield, IL 62707

PETITIONER: Ralph & Kathy Winch

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: Pursuant to Chapters 17.68 and 17.12, a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District.

AREA: 1.2 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval. The purpose of the request is to add a part of the property to the north to resolve an encroachment. The LESA score of 164 indicates that the subject property is considered marginal requiring mitigating factors for non-agricultural development. This is a small lot with a residence within an existing subdivision. The subject property is better suited for residential zoning.**

SANGAMON COUNTY ZONING BOARD OF APPEALS RECOMMENDATION:
Approval of Staff Recommendation.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

2-5

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: **2021-010**
Ralph & Kathy Winch)
)
) PROPERTY LOCATED AT:
) **3 Treece Court**
) **Springfield, IL 62707**

RECOMMENDATION OF THE ZONING 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 **rezoning** 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 **March 18, 2021** 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: **3 Treece Court, Springfield, IL 62707** and more particularly described as:

See Exhibit A

2-6

3. That the present zoning of said property is **“A” Agricultural District**.
4. That the present land use of said property is **Single-family residence with accessory structures**.
5. That the proposed land use of said property is **Single-family residence with accessory structures**.
6. That the request(s) for the subject property is **pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District**.
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** 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 following request(s) is hereby approved:

- **Pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District.**



CHAIRMAN

2-7

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Don Wulf**, which was duly seconded by **Andrew Spiro**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the following request(s) **is hereby approved**:

- **Pursuant to Chapters 17.68 and 17.12, a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District.**

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Don Wulf, Andrew Spiro, Phil Sidles**

NO:

PRESENT:

ABSENT:



 RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

2-8

Case #: **2021-010**

Address: **3 Treece Court, Springfield**

- (i) Existing uses of property within the general area of the property in question.
North, South – residential. East – residential and cropland. West – gun club.
- (ii) The zoning classification of property within the general area of the property in question.
North – residential. South, East, West – agricultural.
- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

The LESA score of 164 indicates that the subject property is considered marginal requiring mitigating factors for non-agricultural development. This is a small lot with a residence within an existing subdivision. The subject property is better suited for residential zoning.

- (iv) The trend of development, within the vicinity since the property was originally classified.
The trend in the area is towards residential. Much of the nearby uses are residential despite being zoned agricultural. In the general area multiple zoning cases were approved to rezone an agricultural lot to a residential lot. These include: 2020-027, 2020-028, and 2019-048 to list a few.

LAND EVALUATION AND SITE ASSESSMENT

Part 1: Site Assessment

	Available Points	Points
<u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u>		
90% or more	20	
75-89%	10	20
50-74%	5	
Under 50%	0	
<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	
75-89%	10	0
50-74%	5	
Under 50%	0	
<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	
50-74%	5	0
Under 50%	0	
<u>COUNTY SECTOR</u>		
Rural	20	
0.5 mile from incorporated area	10	20
Incorporated area	0	
<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	
50-74%	10	5
25-49%	5	
Less than 25% or sewer available	0	
<u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u>		
Negative impact	15	
Little or none with protective measures	5	0
Little or none	0	
<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	
No impact	0	0

<u>CONDITION OF ROAD</u>		
unpaved, <40' ROW, or < 16' pavement	20	20
16'-18' pavement, 40' ROW	15	
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

<u>AVAILABILITY OF PUBLIC SEWER</u>		
Not available	15	15
Sewer over 600'-1200' away	8	
Private central sewage system	5	
Sewer 600' or less away and available	0	

<u>AVAILABILITY OF PUBLIC WATER</u>		
Not available	20	0
1,000-1,500' away	15	
Less than 1,000' away	5	
Public water available at site	0	

<u>DISTANCE FROM RESPONDING FIREHOUSE</u>		
Not in fire protection district	20	5
More than 5 miles or fire protection by assignment	10	
2.6-5 miles	5	
0-2.5 miles	0	

<u>DRIVING TIME TO HIGH SCHOOL</u>		
Over 30 minutes	10	5
15-30 minutes	5	
Less than 15 minutes	0	

SITE ASSESSMENT TOTAL	90
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Part 2: Agricultural Land Evaluation (Based on Sangamon County Soil Survey)

<u>Soil</u>	<u>Name</u>	<u>Type</u>	<u>%</u>	<u>Relative Value</u>	<u>Points</u>
198A	Elburn	P		100	
199A	Plano	P		100	
43A	Ipava	P		100	
7148A	Proctor	P		100	
46A	Herrick	P		100	
7037A	Worthen	P		100	
705A	Buckhart	P		98	
199B	Plano	P		98	
36B	Tama	P		98	
244A	Hartsburg	P2		98	
257A	Clarksdale	P2		98	

2-11

68A	Sable	P2	87	
679B	Blackberry	P	87	
705B	Buckhart	P	87	
86B	Osco	P	87	
684B	Broadwell	P	87	
50A	Virden	P2	87	
712A	Spaulding	P2	87	
127B	Harrison	P	87	
3077A	Huntsville	P3	87	
138A	Shiloh	P2	87	
249A	Edinburg	P2	87	
242A	Kendall	P2	87	
7242A	Kendall	P2	87	
134A	Camden	P	87	
17A	Keomah	P2	87	
3451A	Lawson	P3	75	
3107A	Sawmill	P5	75	
7075B	Drury	P	75	
8396A	Vesser	P2	75	
3074A	Radford	P3	75	
3073A	Ross	P3	75	
3284A	Tice	P3	75	
279B	Rozetta	P	75	46
45A	Denny	P2	75	
134B	Camden	P	75	
112A	Cowden	P2	75	
685B	Middletown	P	75	
3405A	Zook	P5	75	
131C2	Alvin	P	75	
86C2	Osco	I	74	
36C2	Tama	I	74	
684C2	Broadwell	I	74	
119C2	Elco	I	74	28
119D	Elco	I	74	
127C2	Harrison	I	74	
119D2	Elco	I	74	
567C2	Elkhart	I	74	
134C2	Camden	I	74	
259C2	Assumption	I	74	
685C2	Middletown	I	74	
280C2	Fayette	I	74	0.002
119D3	Elco	N	74	
259D2	Assumption	I	74	
212C2	Thebes	I	74	
630C2	Navlys	I	74	
630D2	Navlys	I	74	
630D3	Navlys	I	57	
131D2	Alvin	I	57	
8D	Hickory	I	50	
8D2	Hickory	I	50	
280D3	Fayette	I	44	
8D3	Hickory	I	44	
8F	Hickory	N	44	

549G	Marseilles	N
533	Urban Land	N
536	Dumps	N
830	Orthents, Land	N
862	Pits, Sand	N
864	Pits, Quarries	N
801C	Orthents, Silty	N
W	Water	

0

2-12

Prime/Important Farmlands Designations:

P: Prime farmland

P2: Prime where drained

P3: Prime where protected from flooding or flooding is less often than once in two years during the growing season.

P5: Prime where drained and either protected from flooding or flooding is less often than once in two years during the growing season.

I: Important farmland

N: Not Prime/Important Farmland

AGRICULTURAL LAND EVALUATION TOTAL	74
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GRAND TOTAL	164
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Fewer than 150 points shall be deemed acceptable for non-agricultural development.

From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.

Greater than 175 points shall be considered suitable for agricultural use only.