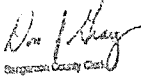


FILED

CASE#2021-041
RESOLUTION NUMBER 2-1

NOV 22 2021



**GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
3839 STONE 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 a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Mark and Jamie Wallman**, have petitioned the Sangamon County Board requesting **pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately thirty (30) feet instead of the maximum height of eighteen (18) feet allowed in the "R-1" Single-Family Residence District; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **November 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 variance; 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 **14th Day of December, 2021** that the following request(s) on the above described property is hereby approved:

- Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately thirty (30) feet instead of the maximum height of eighteen (18) feet allowed in the “R-1” Single-Family Residence District.

Signed and passed by the Sangamon County Board in session on this 14th day of December, 2021.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

EXHIBIT A

Part of the Northwest Quarter of Section 10, Township 16 North, Range 6 West of the Third Principal Meridian in Sangamon County, Illinois, more particularly described as follows:

Commencing at the Southeast corner of the aforesaid Northwest Quarter; thence North 01 degrees 17 minutes 58 seconds West along the East line of the said Northwest Quarter 1469.54 feet to a found iron pin marking the true point of beginning; thence continue South 89 degrees 03 minutes 14 seconds West 1494.50 feet to a stone; thence North 00 degrees 59 minutes 13 seconds West 574.73 feet; thence North 89 degrees 03 minutes 08 seconds East 325.58 feet; thence North 42 degrees 49 minutes 01 seconds East 173.41 feet; thence North 89 degrees 03 minutes 08 seconds East 489.10 feet; hence South 01 degrees 55 minutes 22 seconds East 620.09 feet; thence North 89 degrees 03 minutes 14 seconds East 549.22 feet; thence South 01 degrees 18 minutes 24 seconds East 80.00' to the true point of the beginning, containing 15.01 acres, more or less.

Parcel Number: 13-10.0-100-025.

RECAP
(For County Board Use)

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

DOCKET NUMBER: 2021-041

ADDRESS: 3839 Stone Road, Springfield, IL 62707

PETITIONER: Mark & Jamie Wallman

PRESENT ZONING CLASSIFICATION: "R-1" Single-Family Residence District.

REQUESTED ZONING CLASSIFICATION: Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately thirty (30) feet instead of the maximum height of eighteen (18) feet allowed in the "R-1" Single-Family Residence District.

AREA: 15.01 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval. Allowing an accessory structure to be 30 feet (26 feet with a 4 foot cupola) instead of 18 feet in the R-1 District would be consistent with the height of accessory structures located on properties in this area that are zoned Agricultural, which has no height restriction. The Standards for Variation are met.

SANGAMON COUNTY ZONING 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: **2021-041**
Mark & Jamie Wallman)
)
) PROPERTY LOCATED AT:
) **3839 Stone Road**
) **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 **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 **November 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:

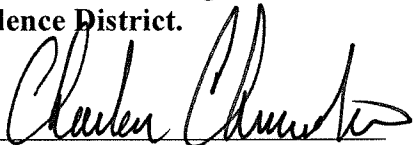
1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **3839 Stone Road, Springfield, IL 62707** and more particularly described as:

See Exhibit A

3. That the present zoning of said property is **“R-1” Single-Family Residence District.**
4. That the present land use of said property is **Single-family residence.**
5. That the proposed land use of said property is **Single-family residence and accessory structure.**
6. That the request(s) for the subject property is **pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately thirty (30) feet instead of the maximum height of eighteen (18) feet allowed in the “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 **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 following request(s) is **hereby approved:**

- **Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately thirty (30) feet instead of the maximum height of eighteen (18) feet allowed in the “R-1” Single-Family Residence District.**



CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Richard Thompson**, which was duly seconded by **Don Wulf**, 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 Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately thirty (30) feet instead of the maximum height of eighteen (18) feet allowed in the "R-1" Single-Family Residence District.

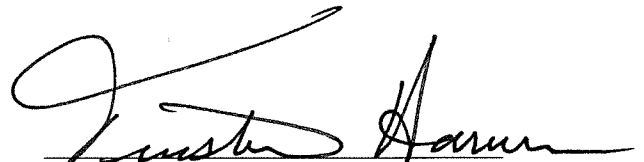
The vote of the Board was as follows:

YES: **Charlie Chimento, Phil Sidles, Richard Thompson, Don Wulf**

NO:

PRESENT:

ABSENT: **Tony Mares**


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2021-041**

Address: **3839 Stone Road, 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.

Allowing an accessory structure to be 30 feet (26 feet with a 4 foot cupola) instead of 18 feet in the R-1 District would be consistent with the height of accessory structures located on properties in this area that are zoned Agricultural, which has no height restriction.

- (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.

Other parcels in the area are zoned Agricultural, which has no height restrictions.

- (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.

Negative impacts are not anticipated.