

CASE# 2014-002
RESOLUTION NUMBER 3-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
4907 GAULE 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:

See **EXHIBIT A**

WHEREAS, the Petitioner, **Chris Schaller**, has petitioned the Sangamon County Board for a **variance to allow the lot depth to be greater than two and one half (2 ½) times the lot width for two (2) parcels and a variance to allow two (2) parcels less than forty (40) acres;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **January 16, 2014** 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.

FILED

JAN 30 2014


Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13th day of February, 2014 the request for a variance to allow the lot depth to be greater than two and one half (2 ½) times the lot width for two (2) parcels and a variance to allow two (2) parcels less than forty (40) acres on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13th day of February, 2014.

Respectfully submitted,

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



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

JOHN FULGENZI

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of the Northeast Quarter of the Northeast Quarter of Section 5, Township 15 North, Range 4 West of the Third Principal Meridian, more particularly described as follows:

Commencing at the Southeast corner of said Northeast Quarter of the Northeast Quarter; thence South 90 degrees, 00 minutes, 00 seconds West on the South line of said Northeast Quarter, a distance of 642.19 feet to an iron pin found at the point of beginning. From said point of beginning; thence continuing South 90 degrees, 00 minutes, 00 seconds West on said South line, a distance of 132.00 feet to an iron pin found; thence North 00 degrees, 00 minutes, 00 seconds East, a distance of 1021.93 feet to an iron pin found; thence North 90 degrees, 00 minutes, 00 seconds East, a distance of 513.00 feet to a pipe found; thence South 00 degrees, 00 minutes, 00 seconds West, a distance of 581.93 feet to a pk nail set; thence South 90 degrees, 00 minutes, 00 seconds West, a distance of 200.00 feet to a pipe found; thence South 00 degrees, 00 minutes, 00 seconds West, a distance of 139.17 feet to a pk nail set; thence South 90 degrees, 00 minutes, 00 seconds West, a distance of 181.00 feet to an iron pin set; thence South 00 degrees, 00 minutes, 00 seconds West, a distance of 300.83 feet to the point of beginning, as shown on Plat of Survey by Brent A. Windell, LP .L.S. No. 3292 recorded May 12, 2011 as Document Number 2011R14949.

All except any interest in the coal, oil, gas and other minerals underlying the land which have been heretofore conveyed or reserved in prior conveyances, and all rights and easements in favor of the estate of said coal, oil, gas and other minerals, if any.

All situated in the County of Sangamon, State of Illinois.

And

Beginning at the Southeast Corner of the Northeast Quarter of Section 5, Township 15 North, Range 4 West of the Third Principal Meridian, North on the Section line 1278.34 feet to a stone; thence on a line that is 1213.74 feet North of the South boundary of said Quarter Section at a point 261.19 feet West of the aforementioned Section line to the point of beginning; from said point of beginning, running thence North at right angles 440 feet; thence West at right angles 200 feet; thence South at right angles 440 feet; thence East at right angles 200 feet to said point of beginning

All except any interest in the coal, oil, gas and other minerals underlying the land which have been heretofore conveyed or reserved in prior conveyances, and all rights and easements in favor of the estate of said coal, oil, gas and other minerals, if any.

All situated in the County of Sangamon, State of Illinois.

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: # 9 NAME: Sarah Musgrave

DOCKET NUMBER: 2014-002

ADDRESS: 4907 Gaule Road, Springfield, IL 62712

PETITIONER: Chris Schaller

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow the lot depth to be greater than two and one half (2 ½) times the lot width for two (2) parcels and a variance to allow two (2) parcels less than forty (40) acres.

AREA: 10.77 acres


COMMENTS: None

OBJECTORS: Yes, but inquiry only.

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variances. The standards for variation are met. There will be no negative impact on the area in allowing the variances. The petitioner is requesting that the lot lines be reconfigured to accommodate a larger yard and there will be no land use changes to the subject property.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approve


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2014-002
Chris Schaller))
)	PROPERTY LOCATED AT:
)	4907 Gaule Road
)	Springfield, IL 62712

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 **January 16, 2014** 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: **4907 Gaule Road, Springfield, IL 62712** and more particularly described as:

See **EXHIBIT A**

3. That the present zoning of said property is **"A" Agricultural District.**
4. That the present land use of said property is a **single-family residence, private garage & shed.**
5. That the proposed land use of said property is a **single-family residence, private garage & shed.**
6. That the requested **variances** of said property are **to allow the lot depth to be greater than two and one half (2 ½) times the lot width for two (2) parcels and a variance to allow two (2) parcels less than forty (40) acres.**
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/ce
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Don Wulf**, 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 **Byron Deaner**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Judith Johnson, Don Wulf, and Janet Dobrinsky**

NO:

PRESENT:

ABSENT: **Peggy Egizzi**

Cyndi Knowles
RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2014-002

Address: 4907 Gaule 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.

The request is made to facilitate division of the property so the property owner can purchase property to the north to combine with the single-family residence.

- (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 subject parcel that contains the single-family residence is 2 acres while most in the area are larger with bigger yards. The property owner wishes to purchase the land to the north to expand the parcel with the single-family residence.

- (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.