

CASE# 2017-042
RESOLUTION NUMBER 3-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
3382 & 3384 HAZLETT 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 the variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Curran-Gardner Township PWD**, has petitioned the Sangamon County Board for **a variance to allow the required front yard setback for the treatment plant to be zero (0) feet instead of the required thirty (30) feet and a variance to allow the required front yard setback for the office building/shop to be approximately ten (10) feet instead of the required thirty (30) feet; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **September 21, 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 variances; and,**

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

FILED

SEP 22 2017

Don H. Hays
SANGAMON COUNTY CLERK

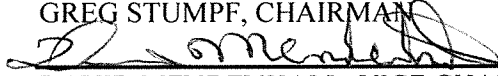
NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **10th Day of October, 2017** that the requests for a variance to allow the required front yard setback for the treatment plant to be zero (0) feet instead of the required thirty (30) feet, and a variance to allow the required front yard setback for the office building/shop to be approximately ten (10) feet instead of the required thirty (30) feet on the above described property are hereby approved.

Signed and passed by the Sangamon County Board in session on this **10th day of October, 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

EXHIBIT A

Parcel A

Parcel 1: Part of the East Half of the Southeast Quarter of Section 11, Township 16 North, Range 6 West of the Third Principal Meridian, described as follows: Beginning at a point 1687.07 feet North of the Southeast Corner of said Section 11, thence North on said East Section line 285.13 feet thence West 201.11 feet, thence South parallel with said East Section line 201 feet, thence Southeasterly 218 feet to the place of beginning. Said property is also known as Lot 4 as shown on a Plat of Survey recorded March 26, 1968, in Deed Record 615, Page 481, Document No. 323359 in the Recorder's Office of Sangamon County, Illinois.

Parcel 2: A permanent easement for the installation and maintenance of an underground water main and an underground or overhead electric power line described as follows: Said permanent easement being 20 feet in width lying 5.0 feet on the westerly side and 15.0 feet on the easterly side of the following described survey line and said survey line extended to include the triangular parcels resulting from said survey line not crossing at a 90 degree angle the east line of Section 11, Township 16N., Range 6W., of the Third Principal Meridian and the property line at the south end of said easement.

Beginning at a point 1972.2 feet north and 39.55 feet west of the southeast corner of Section 11, Township 16N., Range 6W., of the Third Principal Meridian; thence northeasterly a distance of 159.56 feet to a point on the east line of Section 11, Township 16N., Range 6W., of the Third Principal meridian, which point is 2126.78 feet north of the southeast corner of Section 11, said permanent easement containing 0.064 acres, more or less.

Parcel B

Part of the Southeast Quarter of Section 11, Township 16 North, Range 6 West of the Third Principal Meridian, described as follows:

Beginning at an iron pin at the Northeast corner of the Southeast Quarter of Section 11; thence South along the East line of Section 11, 715.18 feet to an iron pin; thence West 251.11 feet to an iron pipe; thence South 44 degrees 53 minutes 38 seconds West 35.33 feet to an iron pipe; thence South 0 degrees 00 minutes 58 seconds East 147.75 feet to an iron pin in the center of Hazlett Road; thence North 69 degrees 21 minutes West 215.04 feet to an iron pin; thence North 0 degrees 08 minutes 58 seconds West 810.33 feet to an iron pin; thence North 89 degrees 47 minutes 08 seconds East 479.34 feet to the point of beginning.

Parcel C

Part of the East Half of the Southeast Quarter of Section 11, Township 16 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois described as follows:

From a point 1,687.07 feet North of the Southeast corner of said Section 11, thence North on the East Section Line 285.13 feet, thence West at right angles 201.11 feet to the point of beginning, thence South parallel to said East Section Line 201.00; thence deflecting to the right $112^{\circ}-42'$, 80.06 feet; thence deflecting to the right $69^{\circ}-21'$ and parallel to said Section line 147.67 feet; thence deflecting to the right 45° , 37.37 feet; thence deflecting to the right 45° , 50.00 feet to the point of beginning, containing 0.31 acres, more or less; said property lying West of and adjacent to Lot 4 as shown on a Plat of Survey recorded March 26, 1968 in Deed Record 615, Page 481 as Document Number 323359 in the Recorder's Office of Sangamon County, Illinois; and Plat of said property of Raynolds & Walschleger is attached hereto.

Except that part of the premises heretofore conveyed for highway purposes, and except all coal and mineral heretofore conveyed of record;

Situated in the County of Sangamon, in the State of Illinois, hereby releasing and waiving all right under and by virtue of the Homestead Exemption Laws of this State.

RECAP
(For County Board Use)

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

DOCKET NUMBER: 2017-042

ADDRESS: 3382 & 3384 Hazlett Road, Springfield, IL 62707

PETITIONER: Curran-Gardner Township PWD

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: A variance to allow the required front yard setback for the water treatment plant to be zero (0) feet instead of the required thirty (30) feet, and a variance to allow the required front yard setback for the office building/shop to be approximately ten (10) feet instead of the required thirty (30) feet.

AREA: 9.9 acres

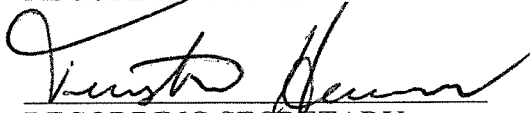
COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval. Without the requested variances, the water treatment plant will not be able to expand their facility to meet the growing demand from customers served by the Curran-Gardner Water District. Also, the only available location for the water treatment plant expansion is to the south in the required front yard setback since the lagoons and clearwells are located north of the plant. 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: 2017-042
Curran-Gardner Township PWD)	
)	PROPERTY LOCATED AT:
)	3382 & 3384 Hazlett Road
)	Springfield, IL 62707

RECOMMENDATION OF THE BOARD OF APPEALS

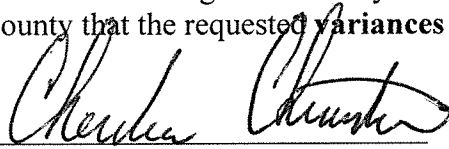
THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for **variances** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner (s); that legal publication has been made pursuant to law; and that a public hearing was held on **September 21, 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: **3382 & 3384 Hazlett Road, Springfield, IL 62707** 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 water treatment plant and office.**
- 5. That the proposed land use of said property is **a water treatment plant and office.**
- 6. That the requested **variances** of said property are **for a variance to allow the required front yard setback for the treatment plant to be zero (0) feet instead of the required thirty (30) feet, and a variance to allow the required front yard setback for the office building/shop to be approximately ten (10) feet instead of the required thirty (30) feet.**
- 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.**



 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **JD Sudeth**, 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 **Larry Beaty**.

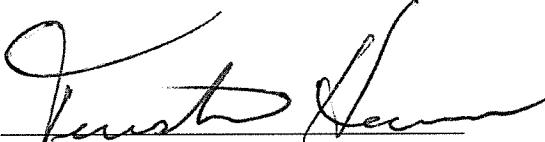
The vote of the Board was as follows:

YES: **Charles Chimento, Tony Mares, Andrew Spiro, JD Sudeth, Larry Beaty**

NO:

PRESENT:

ABSENT: **Don Wulf**


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2017-042**

Address: **3382 & 3384 Hazlett 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.

Without the requested variances, the water treatment plant will not be able to expand their facility to meet the growing demand from customers served by the Curran-Gardner Water District.

- (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 only available location for the water treatment plant expansion is to the south in the required front yard setback since the lagoons and clearwells are located north of the plant.

- (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 in granting the requested variances.