

CASE# 2018-031
RESOLUTION NUMBER 3-1

GRANTING A REZONING AND VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
7516 MECHANICSBURG 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 an amendment and variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Timothy & Kristina Wilkerson**, have petitioned the Sangamon County Board for **Proposed Parcel 1 and Proposed Parcel 2: a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District, a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width, and a variance to allow an accessory structure to be approximately twenty-six (26) 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 **July 19, 2018** 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 rezoning and variances;** and,

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

FILED

JUL 25 2018

Don H. King
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **14th Day of August, 2018** that the requests for **Proposed Parcel 1 and Proposed Parcel 2: a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District, a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width, and a variance to allow an accessory structure to be approximately twenty-six (26) feet instead of the maximum height of eighteen (18) feet allowed in the “R-1” Single-Family Residence District on the above described property is hereby approved.**

Signed and passed by the Sangamon County Board in session on this **14th day of August, 2018.**

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

The North 50 acres of the West Half of the Northeast Quarter of Section 35, Township 16 North, Range 4 West of the Third Principal Meridian.

EXCEPT two tracts described as follows:

1) From the Northeast corner of the West Half of the Northeast Quarter of said Section 35, thence West on the Section line 150.00 feet to the point of beginning; thence South 00 degrees 22 minutes, 29 seconds East, 1311.40 feet; thence South 90 degrees 00 minutes 00 seconds West, 180.00 feet; thence North 00 degrees 22 minutes 29 seconds West, 1311.52 feet to a point on aforesaid Section line; thence South 89 degrees 57 minutes 17 seconds East, 180.00 feet to the point of beginning. Containing 5.419 acres more or less.

and

2) From the Northwest corner of the Northeast Quarter of said Section 35 East on the Section line, 1178.00 feet to the point of beginning; thence continuing East on said Section line 150.00 feet; thence deflecting to the right 89 degrees 34 minutes 48 seconds, 1661.26 feet; thence deflecting to the right 90 degrees 22 minutes 29 seconds, 330.00 feet; thence deflecting to the right 89 degrees 37 minutes 31 seconds, 350.00 feet, thence deflecting to the right 90 degrees 22 minutes 29 seconds, 180.00 feet; thence deflecting to the left 90 degrees 22 minutes 29 seconds, 1311.38 feet to the point of beginning.

Situated in SANGAMON COUNTY, ILLINOIS

Tax I.D. No.: 15-35.0-200-011

Commonly known as: 7516 Mechanicsburg Road, Springfield, IL 62712

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: #3 NAME: David Mendenhall

DOCKET NUMBER: 2018-031

ADDRESS: 7516 Mechanicsburg Road, Springfield, IL 62712

PETITIONER: Timothy & Kristina Wilkerson

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: **Proposed Parcel 1 & 2: "R-1" Single-Family Residence District**, a variance to allow the lot depth to exceed two and one-half (2.5) times the lot width, and a variance to allow an accessory structure to be approximately twenty-six (26) feet instead of the maximum height of eighteen (18) feet in the "R-1" Single-Family Residence District.

AREA: 37.42 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The purpose of the request is to allow the property owner to split the property into two pieces to facilitate future construction of a single-family residence on an R-1 lot. The LESA score of 142 indicates the property is acceptable for non-agricultural development. For the variances, the subject property is unique in that it is a larger tract and smaller single-family residential lots have built up around the property on three sides. Allowing an accessory structure to be 26 feet 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 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: 2018-031
Timothy & Kristina Wilkerson)	
)	PROPERTY LOCATED AT:
)	7516 Mechanicsburg Road
)	Springfield, IL 62712

RECOMMENDATION OF THE BOARD OF APPEALS

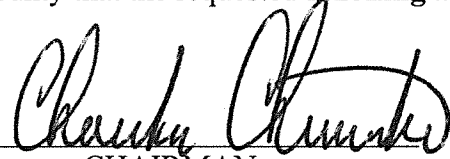
THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for an **amendment and variances** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner (s); that legal publication has been made pursuant to law; and that a public hearing was held on **July 19, 2018** 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: **7516 Mechanicsburg 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 with accessory structure.**
- 5. That the proposed land use of said property is **two single-family residences with accessory structures.**
- 6. That the requested **rezoning and variances** of said property are for **Proposed Parcel 1 and Proposed Parcel 2: a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District, a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width, and a variance to allow an accessory structure to be approximately twenty-six (26) 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 **rezoning and 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 **rezoning and variances** be **approved.**



 CHAIRMAN

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 **Gina Lathan**.

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Don Wulf, Andrew Spiro, Gina Lathan**

NO:

PRESENT:

ABSENT:


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

Case #: **2018-031**

Address: **7516 Mechanicsburg Road, Springfield**

- (i) Existing uses of property within the general area of the property in question.

North, East, & West – Residences. South – Cropland.

- (ii) The zoning classification of property within the general area of the property in question.

North, East, South, & West – Agricultural.

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

The LESA score of 142 indicates the property is acceptable for non-agricultural development.

- (iv) The trend of development, within the vicinity since the property was originally classified.

The area has a rural residential trend. In 1973 and 1971, R-1 was granted for a rural single-family residential subdivision east of the subject property.

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2018-031**

Address: **7516 Mechanicsburg 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.

Granting the variance will allow the petitioner to economically use the subject property which previously was covered with timber. Splitting the property into two single-family residential lots in an area that has an established trend of smaller single-family residential lots to the east and west of the property will allow a reasonable return on the property. Allowing an accessory structure to be 26 feet 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.

The subject property is unique in that it is a larger tract and smaller single-family residential lots have built up around the property on three sides. For the accessory structure height variance, 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.