

CASE# 2012-025
RESOLUTION NUMBER 4-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
IN THE 1,500 BLOCK OF FALCON RD., 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 Petitioner, **Sam Sexton**, has petitioned the Sangamon County Board for **a variance to allow an accessory structure fifteen (15) feet from the front property line instead of the required thirty (30) feet to allow construction of a pole barn in the front yard; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **June 21, 2012** 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 variance; and**

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

FILED

JUN 28 2012

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10th day of July, 2012 that the request for a variance to allow an accessory structure fifteen (15) feet from the front property line instead of the required thirty (30) feet to allow construction of a pole barn in the front yard on the above referenced property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 10th day of July, 2012.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING COMMITTEE OF
THE SANGAMON COUNTY BOARD



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

GREG STUMPF

JASON RATTTS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of the Northeast Quarter of the Southwest Quarter of Section 4, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

Commencing at the Northeast corner of the Northeast Quarter of the Southwest Quarter of said Section 4; thence North 87 degrees 25 minutes 45 seconds West along the North line of the Northeast Quarter of the Southwest Quarter of said Section 4 a distance of 530.58 feet to the point of beginning; thence South 00 degrees 00 minutes 36 seconds West, 493.81 feet; thence North 87 degrees 25 minutes 45 seconds West, 532.48 feet; thence North 00 degrees 00 minutes 36 seconds East, 493.81 feet to a point on the North line of the Northeast Quarter of the Southwest Quarter of said Section 4; thence South 87 degrees 25 minutes 45 seconds East along said North line, 532.49 feet to the point of beginning.

Containing 6.030 acres, more or less.

And

Part of the Northeast Quarter of the Southwest Quarter of Section 4, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

Commencing at the Northeast corner of the Northeast Quarter of the Southwest Quarter of said Section 4; thence North 87 degrees 25 minutes 45 seconds West along the North line of the Northeast Quarter of the Southwest Quarter of said Section 4 a distance of 1063.07 feet; thence South 00 degrees 00 minutes 36 seconds West, 448.76 feet to the point of beginning; thence continuing South 00 degrees 00 minutes 36 seconds West, 45.05 feet; thence North 87 degrees 25 minutes 45 seconds West, 253.91 feet; to a point on the West line of the Northeast Quarter of the Southwest Quarter of said Section 4; thence North 00 degrees 00 minutes 00 seconds East along said West line, 45.05 feet; thence South 87 degrees 25 minutes 45 seconds East, 253.92 feet to the point of beginning.

Containing 0.262 acres, more or less.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 9 NAME: Sarah Musgrave

DOCKET NUMBER: 2012-025

ADDRESS: In the 1,500 Block of Falcon Rd., Springfield, IL. 62707

PETITIONER: Sam Sexton

PRESENT ZONING CLASSIFICATION: **“R-1” Single-Family Residence District with a variance of the lot width to be met at a distance greater than sixty (60) feet from a public road for one (1) parcel.**

REQUESTED ZONING CLASSIFICATION: **A variance to allow an accessory structure fifteen (15) feet from the front property line instead of the required thirty (30) feet to allow construction of a pole barn in the front yard.**

AREA: 6.29 acres

COMMENTS: none

OBJECTORS: none

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variance. There are unique circumstances associated with the property due to the topography and location of the floodplain. The owner seeks to place the residential structure so that is maximizes visibility to the river bottoms ground and is the maximum distance from the floodplain. As such, the owner seeks to place the shed in the yard closest to the roadway which is legally the front yard of the property. There is no negative impact anticipated in allowing construction of the pole barn fifteen (15) feet from the front**

property line rather than the
required thirty (30) feet.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval.

Cyndi Knowles
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2012-025
Sam Sexton))
)	PROPERTY LOCATED AT:
)	In the 1,500 Block of Falcon
)	Rd.
)	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 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 **June 21, 2012** 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: **In the 1,500 Block of Falcon Rd., 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 with a variance to allow the lot width to be met at a distance greater than 60’ from a public road.**
- 4. That the present land use of said property is **vacant land.**
- 5. That the proposed land use of said property is **a single-family residence and pole barn.**
- 6. That the requested **variance** of said property is **to allow an accessory structure fifteen (15) feet from the front property line instead of the required thirty (30) feet to allow for construction of a pole barn in the front yard.**
- 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 requested **variance** be **approved.**

Charles Chimento/ck
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Judith Johnson**, 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 **Peggy Egizii**.

The vote of the Board was as follows:

YES: **Charles Chimento, Peggy Egizii, Judith Johnson, John Lucchesi & Don Wulf**

NO:

ABSENT: **Byron Deaner**

Cyndi Knowles
RECORDING SECRETARY

SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS

Case #: 2012-025

Address: In the 1,500 Block of Falcon 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 construct a pole barn, which would increase the value of the property.

- (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.

There are unique circumstances associated with the property due to the topography and location of the floodplain. The owner seeks to place the residential structure so that it maximizes visibility to the river bottoms ground and is the maximum distance from the floodplain. As such, the owner seeks to place the shed in the yard closest to the roadway which is legally the front yard of the property.

- (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.