

**GRANTING A VARIANCE  
FOR CERTAIN PROPERTY LOCATED AT  
37 DESOTO DRIVE, 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, **Ronald W. and Marla C. Ingram**, have petitioned the Sangamon County Board requesting **pursuant to Chapter 17.66, a variance of Section 17.36.010(A) and Section 17.38.010 to allow an accessory structure to be within the front yard with a front yard setback 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 **June 17, 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.

**FILED**

JUN 25 2021

  
Sangamon County Clerk

4-2

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this **13<sup>th</sup> Day of July, 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(A) and Section 17.38.010 to allow an accessory structure to be within the front yard with a front yard setback to be approximately ten (10) feet instead of the required thirty (30) feet.

Signed and passed by the Sangamon County Board in session on this **13<sup>th</sup> day of July, 2021**.

\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

**ATTEST:**

\_\_\_\_\_  
SANGAMON COUNTY CLERK

**EXHIBIT A**

Part of the Plat of Survey of Capitol View Subdivision Tracts 1 and 3, being situated in the Northeast Quarter of the Southeast Quarter of Section 29, Township 15 North, Range 5 West of the Third Principal Meridian, more particularly described as follows:

Beginning at a point at the Southwest corner of Lot Thirty-three (33) in said subdivision; running thence West along the South line of said Quarter Quarter section 573.45 feet to the Southeast corner of said Quarter Quarter section; running thence North along the West line of said Quarter Quarter Section 203.80 feet to a point; running thence Easterly 573.44 feet to the extreme Northerly corner of said Lot Thirty-three (33); running thence South along the Westerly line of said Lot Thirty-three (33), 215 feet to the point of beginning.

EXCEPTING therefrom the following parcels of land: Lots 18A, 19A, 20A in Plat of Survey of Capitol View Subdivision Tracts 1 and 3, being situated in the Northeast Quarter of the Southeast Quarter of Section 29, Township 15 North, Range 5 West of the Third Principal Meridian.

PARCEL NUMBER: 22-29.0-428-016.

4-4

**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: #13                      NAME: Brad Miller

DOCKET NUMBER: 2021-023

ADDRESS: 37 Desoto Drive, Springfield, IL 62711

PETITIONERS: Ronald W. and Marla C. Ingram

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

REQUESTED ZONING CLASSIFICATION: Pursuant to Chapter 17.66, a variance of Section 17.36.010(A) and Section 17.38.010 to allow an accessory structure to be within the front yard with a front yard setback to be approximately ten (10) feet instead of the required thirty (30) feet.

AREA: 1.15 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval. The petitioner provided evidence that sloping terrain, location of the septic tank and laterals, and location of the underground electric line on the subject property limits the area the petitioner could construct an accessory structure. Upon the site visit, staff found no evidence to contradict this determination. The subject property is unique in that if Desoto Drive were extended to the subject property, the front yard would be the south property line and the east property line would be the side yard. Therefore, the east yard is similar to a side yard, which only requires a ten foot setback. 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: <b>2021-023</b>
<b>Ronald W. &amp; Marla C. Ingram</b> )	
)	PROPERTY LOCATED AT:
)	<b>37 Desoto Drive</b>
)	<b>Springfield, IL 62711</b>

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 **June 17, 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: **37 Desoto Drive, Springfield, IL 62711** 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 with an accessory structure.**
6. That the request(s) for the subject property is **pursuant to Chapter 17.66, a variance of Section 17.36.010(A) and Section 17.38.010 to allow an accessory structure to be within the front yard with a front yard setback 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 **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(A) and Section 17.38.010 to allow an accessory structure to be within the front yard with a front yard setback to be approximately ten (10) feet instead of the required thirty (30) feet.**

  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **JD Sudeth**, which was duly seconded by **Tony Mares**, 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(A) and Section 17.38.010 to allow an accessory structure to be within the front yard with a front yard setback to be approximately ten (10) feet instead of the required thirty (30) feet.

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Andrew Spiro, JD Sudeth**

NO:

PRESENT:

ABSENT: **Don Wulf**



RECORDING SECRETARY

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2021-023**

Address: **37 Desoto Drive, 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 petitioner provided evidence that sloping terrain, location of the septic tank and laterals, and location of the underground electric line on the subject property limits the area the petitioner could construct an accessory structure. Upon the site visit, staff found no evidence to contradict this determination.**

- (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 if Desoto Drive were extended to the subject property, the front yard would be the south property line and the east property line would be the side yard. Therefore, the east yard is similar to a side yard, which only requires a ten foot setback.**

- (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.**