

CASE# 2012-030 5-1  
RESOLUTION NUMBER \_\_\_\_\_

**GRANTING A VARIANCE**  
**FOR CERTAIN PROPERTY LOCATED AT**  
**3436 S. DOUGLAS, 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:

**Lot 34 except the W 114' of Pierik Place (Taxable Mobile Home and Land it Occupies)**

WHEREAS, the Petitioner, **Heritage Free Will Baptist Church**, has petitioned the Sangamon County Board for ; and

WHEREAS, a public hearing was held at the Sangamon County Building on **July 19, 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**

JUL 30 2012

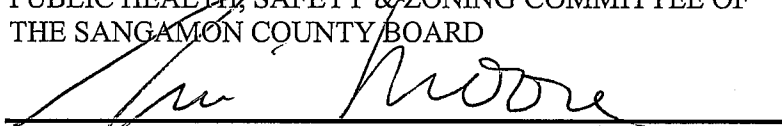
*Jae Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14<sup>th</sup> day of August, 2012 that the request for a variance to allow two (2) principal uses on one (1) parcel on the above referenced property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14<sup>th</sup> day of August, 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 RATTI

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

**ATTEST:**

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

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

**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: # 12                      NAME: Linda Fulgenzi

DOCKET NUMBER: 2012-030

ADDRESS: 3436 S. Douglas, Springfield, IL. 62704

PETITIONER: Heritage Free Will Baptist Church

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

REQUESTED ZONING CLASSIFICATION: "R-1" Single-Family Residence District with a variance to allow two (2) principal uses on one (1) parcel.

AREA: 1 acre

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION:

Approval of the requested variance. The standards for variation are met. The church and mobile home being used as an office are existing uses and allowing the pastor a temporary residence in the mobile home is not seen to have a negative impact on the immediate area.

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

Approval

  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

|  |                               |
|--|-------------------------------|
| IN THE MATTER OF THE PETITON OF: )         | DOCKET NO: <b>2012-030</b>    |
| <b>Heritage Free Will Baptist Church</b> ) |                               |
| )  | PROPERTY LOCATED AT:          |
| )  | <b>3436 S. Douglas</b>        |
| )  | <b>Springfield, IL. 62704</b> |

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 **July 19<sup>th</sup>, 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: **3436 S. Douglas, Springfield, IL.** and more particularly described as:

**Lot 34 except the W. 114; of Pierik Place (Taxable Mobile Home and Land it Occupies).**

- 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 **a church and mobile home being used as an office and classroom for the church.**
- 5. That the proposed land use of said property is **a church and mobile home to be used as an office and classroom for the church and occasional residence for pastor.**
- 6. That the requested **variance** of said property is **to allow two (2) principal uses for one (1) parcel.**
- 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 **granted.**

*Charles Chimento*  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Peggy Egizii**, 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: **Byron Deaner, Peggy Egizii, Judith Johnson, Don Wulf, John Lucchesi**

NO:

ABSENT: **Charles Chimento**

*Cyndi Knowles*  
RECORDING SECRETARY

SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS

Case #: 2012-030

Address: 3436 S. Douglas, 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 property is being used for a church and a mobile home that is being used as an office and classroom for the church. While the property is suited well for one use, an additional use to allow the pastor of the church to occasionally reside in the mobile home could increase the economic yield on 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.

**The property contains a church and is already developed. The parcel is one acre in size which makes it unique as compared to other properties in the immediate area. The mobile home will be used to compliment the primary use.**

- (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 in allowing the two proposed uses. The church and mobile home used as an office are existing uses that have not had a negative impact on the immediate area. Allowing the pastor a temporary residence is not seen to have a negative impact.**