

CASE# 2018-048 5-1
RESOLUTION NUMBER _____

DENYING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
6200 FARRIER PLACE, 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 **deny the variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

Lot Eleven of Polo Club Estates, Fifth Edition. Parcel Number: 15-34.0-300-028

WHEREAS, the Petitioner, **Bret Miller**, has petitioned the Sangamon County Board for a **variance to allow an “A” Agricultural District Conditional Permitted Use (CPU) for a bed and breakfast in an “R-1” Single-Family Residence District**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **October 18, 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 **deny the variance**; and,

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

FILED

OCT 24 2018

Don J. King
SANGAMON COUNTY CLERK

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **13th Day of November, 2018** that the request for a variance to allow an “A” Agricultural District Conditional Permitted Use (CPU) for a bed and breakfast in an “R-1” Single-Family Residence District on the above described property is hereby denied.

Signed and passed by the Sangamon County Board in session on this **13th day of November, 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

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: #3 NAME: David Mendenhall

DOCKET NUMBER: 2018-048

ADDRESS: 6200 Farrier Place, Springfield, IL 62712

PETITIONER: Bret Miller

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

REQUESTED ZONING CLASSIFICATION: A variance to allow an "A" Agricultural District Conditional Permitted Use (CPU) for a bed and breakfast in an "R-1" Single-Family Residence District.

AREA: 0.62 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: **Recommend denial. No particularly unique circumstances exist that would justify the requested variance, and the subject property can still be utilized as a single-family residence. The requested variance to allow a bed and breakfast would in effect create a duplex or multiple family residential lot, which is not compatible with the single-family residential trend of development in the area. The Standards for Variation are not 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: 2018-048
Bret Miller))
)	PROPERTY LOCATED AT:
)	6200 Farrier Place
)	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 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 **October 18, 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:

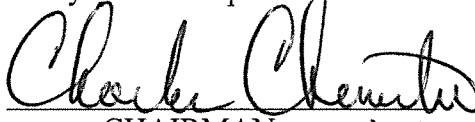
1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **6200 Farrier Place, Springfield, IL 62712** and more particularly described as:

Lot Eleven of Polo Club Estates, Fifth Edition. Parcel Number: 15-34.0-300-028

Page 2

- 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 **single-family residence.**
- 5. That the proposed land use of said property is a **single-family residence with a bed and breakfast.**
- 6. That the requested **variance** of said property is a **variance to allow an “A” Agricultural District Conditional Permitted Use (CPU) for a bed and breakfast in an “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 not** 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 **denied.**


 CHAIRMAN 76

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Larry Beaty**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **denied** which was duly seconded by **Tony Mares**.

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Don Wulf, Andrew Spiro, Larry Beaty**

NO:

PRESENT:

ABSENT: **Gina Lathan**


RECORDING SECRETARY

RECOMMENDED STANDARDS FOR USE VARIATIONS

Case #: 2018-048

Address: 6200 Farrier Place, Springfield

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of the zoning ordinance be varied as authorized in Section 17.66.010 thereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the variance is justified by a showing of special circumstances demonstrating practical difficulties or particular hardship in the way of carrying out the strict letter of the Zoning Regulations.

No particularly unique circumstances exist that would justify the requested variance, and the subject property can still be utilized as a single-family residence.

- (ii) that the variance is compatible with the trend of development in the area.

The requested variance to allow a bed and breakfast would in effect create a duplex or multiple family residential lot, which is not compatible with the single-family residential trend of development in the area.

- (iii) that the variance will benefit the community and be in harmony with the general purpose and intent of the Zoning Regulations.

The requested bed and breakfast would not be a benefit to the community as it would introduce a business of this nature and would in effect introduce a duplex or multiple family residence into an area of single-family residences.

- (iv) that the variance will not create a negative impact on the area, 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.

The requested variance could create a negative impact on the area and alter the essential character of the locality by introducing a business of this nature and in effect a duplex or multiple family residence into an area of single-family residences.