

**FILED**

FEB 23 2012

*Joe Aiello*  
Sangamon County Clerk

CASE# 2012-007  
RESOLUTION NUMBER 6-1

**GRANTING VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**4076 – 4078 THORNBROOK DR., 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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**Unit 1 and Unit 2 in 4076 – 4078 Thornbrook Drive Condominium as delineated on Plat of Survey of Lot 1 of Westbrook, First Addition in Sangamon County, Illinois.**

WHEREAS, the Petitioners, **Terry & Melissa Beckler & Wilma Kern Dullanty, Trustee**, have petitioned the Sangamon County Board for a **variance of the lot width from approximately eighty (80) feet to approximately forty (40) feet for two (2) parcels, a variance to allow the lot area to be reduced from twelve thousand two hundred and eighty six (12,286) square feet to approximately six thousand two hundred and forty three (6,243) square feet for one (1) parcel and to approximately five thousand nine hundred and thirteen (5,913) square feet for one (1) parcel, a variance of the side yard requirements to be zero (0) feet for an interior partition wall for two (2) parcels, a variance of the total side yard requirements from fifteen (15) feet to six (6) feet for one (1) parcel and from fifteen (15) feet to three (3) feet for one (1) parcel to allow the property to be divided down the shared wall; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **February 16, 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 variances**; and

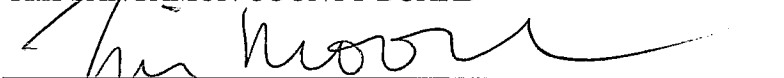
WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13<sup>th</sup> day of March, 2012 that the request for a variance of the lot width from approximately eighty (80) feet to approximately forty (40) feet for two (2) parcels, a variance to allow the lot area to be reduced from twelve thousand two hundred and eighty six (12,286) square feet to approximately six thousand two hundred and forty three (6,243) square feet for one (1) parcel and to approximately five thousand nine hundred and thirteen (5,913) square feet for one (1) parcel, a variance of the side yard requirements to be zero (0) feet for an interior partition wall for two (2) parcels, a variance of the total side yard requirements from fifteen (15) feet to six (6) feet for one (1) parcel and from fifteen (15) feet to three (3) feet for one (1) parcel to allow the property to be divided down the shared wall on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13<sup>th</sup> day of March, 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 RATTS

\_\_\_\_\_  
LINDA DOUGLAS WILLIAMS

\_\_\_\_\_  
LINDA FULGENZI

**ATTEST:**

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

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

**RECAP**

(For County Board Use)

COUNTY BOARD MEMBER: # 27                      NAME: Abe Forsyth

DOCKET NUMBER: 2012-007

ADDRESS: 4076 – 4078 Thornbrook Dr., Springfield, IL. 62711

PETITIONER: Terry & Melissa Beckler & Wilma Kern Dullanty, Trustee

PRESENT ZONING CLASSIFICATION: "R-2" Single - Family & Two - Family Residence District

REQUESTED ZONING CLASSIFICATION: A variance of the lot width from approximately eighty (80) feet to approximately forty (40) feet for two (2) parcels, a variance to allow the lot area to be reduced from twelve thousand two hundred and eighty six (12,286) square feet to approximately six thousand two hundred and forty three (6,243) square feet for one (1) parcel and to approximately five thousand nine hundred and thirteen (5,913) square feet for one (1) parcel, a variance of the side yard requirements to be zero (0) feet for an interior partition wall for two (2) parcels, a variance of the total side yard requirements from fifteen (15) feet to six (6) feet for one (1) parcel and from fifteen (15) feet to three (3) feet for one (1) parcel to allow the property to be divided down the shared wall.

AREA: 12,126 square feet

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval of the requested variances. The standards for variation have been met. Under the current zoning ordinance, a request of these variances is required to permit the sale of each individual duplex unit.

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

**Approval**

  
\_\_\_\_\_  
RECORDING SECRETARY

606

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:	)	DOCKET NO: <b>2012-007</b>
<b>Terry &amp; Melissa Beckler &amp;</b>	)	
<b>Wilma Kern Dullanty, Trustee</b>	)	PROPERTY LOCATED AT:
	)	<b>4076 – 4078 Thornbrook Dr.</b>
	)	<b>Springfield, IL. 62711</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 **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 **February 16, 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: **4076 – 4078 Thornbrook Dr., Springfield, IL.** and more particularly described as:

**Unit 1 and Unit 2 in 4076 – 4078 Thornbrook Drive Condominium as delineated on Plat of Survey of Lot 1 of Westbrook, First Addition in Sangamon County, Illinois.**

- 3. That the present zoning of said property is **“R-2” Single Family & Two Family Residence District.**
- 4. That the present land use of said property is a **duplex.**
- 5. That the proposed land use of said property is a **duplex.**
- 6. That the requested **variances** of said property are a **variance of the lot width from approximately eighty (80) feet to approximately forty (40) feet for two (2) parcels, a variance to allow the lot area to be reduced from twelve thousand two hundred and eighty six (12,286) square feet to approximately six thousand two hundred and forty three (6,243) square feet for one (1) parcel and to approximately five thousand nine hundred and thirteen (5,913) square feet for one (1) parcel, a variance of the side yard requirements to be zero (0) feet for an interior partition wall for two (2) parcels, a variance of the total side yard requirements from fifteen (15) feet to six (6) feet for one (1) parcel and from fifteen (15) feet to three (3) feet for one (1) parcel to allow the property to be divided down the shared wall.**
- 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 **variances** are 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 **variances** 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, Byron Deaner, Peggy Egizii, Judith Johnson & Marvin Traylor

NO:

ABSENT:

  
RECORDING SECRETARY



SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS

Case #: 2012-007

Address: 4076-4078 Thornbrook 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 variances will allow for each duplex unit to have individual ownership.**

- (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.

**Circumstances are unique since the building as a whole meets setback requirements. Under the current zoning ordinance, this variance is required to allow the sale of individual duplex units.**

- (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.

**Since the building itself meets all requirements, no adverse impact on the surrounding area is anticipated.**