

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
14879 SPARROW ROAD, PLEASANT PLAINS
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 for a period not to exceed six (6) months** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Gary Ingles**, has petitioned the Sangamon County Board requesting **pursuant to Chapter 17.66, a variance of Chapter 17.04 (Dwelling) to allow a recreational trailer to be used as a dwelling for a period not to exceed eighteen (18) months;** and,

WHEREAS, a public hearing was held at the Sangamon County Building on **October 17, 2019** 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 for a period not to exceed six (6) months;** 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 **12th Day of November, 2019** that the following request on the above described property is hereby approved:

FILED

OCT 23 2019

Case #2019-035 Page 1 of 8

D. V. Hear

6-2

- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Dwelling) to allow a recreational trailer to be used as a dwelling for a period not to exceed six (6) months.

Signed and passed by the Sangamon County Board in session on this 12th day of November, 2019.

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



GREG STUMPE, 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

EXHIBIT A

TRACTS B & C COMBINED

PART OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 17 NORTH, RANGE 7 WEST, OF THE THIRD PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IRON PIN MARKING THE SOUTHWEST CORNER FOR SAID SECTION 30, THENCE NORTH 00 DEGREES 11 MINUTES 41 SECONDS WEST ON THE WEST LINE OF THE SAID SECTION 30 A DISTANCE OF 80.44 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SPARROW ROAD, THENCE NORTH 84 DEGREES 56 MINUTES 01 SECONDS EAST ON SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 221.82 FEET TO A FOUND IRON PIPE, THENCE SOUTH 86 DEGREES 02 MINUTES 26 SECONDS EAST ON SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 40.00 FEET TO A FOUND IRON PIPE MARKING THE POINT OF BEGINNING, THENCE NORTH 07 DEGREES 20 MINUTES 17 SECONDS EAST A DISTANCE OF 639.01 FEET TO A SET IRON PIN, THENCE NORTH 02 DEGREES 36 MINUTES 56 SECONDS EAST A DISTANCE OF 293.73 FEET TO A SET IRON PIN, THENCE NORTH 01 DEGREES 06 MINUTES 38 SECONDS WEST A DISTANCE OF 313.85 FEET TO A SET IRON PIN, THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 266.69 FEET TO A SET IRON PIN, THENCE SOUTH 14 DEGREES 59 MINUTES 34 SECONDS EAST A DISTANCE OF 65.43 FEET TO A FOUND IRON PIPE, THENCE SOUTH 10 DEGREES 16 MINUTES 27 SECONDS EAST A DISTANCE OF 572.21 FEET TO A FOUND IRON PIPE, SOUTH 12 DEGREES 15 MINUTES 10 SECONDS WEST A DISTANCE OF 652.89 FEET TO A FOUND IRON PIPE ON THE NORTH RIGHT OF WAY LINE OF SPARROW ROAD, THENCE NORTH 86 DEGREES 02 MINUTES 26 SECONDS WEST ON SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 336.86 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 435,564 SQUARE FEET (10.000 ACRES), MORE OR LESS, ALL IN SANGAMON COUNTY, STATE OF ILLINOIS.

PARCEL NUMBER: 04-30.0-300-005

6-4

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #1 NAME: Tom Fraase, Jr.

DOCKET NUMBER: 2019-035

ADDRESS: 14879 Sparrow Road, Pleasant Plains, IL 62677

PETITIONER: Gary Ingles

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: Pursuant to Chapter 17.66, a variance of Chapter 17.04(Dwelling) to allow a recreational trailer to be used as a dwelling for a period not to exceed eighteen (18) months.

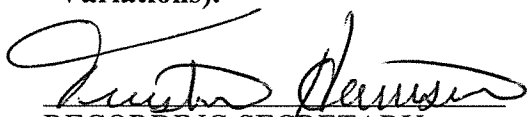
AREA: 10 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend denial. Allowing a recreational trailer to serve as a dwelling for an extended period of time is contrary to effective planning principles. No unique circumstances exist to justify allowing a recreational trailer to be used as a dwelling for 18 months at this location. The Standards for Variation are not met.

SANGAMON COUNTY ZONING BOARD OF APPEALS RECOMMENDATION:
Approval for a period not to exceed six (6) months (see attached ZBA Standards For Variations).


RECORDING SECRETARY

6-5

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2019-035
Gary Ingles))
)	PROPERTY LOCATED AT:
)	14879 Sparrow Road
)	Pleasant Plains, IL 62677

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 **October 17, 2019** 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:

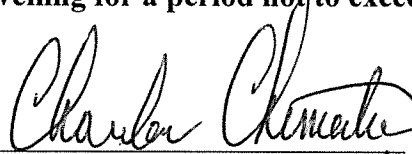
1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **14879 Sparrow Road, Pleasant Plains, IL 62677** and more particularly described as:

See Exhibit A

3. That the present zoning of said property is **“A” Agricultural District.**
4. That the present land use of said property is **agricultural.**
5. That the proposed land use of said property is **a temporary recreational trailer until a single-family residence is built and agricultural.**
6. That the request(s) for the subject property is **pursuant to Chapter 17.66, a variance of Chapter 17.04 (Dwelling) to allow a recreational trailer to be used as a dwelling for a period not to exceed eighteen (18) months.**
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 for a period not to exceed eighteen (18) months** is in the public interest and is not solely in the interest of the petitioner(s), but **does** support the proposition that the adoption of a **variance for a period not to exceed six (6) months** 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 is hereby approved:

- **Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Dwelling) to allow a recreational trailer to be used as a dwelling for a period not to exceed six (6) months.**


 CHAIRMAN 410

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Andrew Spiro**, not to concur with the findings of fact and recommendation of the Regional Planning Commission, but in the alternative based on the attached standards for variation to recommend to the County Board that the following is **hereby approved**:

- **Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Dwelling) to allow a recreational trailer to be used as a dwelling for a period not to exceed six (6) months** which was duly seconded by **Charlie Chimento**.

The vote of the Board was as follows:

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

NO:

PRESENT:

ABSENT: **Don Wulf**



 RECORDING SECRETARY

ZONING BOARD OF APPEALS

RECOMMENDED – STANDARDS FOR VARIATIONS

Case #: 2019-035

Address: 14879 Sparrow Road, Pleasant Plains, IL 62677

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 up on 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.

It would cause an undue hardship for the owner, who is in the process of obtaining required permits and developing 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.

It would cause an undue hardship for the owner, which is in the process of permits and development; these are unique to the property and investments and all in process.

- (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.

The status of the temporarily recreational vehicle will not alter the surrounding area, which is agricultural and rural residential, and it's only temporary.