

CASE# 2019-011
RESOLUTION NUMBER 9-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
52 E. CAMP SANGAMO ROAD, 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 Petitioner, **Robert Freitag**, has petitioned the Sangamon County Board for a **variance to allow the side yard setback to be approximately four (4) feet instead of the required ten (10) feet**; and,

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

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

FILED

APR 30 2019


Don J. Hayes
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **14th Day of May, 2019** that the request for a variance to allow the side yard setback to be approximately four (4) feet instead of the required ten (10) feet on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this **14th day of May, 2019**.

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

EXHIBIT A

Part of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 10, Township 16 North, Range 5 West of the Third Principal Meridian, bounded and described as follows:

Beginning at a point in the North line of said Northwest Quarter and 230 feet East of a stone at the Northwest corner of the Northwest Quarter of said Section 10; thence South and parallel with the West Line of said Quarter Section, 190 feet; thence West 230 feet to the West line of said Northwest Quarter; thence South along the West line 474.12 feet to a stone, being the Southwest corner of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 10; thence East 460 feet; thence North 664.12 feet to the North line of said Northwest Quarter; thence West along the North line 230 feet to the place of beginning. EXCEPT that part described as follows: Beginning at a point in the North line of said Northwest Quarter and 460 feet East of a stone at the Northwest corner of the Northwest Quarter of said Section 10; thence South and parallel with the West line of said Quarter Section 300 feet; thence West 115 feet; thence North and parallel with the West line of said Quarter Section 300 feet to the North line of said Northwest Quarter; thence East 115 feet to the point of beginning.

Parcel Number: 14-10.0-100-003

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: #16 NAME: Greg Stumpf

DOCKET NUMBER: 2019-011

ADDRESS: 52 E. Camp Sangamo Road, Springfield, IL 62707

PETITIONER: Robert Freitag

PRESENT ZONING CLASSIFICATION: "A" Agricultural District with a Conditional Permitted Use (CPU) for a lawn care business.

REQUESTED ZONING CLASSIFICATION: Variance to allow the side yard setback to be approximately four (4) feet instead of the required ten (10) feet.

AREA: 5.21 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval. The purpose of the request is to allow the petitioner to construct an addition on the residence in the required side yard. The subject property is unique in that the residence was built prior to 1969 and was not constructed square on the subject property. The property immediately to the west is owned by the Springfield Airport Authority which makes it unlikely that the parcel will be improved with a residence in the future. The Standards for Variation are 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: 2019-011
Robert Freitag))
)	PROPERTY LOCATED AT:
)	52 E. Camp Sangamo Road
)	Springfield, IL 62707

RECOMMENDATION OF THE BOARD OF APPEALS

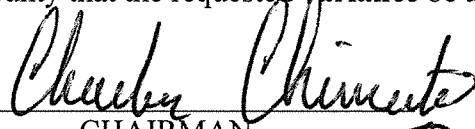

THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for a **variance** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner (s); that legal publication has been made pursuant to law; and that a public hearing was held on **April 18, 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: **52 E. Camp Sangamo Road, Springfield, IL 62707** and more particularly described as:

See Exhibit A

- 3. That the present zoning of said property is **“A” Agricultural District with a Conditional Permitted Use for a lawn care business.**
- 4. That the present land use of said property is a **single-family residence with a lawn care business.**
- 5. That the proposed land use of said property is a **single-family residence with a lawn care business.**
- 6. That the requested **variance** of said property is **a variance to allow the side yard setback to be approximately four (4) feet instead of the required ten (10) 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 requested **variance** be **approved.**


 CHAIRMAN


MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Don Wulf**, 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 **Andrew Spiro**.

The vote of the Board was as follows:

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

NO:

PRESENT:

ABSENT:


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2019-011

Address: 52 E. Camp Sangamo Road, 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 residence was built approximately seven (7) feet from the side property line prior to 1969 and was not constructed square on the subject property. This makes the setback variance necessary in order for the subject property to have an addition and yield a reasonable return.

- (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 the residence was built prior to 1969 and was not constructed square on the subject property. The property immediately to the west is owned by the Springfield Airport Authority which makes it unlikely that the parcel will be improved with a residence in the future.

- (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.