

CASE # 2008-02 7-1
RESOLUTION NUMBER _____

DENYING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
20 STARNES ADDITION, 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 a variance to** the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Mary Beard**, has petitioned the Sangamon County Board for a **variance of the rear (north) yard requirement from 2' to 0'**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **January 17, 2008**, 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

JAN 30 2008

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13th day of February, 2008 that the request for a variance of the rear (north) yard requirement from 2' to 0' on the above described property is hereby denied.

Signed and passed by the Sangamon County Board in session on this 13th day of February, 2008.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD

TIM MOORE, CHAIRMAN

abe forsyth

ABE FORSYTH, VICE CHAIRMAN

JENNIFER DILLMAN

DAVID MENDENHALL

GEORGE PRECKWINKLE

SAM SNELL

DON STEPHENS

LINDA DOUGLAS WILLIAMS

ATTEST:

[Signature]

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of the Northeast Quarter of the Southwest Quarter of Section 24, Township 16 North, Range 5 West of the Third Principal Meridian, described as follows, to-wit: Beginning at the Northwest corner of said Quarter Quarter Section and running thence East 152 feet on the North line of said Quarter Quarter Section, thence South 70 feet on a line parallel to the West line of said Quarter Quarter Section, thence West 106 feet on a line parallel to said North line; thence South 5 feet on a line parallel to said West line; thence West 46 feet to the West line of said Quarter Quarter Section; thence North along said West line 75 feet to the place of beginning. Situated in Sangamon County, Illinois.

Excepting therefrom that portion of the property taken for right-of-way.

14-24
155-002

14-24
155-003

14-24
155-004

14-24
155-005

14-24
155-006

14-24
306-025

14-24
306-024

14-24
306-023

14-24
306-022

14-24
306-021

14-24
306-020

14-24
180-002

14-24
180-003

14-24
180-005

14-24
180-006

DUNWICH AVE.

SCARBROUGH RD.

14-24
181-001

14-24
181-002

subject

14-24
326-025

PROPERTY

14-24
326-024

14-24
326-023

14-24
326-020

14-24
326-019

14-24
326-007

14-24
326-008

14-24
326-003

14-24
326-005

14-24
326-018

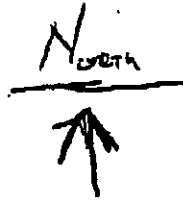
MILTON AVE.

14-24
326-006

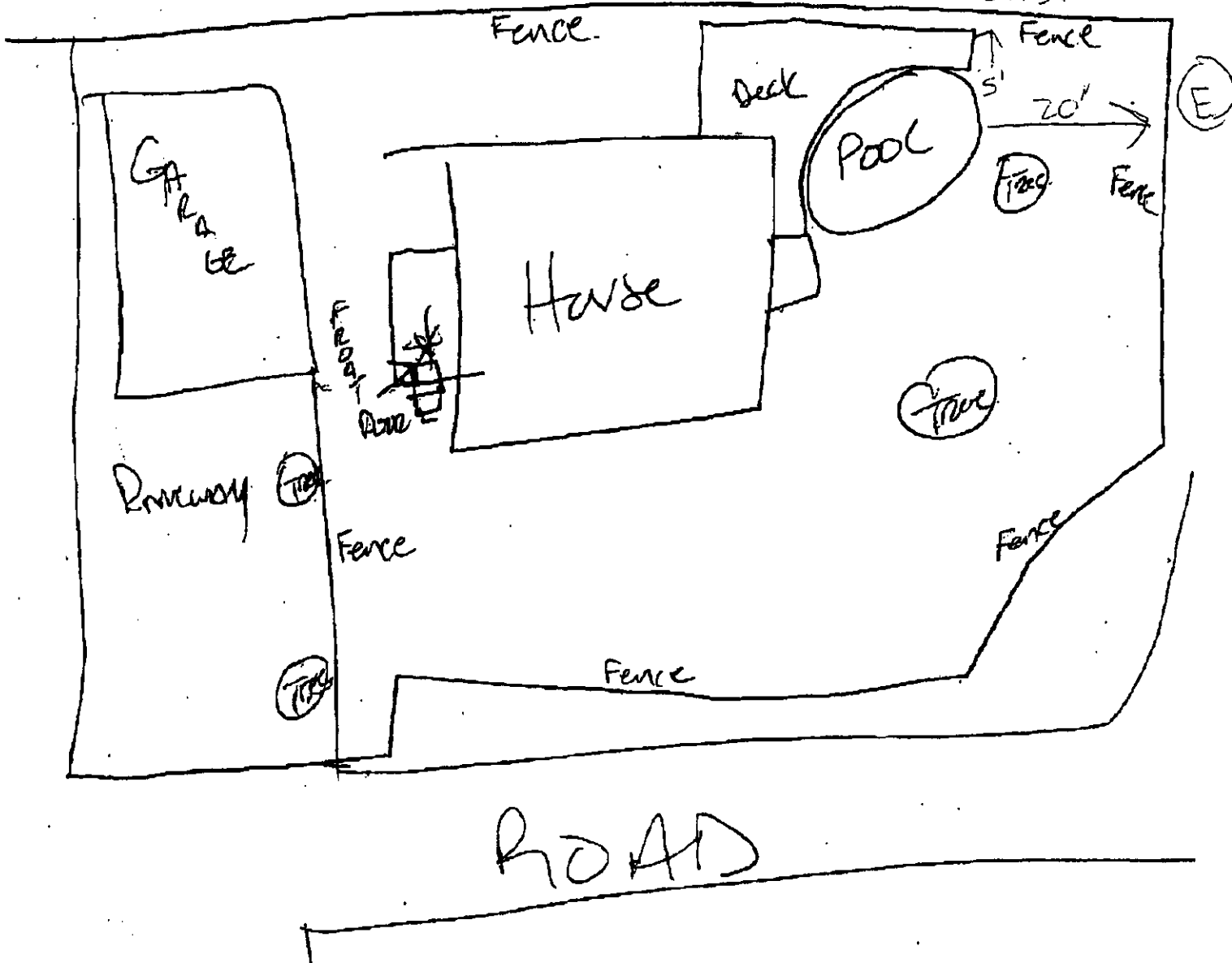
PLEASE DRAW A SKETCH INCLUDING THE FOLLOWING:

1. INDICATE THE STRUCTURE AND SHOW HOW FAR IT SITS FROM PROPERTY LINES
2. SHOW HOW FAR THE NEW STRUCTURE WILL SIT FROM EXISTING STRUCTURES
3. SHOW WHERE THE DRIVEWAY WILL BE
4. PLEASE INDICATE THE NORTH POINT

205 97



Pool is about
5 foot off fence
line. to the North
and about 20 feet
from fence line to the
EAST.



RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 10 NAME: **Rosemarie Long**

DOCKET NUMBER: **2008-02**

ADDRESS: **20 Starnes Addition, Springfield, Il 62702-3219**

PETITIONER: **Mary Beard**

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

REQUESTED ZONING CLASSIFICATION: **"R-2" Single Family & Two Family Residence District with a variance of the rear (north) yard requirement from 2' to 0'**

AREA: **.19 acre**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend denial as there is enough room to fulfill the 2 feet rear yard requirement.**

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION: **Denial**



RECORDING SECRETARY

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SANGAMON COUNTY ZONING BOARD OF APPEALS
SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: **2008-02**
Mary Beard)
)
) PROPERTY LOCATED AT:
) **20 Starnes Addition**
) **Springfield, Il 62702-3219**
)

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 **January 17, 2008** 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 or contract to purchase the property commonly known as **20 Starnes Addition, Springfield, Il 62702-3219** and more particularly described as:

See Exhibit A

Page 2

- 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 **Single Family Residence with pool and deck.**
- 5. That the proposed land use of said property is **Existing use continued.**
- 6. That the requested **variance** of said property is: **of the rear (north) yard requirement from 2’ to 0’.**
- 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

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor** 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 **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

EXHIBIT A

Part of the Northeast Quarter of the Southwest Quarter of Section 24, Township 16 North, Range 5 West of the Third Principal Meridian, described as follows, to-wit: Beginning at the Northwest corner of said Quarter Quarter Section and running thence East 152 feet on the North line of said Quarter Quarter Section, thence South 70 feet on a line parallel to the West line of said Quarter Quarter Section, thence West 106 feet on a line parallel to said North line; thence South 5 feet on a line parallel to said West line; thence West 46 feet to the West line of said Quarter Quarter Section; thence North along said West line 75 feet to the place of beginning. Situated in Sangamon County, Illinois.

Excepting therefrom that portion of the property taken for right-of-way.

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SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 1/4/08 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2008-02

ADDRESS 20 Starnes Addition

Property Index # 14-24-326-025

PETITIONER Beard, Mary

REQUESTED ZONING A variance of the rear (north) yard requirement from 2' to 0'

PROPOSED LAND USE Single family residence with pool and deck.

EXISTING:

ZONING R-2

LAND USE Single family residence with pool and deck.

ROAD FRONTAGE Starnes Addition - 46' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence

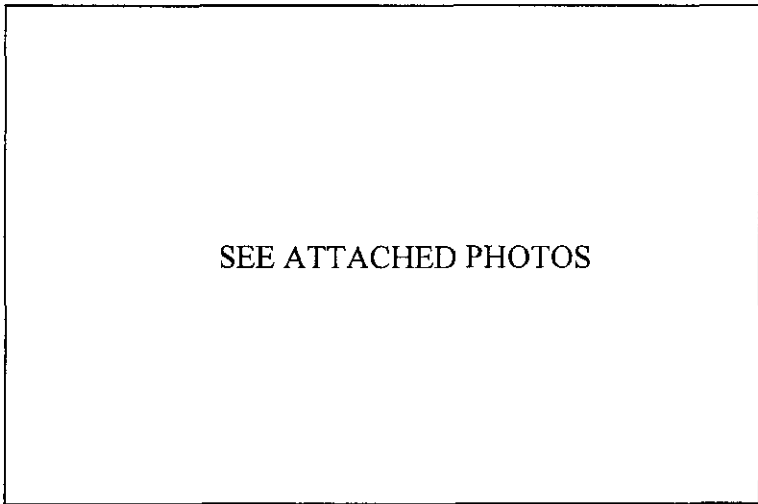
CONDITION OF STRUCTURE Good

LOT AREA .19 acre

FRONT YARD 25'

SIDE YARDS 50' / 45'

REAR YARD 0'



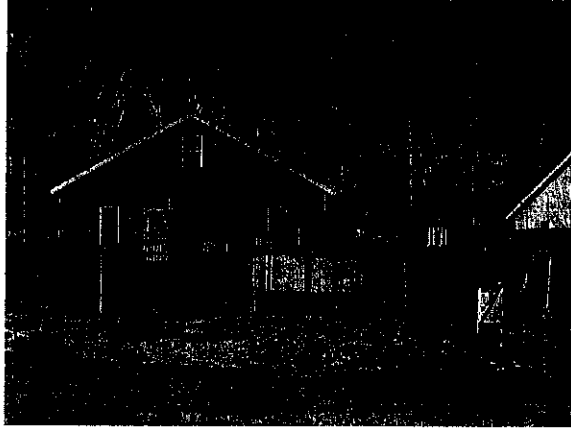
Would the proposed zoning be spot zoning? NA

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend denial as there is enough room to fulfill the 2 feet rear yard requirement.**

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Case #: 2008-02

Address: 20 Starnes Addition



20 Starnes Addition



Pool with Deck

7-12

County Zoning

Case# 2008-02



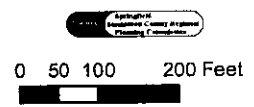
Requested:
Variance

County Zoning

	RM-4		I1
	R3		I2
	R2		B3
	R1a		B2
	R1		B1
	OFF		A

City Zoning

	R5		H1		OFF
	R1		H2		PUD
	R2		H3		B1
	R3a		S1		B2
	R3b		S2		I1
	R4		S3		I2



**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2008-02**

Address: **20 Starnes Addition**

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.

A pool deck has been attached to the rear lot line fence resulting in 0' of rear yard. There appears to be ample space to meet the rear yard requirement.

- (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 topography and available area of the property does not limit placement of the deck within the required 2 feet from the rear property line.

- (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.