

CASE # 2009-01
RESOLUTION NUMBER 5-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
6421 WESTWIND 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 a variance to** the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

Lot 7 of West Wind, 3rd Plat

WHEREAS, the Petitioners, **Anthony & Rachel Jachino**, have petitioned the Sangamon County Board for **a variance to allow 4' between detached structures rather than the required 6'**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **January 15, 2009**, 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

JAN 28 2009

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10th day of February, 2009 that the request for a variance to allow 4' between detached structures rather than the required 6' on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 10th day of February, 2009.

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

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

ATTEST:


SANGAMON COUNTY CLERK


COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 1 NAME: Tom Fraase

DOCKET NUMBER: 2009-01

ADDRESS: 6421 Westwind Dr., Springfield, IL. 62711

PETITIONER: Anthony & Rachel Jachino

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

REQUESTED ZONING CLASSIFICATION: "R 1" Single Family Residence District with a variance to allow 4' between detached structures rather than the required 6'.

AREA: 18,980 square feet

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval of the requested variance. The standards for variation are met.

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION: Approval.



RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2009-01
Anthony & Rachel Jachino)	
)	PROPERTY LOCATED AT:
)	6421 Westwind Dr
)	Springfield, IL. 62711
)	

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 15, 2009** 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 **6421 Westwind Dr., Springfield, IL. 62711** and more particularly described as:

Lot 7 of West Wind, 3rd Plat

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 **Single Family Residence.**
- 5. That the proposed land use of said property is **Single Family Residence with unattached garage.**
- 6. That the requested **variance** of said property is **to allow 4' between detached structures rather than the required 6'.**
- 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.**

Charles Chimento
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Peggy Egizii** 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 **Judith Johnson.**

The vote of the Board was as follows:

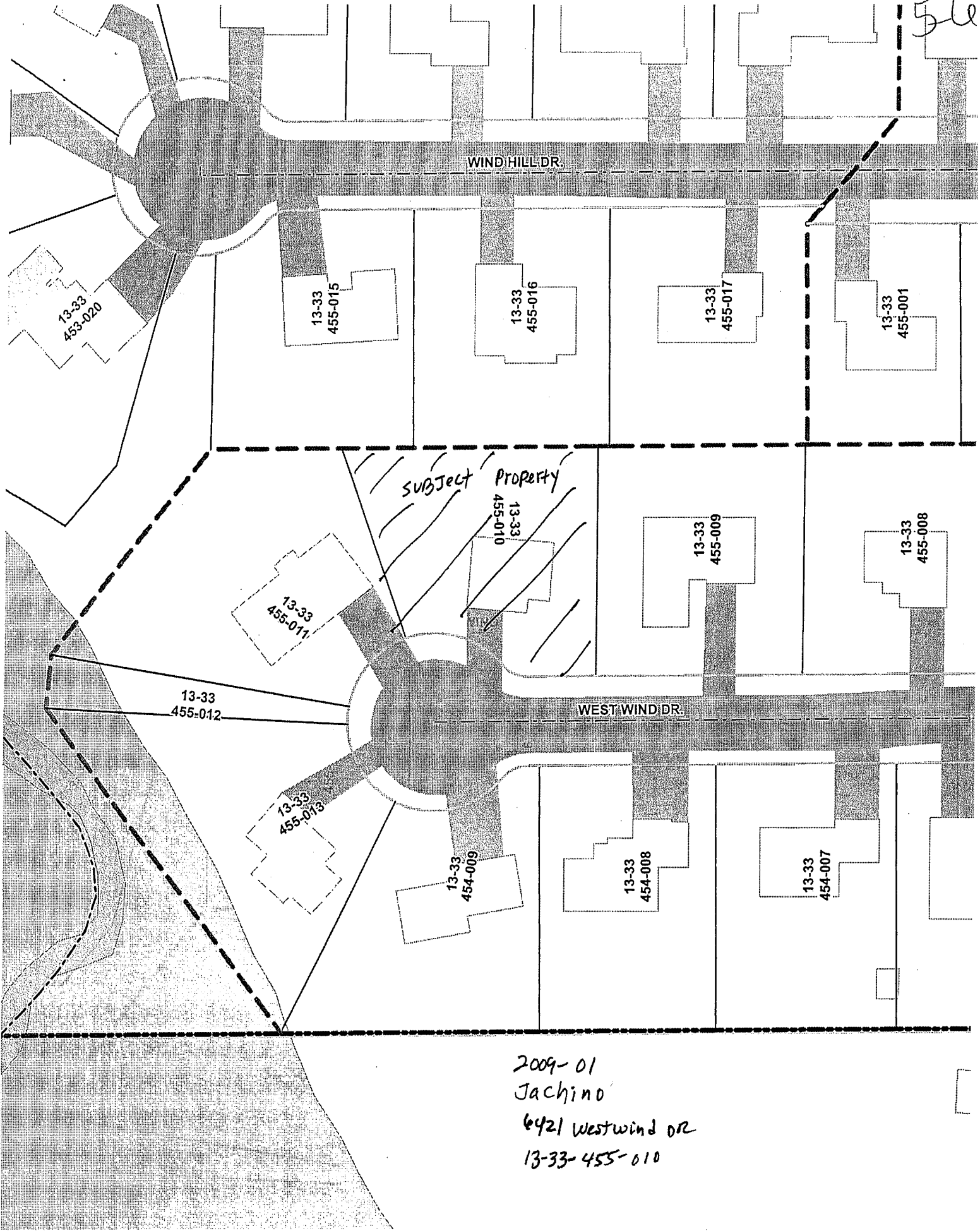
YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, John Luchessi**

NO:

ABSENT: **Marvin Traylor**

B. Armstrong
RECORDING SECRETARY

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SUBJECT PROPERTY

13-33
455-010

13-33
455-011

13-33
455-012

13-33
455-013

13-33
454-009

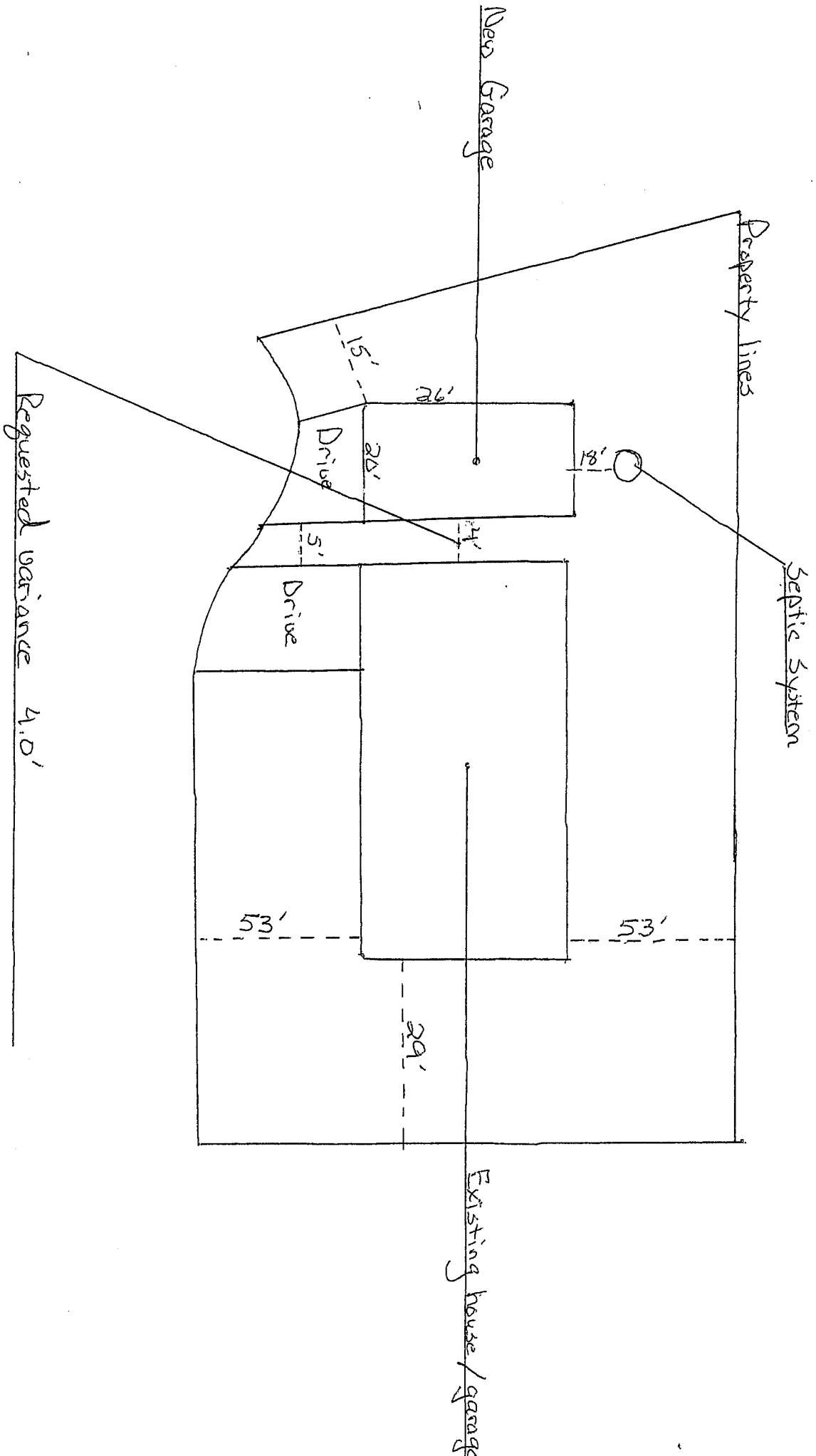
13-33
455-009

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455-008

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454-008

13-33
454-007

2009-01
 Jachino
 6421 Westwind Dr
 13-33-455-010



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SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 1/2/2009 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2009-01
 ADDRESS 6421 Westwind Drive
 Property Index # 13-33-455-010

PETITIONER Anthony & Rachel Jachino

REQUESTED ZONING A variance to allow 4' between detached structures rather than the required 6'.

PROPOSED LAND USE Single family residence with construction of a new unattached garage.

EXISTING:

ZONING R-1

LAND USE Single family residence

ROAD FRONTAGE Westwind Drive – 114' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence

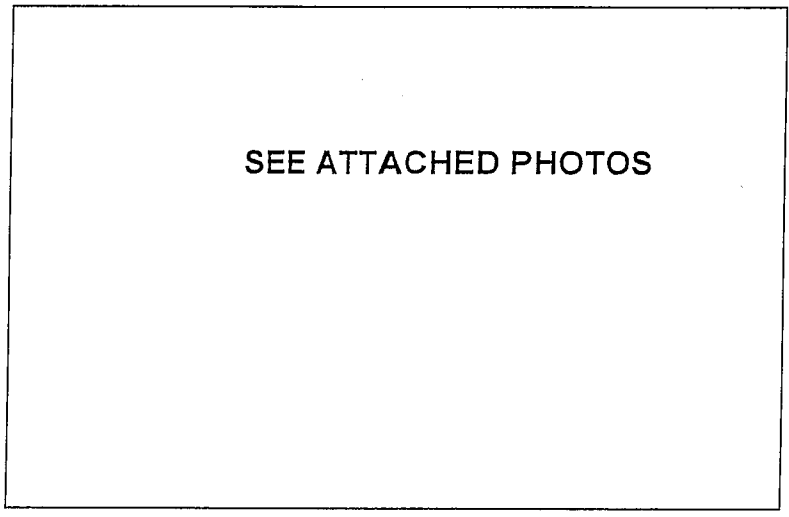
CONDITION OF STRUCTURE Good

LOT AREA 18,980 square feet

FRONT YARD 25'

SIDE YARDS 25'/50'

REAR YARD 45'

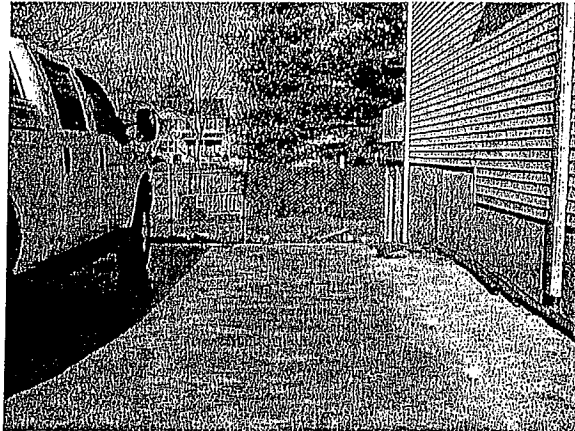


Would the proposed zoning be spot zoning? N/A

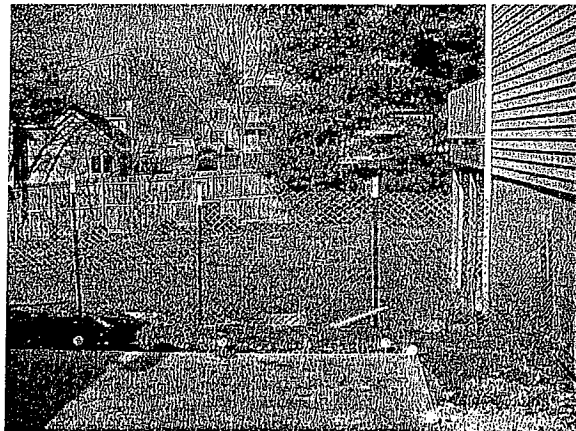
PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval of the requested variance. The standards for variation are met.**

Case #: 2009-001

Address: 6421 Westwind Drive



2009-01

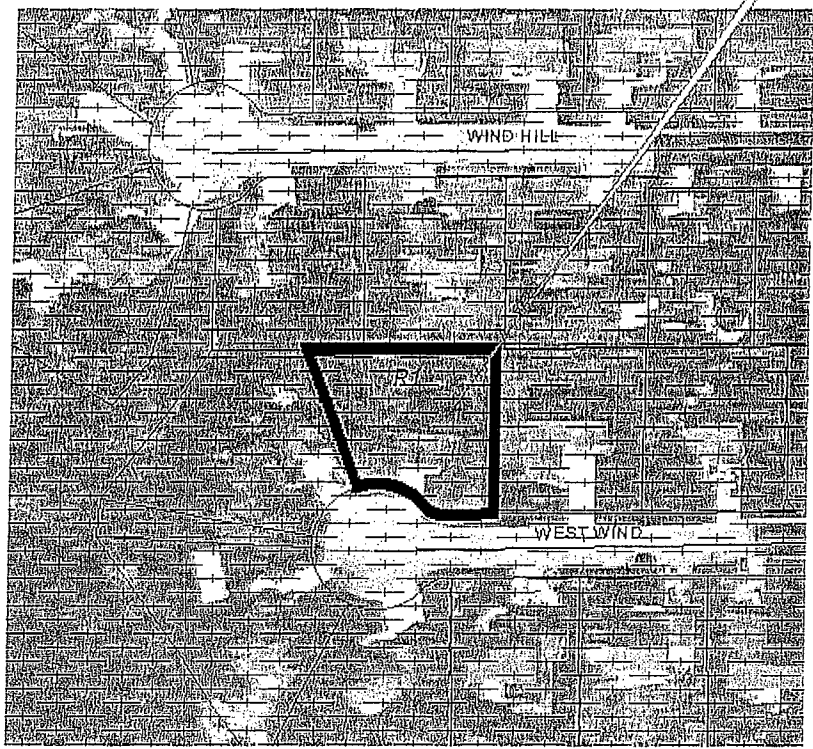


2009-01B

County Zoning

Case# 2009-01

Requested:
Variance

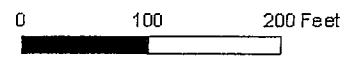
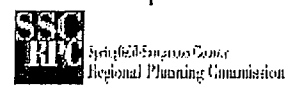


County Zoning

	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



5-11

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2009-01

Address: 6421 Westwind Drive

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 request is made to allow construction of an unattached garage.

- (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.

Due to the topography, location of the septic system and configuration of the property, construction anywhere else on the property is not feasible.

- (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 negative impact is anticipated.