

Sangamon County, Illinois
ZONING BOARD OF APPEALS

The Zoning Board of Appeals met on March 16, 2017, at 7:00 P.M. in the County Board Chamber in the County Complex.

ATTENDANCE **(X) denotes present**

(x) Chairman Chimento	(x) Committee Member Mares
(x) Committee Member Wulf	(x) Committee Member Herbert
() Committee Member Spiro	

STAFF PRESENT:

Emily Prather, Associate Planner, Spfld-Sang County Regional Planning Commission
Steve Keenan, Senior Planner, Spfld-Sang County Regional Planning Commission
Dan Mosher, Assistant States Attorney, States Attorney's Office
Trustin Harrison, Zoning Administrator, Sangamon County Zoning

Chairman Chimento called the meeting to order.
Approval of February Minutes

Committee Member Chairman Chimento made a motion to approve the February Minutes.

Committee Member Marilyn Herbert seconds the motion.

4/0/0

Docket 2017-008 Thomas Clement for property located at 301 & 317 N Stephen Ave, Springfield, IL 62702

PETITIONER(S): Thomas Clement

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: RM-4

REQUESTING: Petitioner requests for Lot 147 & Lot 148 a rezoning from "RM-4" Manufactured Home District to "R-2" Single-Family and Two-Family Residence District. For Proposed Parcel 1: a variance to allow the lot width to be sixty (60) feet instead of the required eighty (80) feet; and, for Proposed Parcel 2: (a) a variance to allow the side yard to be one (1) foot instead of the required five (5) feet for the accessory structures, (b) a variance to allow an accessory structure to be within the required front yard, and (c) a

variance to allow the front yard setback to be four (4) feet instead of the required twenty-five (25) feet for the accessory structures.

Thomas Clement was sworn in.

Clement: I want to get my property up to date. I bought more property just adding it off, connecting it together.

Chairman: It was RM4, you want to get it to R2, is that correct?

Clement: Yes, sir.

Chairman: Ok. Any questions...County Board?

Chairman Chimento asked if there were any objectors...hearing none. Chairman Chimento read the staff recommendation.

STAFF RECOMMENDATION: Recommend approval. The purpose of this request is to allow the petitioner to reconfigure two lots and remove the split zoning so both parcels would be zoned R-2. The property is better suited for the R-2 zoning classification given the subject property only contains single-family residences and no manufactured homes. The block face contains several previously established residences and accessory structures that encroach into the required setback areas similar to the situation with the subject property. Denying the property owner the variances would result in a hardship because the preexisting structures were constructed on smaller lots of record and likely predate the Zoning Ordinance. The Standards for Variation are met.

Committee Member Don Wulf made a motion to accept staff's recommendation.

Committee Member Tony Mares seconded the motion.

Motion carries 4/0/0

Docket 2017-009 Sally Hundley for property located at 8740 Clarksville Road Rochester, IL 62563

PETITIONER(S): Sally Hundley

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: A

REQUESTING: Petitioner requests for Proposed Parcel 1 (Parcel A): a variance to allow a parcel to be less than forty (40) acres (approximately 2.5 acres), and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width; and, for Proposed Parcel 2 (Parcel B): a variance to allow a parcel to be less than forty (40) acres

(approximately 37.5 acres), and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width.
Attorney Ted Graham was sworn in.

Graham: She is requesting a variance so she can sell approx. 2.5 acres off of her existing residential property. I believe it's all agricultural. The situation here may or may not be evident is that she owned 40 acres... North 20 acres, South 20 acres, I believe it's the NE corner there's 5 acres cut out for the residence. We sold 35 acres to Mr. Johnson in Nokomis. When he went out and looked at property, he realized that what was being tilled was actually about 3 acres more than that along the Northwestern boundary of the property. So after he bought the 35 acres he...he wanted to buy the additional 2.5 acres to road going South where residential property is. The zoning code prohibits us from selling the 2.5 acres by itself, so we are requesting a variance to allow us to sell the 2.5 acres for existing purpose. And the other variance is the length to width of the remaining property where the residence just because the other property is fairly long...and not enough road frontage. Essentially we are trying to maintaining the character of the property as agro real estate.

Chairman: Ok. Any questions...County Board?

Herbert: Sounds good.

Chairman Chimento asked if there were any objectors...hearing none. Chairman Chimento read the staff recommendation.

STAFF RECOMMENDATION: Recommend approval. The property can continue to be used economically. However, granting the variances would allow the petitioner to separate the agricultural land from the residence located on parcel -008 and combine approximately 2.5 acres with the rest of the agricultural land on parcel -007 to create a parcel totaling approximately 37.5 acres. This would allow the petitioner to sell the agricultural land and keep the single-family residence with approximately 2.5 acres. The Standards for Variation are met.

Committee Member Marilyn Herbert made a motion to accept staff's recommendation.

Committee Member Don't Wulf seconded the motion.

Motion carries 4/0/0

Docket 2017-010 Ellen Mahan for property located at 220 N Koke Mill Rd, Springfield, IL 62711

PETITIONER(S): Ellen Mahan

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: A, B-1

REQUESTING: Petitioner requests for a rezoning from “A” Agricultural District and “B-1” Neighborhood Business District to “R-1” Single-Family Residence District, (a) a variance to allow the front yard setback to be approximately seventeen (17) feet instead of the required thirty (30) feet for the accessory structure, and (b) a variance to allow an accessory structure within the required front yard.

Ellen Mahan was sworn in.

Mahan: Partial land on North Koke Mill that is zoned commercial and agricultural... I am selling it and I want it zoned residential.

Chairman: Ok. Any questions...County Board?

Chairman Chimento asked if there were any objectors...hearing none. Chairman Chimento read the staff recommendation.

STAFF RECOMMENDATION: Recommend approval. The purpose of this request is to remove the split zoning so the entire parcel will be zoned R-1 and to bring the preexisting accessory structure into compliance by granting front yard variances. The LESA score of 120 indicates the property is suitable for non-agricultural development. The area has a trend toward residential with the City of Springfield corporate boundaries being located near the subject property. The accessory structure requiring the variance requests currently is in compliance with the B-1 district regulations. By re-zoning the entire subject property to R-1, the variances for the accessory structure in the front yard are necessary to bring the preexisting building into compliance with the R-1 regulations. The Standards for Variation are met.

Committee Member Don Wulf made a motion to accept staff’s recommendation.

Committee Member Tony Mares seconded the motion.

Motion carries 4/0/0

Docket 2017-011 Brian & Helen Rector for property located at 411 Gabbert Road, Cantrall, IL 62625

PETITIONER(S): Brian & Helen Rector

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: A

REQUESTING: Petitioners request for Proposed Parcel 1 a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District, a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width, and a variance to allow an accessory structure to be greater than the maximum height allowed in the “R-1” Single-Family Residence District of eighteen (18) feet (approximately 24 feet) in height; and, for Proposed Parcel 2: a variance to allow one (1) parcel less than forty (40) acres (approximately 5 acres).

Brian & Helen Rector were sworn in.

Rector: We want to separate 10.8 acres of agricultural to residential and place a house on it and possibly a pole barn, later.

Chairman: Are you talking the timber to West of the house?

Rector: Yes.

Chairman: Any questions...County Board?

Chairman Chimento asked if there were any objectors...hearing none. Chairman Chimento read the staff recommendation.

STAFF RECOMMENDATION: Recommend approval. The purpose of this case is to allow two parcels to be reconfigured. The LESA score of 149 indicates the property is suitable for non-agricultural development. Proposed Parcel 1 is being split off from parcel -008 and a portion of parcel -007. The variances are requested because of the proposed lot split so a new residence can be built on Proposed Parcel 1, and the balance of the property can remain in cropland as a separate parcel. Proposed Parcel 1 contains an area of timber and a drainage way located on parcel -008 that make it less likely this area would revert to cropland. For the garage, other parcels in the area are zoned Agricultural, which has no height restrictions. The Standards for Variation are met.

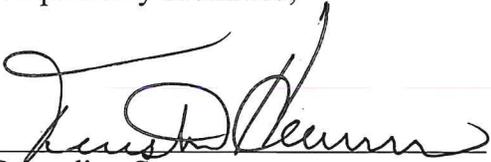
Committee Member Tony Mares made a motion to accept staff's recommendation.

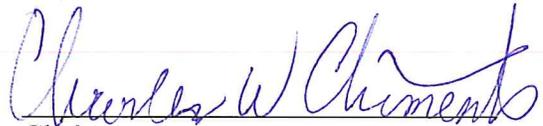
Committee Member Don Wulf seconded the motion.

Motion carries 4/0/0

Meeting adjourned.

Respectfully submitted,


Recording Secretary


Chairman

Minutes of March 16, 2017

Full record of minutes available upon request in the Zoning Department