

Sangamon County, Illinois
ZONING BOARD OF APPEALS

The Zoning Board of Appeals met on November 17, 2016, 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
(X) Committee Member Spiro	(X) Alt. Committee Member Lucchesi
(X) Alt. Committee Member Dobrinsky	

STAFF PRESENT:

Molly Berns, Assistant Director, Spfld-Sang County Regional Planning Commission
Steve Keenan, Senior Planner, Spfld-Sang County Regional Planning Commission
Dwayne Gabb, Assistant States Attorney, States Attorneys Office
Trustin Harrison, Zoning Administrator, Sangamon County Zoning

Chairman Chimento called the meeting to order.
Approval of October 20, 2016 Minutes

Committee Member Wulf made a motion to accept the October meeting Minutes.

Committee Member Herbert seconds the motion.

5/0/0

Docket 2016-036 Kirk & Marilyn Jefferis for property located at 6600 & 6711 State Route 4, Chatham, IL 62629

PETITIONER(S): Kirk & Marilyn Jefferis

OBJECTOR(S): Yes

PRESENT ZONING CLASSIFICATION: B-3 General Business District and A Agricultural District

REQUESTING: Petitioners request a Conditional Permitted Use for a tavern with a beer garden and live entertainment limited to the Proposed 8.39 acres; a rezoning from "A" Agricultural District to "B-3" General Business District for the additional Proposed 3.39 acres; a variance to allow four (4) uses on one parcel: (1) bed and breakfast, (2) single-family residence to serve as an annex to the bed and breakfast or a watchman's quarters, (3) tavern with a beer garden and live entertainment, and (4) banquet hall; and a variance to allow for the tavern and banquet hall uses to have green space parking with grass

pavers or similar material subject to approval of the Zoning Administrator instead of the required minimum bituminous seal coat.

Larry Sweat was sworn in.
Mike Flecman was sworn in.

Chimento: What would you like to do?

Sweat: I assume that everyone has read petition and recommendation? I am here on behalf of Jefferis. Petitioner would like get approval for the zoning and variance.

Chimento: Are you going to be involved in it?

Sweat: No, just as friend. Not financially, basically free counsel.

Wulf: Can you or the staff explain the green space paver parking?

Sweat: To the best of my understanding from talking to Kirk there will be certain amount that will be certain amount of green space enough for rock and compacted well enough.

W

He wants to keep the appearance for the age of Caldwell Mansion. Not intending to asphalt at this time.

Chimento: Any questions County Board? Are there any objectors?

Wulf: You keep referring to this as a historical site? Is this protected under any historical site?

Sweat: I do not know that answer. Possibly I'm not aware.

Keenan: The property to our knowledge is not on federal nation register, it is not a County landmark.

Mares: Question for staff, based on the green space parking. Based on the business plan and what has been submitted for parking plan, there are no objections?

Keenan: Yes, that's correct.

Chimento: Objectors?

Shellie McEvers was sworn in.

McEvers: We have some questions and concerns and objection. First concern didn't receive notification. The concern we have is not about bed n breakfast it's about the entertainment venue. Bar? Bar open till 3am? Or is this going to be like Inn at 835? What's the objective, bed n breakfast or bar?

Chimento: After all the objectors you will have rebuttal? If you want to make any notes.

Harrison: Any adjacent property that touches or across street would receive a notification.

McEvers: I'm closer than my neighbor.

Harrison: Get with me after meeting

Mares: For staff, there is a site location that is posted, correct?

Harrison: Yes, correct.

Lori Williams was sworn in.

Lori: We have concerns due to Route 4 has limited access control expressway and if this property changes use to a bed n breakfast with entertainment value it actually goes from residential to commercial and access would not be allowed to Rt 4 and access would have to get alternate access. And I believe there is 50' easement to south.

Mares: Your name again?

Lori: Lori Williams.

Mares: And you're speaking on behalf of IDOT?

Lori: Yes.

Mares: Has staff been notified?

Molly: Yes, Ms. Williams contacted the regional planning commission for staff analysis? We were not notified with information she provided in her statement till 1:30pm this afternoon.

Mares: Question for IDOT rep? Ingress Egress off route 4? Or Egress ingress off Mansion Rd?

Lori: Ingress, egress off route 4.

Wulf: You, don't have access on to Mansion Rd? Can you make access?

Fleeman: It would be about a .5 mile.

Wulf: So you're land locked?

Sweat: Yes.

Chimento: You are aware of the IDOT situation? And are preparing to resolve that?

Sweat: Yes.

Mendenhall: Are there similar easements along Rt 4?

Lori: No, the other commercial prop south of mansion road has access anything north has no access.

Mares: Is there an applicable solution?

Chimento: That's not our decision.

Lori: I just want to bring to attention.

Craig Hall: Question for staff over years has had many zoning cases brought before you, now we are getting feedback from IDOT; would this feedback be the same from a road commissioner, feedback from county highway department, now feedback from IDOT? Case I am thinking about would be the dog training, rv 3-4 months ago. I am asking staff.

Molly: Lori rep IDOT as well as any township/county highway department has the right and ability to rep case; it's whether or not it has evidence in terms of the property. Should the property be deemed for inappropriate use?

Craig: We as a board take input from our road commissioners, engineers, but this here is not an input decision process? Why would it occur afterwards when discussing allowing easement not allowing?

Molly: Ok, I'll answer in 2 parts. First part, yes anytime a zoning case before this board or county board the zba or county board has to weigh the evidence either in support or against the case. So in this case Ms. Williams's case can be taken into evidence. Staff even unaware this existed. Second part, zoning office has responsibilities in obtaining info on case and the legal description of the property. Staff deals with what they are presented with at the time. Obviously the evidence needs to be evaluated by zba, both from Ms Williams, zba and other opponents.

Craig: Easement not a factor to put in zoning case?

Dwayne: I think Craig's question is... without this ingress egress is there an existing infrastructure? It is appropriate to consider IDOT representation?

Molly: Yes, it is and can be considered. It is staffs opinion at this time however that while it is a zoning consideration. It is not evidence that staff will change its opinion; staff feels be left to developer if zoning granted.

Dwayne: Is there access from Mansion Rd?

Molly: No, not at this time.

Dwayne: Is this factor at this time you're looking at?

Molly: Yes.

Craig: So you could put a road in?

Flecman: I'm here representing the seller. We own the land around parcel.

Craig: So you could put road in, is it because of distance or expense?

Sweat: Explains the parcel and layout.

Wulf: This issue of ingress, egress? Is it an issue of actual infrastructure or not being able to support it or issue of bureaucracy?

Lori: When we expanded rt 4 we bought the access rights to this property as long as remained agricultural or residential, not commercial. As it is right now it would not support development because of safety across route 4.

Mares: There would be no left hand turn? The only access would be south bound, correct?

Lori: There's a cross over at this intersection.

Flecman: The only thing we are asking for is that the remaining 3.39 acres be zoned B-3.

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

STAFF RECOMMENDATION: Recommend approval of the requested B-3 zoning. The LESA score of 180 indicates the property is suitable for agricultural use only. However, the 3.39 acres that is proposed to be rezoned contains barns and a grass field with varying topography that is unlikely to be economically converted to cropland.

Recommend approval of a Conditional Permitted Use (CPU) for a tavern with a beer garden and live entertainment with the following conditions: (1) the tavern is limited to the existing barn footprint of approximately 2,800 square feet and patio area of 880 square feet as per the floor plan submitted with the petition; and, (2) the hours of operation of the tavern with a beer garden and all live entertainment including but not limited to any dancing, band, DJ music, or any other noise generating music of any kind, is governed by the Sangamon County Liquor Ordinance.

The Springfield 2020 Comprehensive Plan calls for this segment of State Route 4 to be commercial. Also, the subject property contains ample area for parking.

Recommend approval of a variance to allow four (4) uses on one parcel: (1) bed and breakfast, (2) single-family residence to serve as an annex to the bed and breakfast or a watchman's quarters, (3) tavern with beer garden and live entertainment, and (4) banquet hall. Assuming the requested CPU for the tavern is granted, the subject property contains ample area for parking and is large enough to support the four (4) proposed uses. The four (4) proposed uses are very compatible with each other and can be operated within the existing structures on the property.

Recommend approval of a variance to allow green space parking with grass pavers or similar material subject to approval of the Zoning Administrator instead of the required minimum bituminous seal coat. While the property can be used economically if paved with conventional methods, green space paver parking in various forms have been accepted across the country as being an alternative to hard surfaced paving requirements and has been proven to help manage runoff on a site. Green space paver parking may help maintain the historic nature of the site by using grass pavers and keeping the character of the farmstead instead of requiring hard surfaced paving on a historic site. The Standards for Variation are met.

Committee Member Spiro made a motion to accept the staff recommendations as amended.

Committee Member Wulf seconded the motion.

Motion carries 5/0/0

Docket 2016-037 Christina Yoc for property located at 5363 Mansion Road, Chatham, IL 62629

PETITIONER(S): Christina Yoc

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: A Agricultural District

REQUESTING: Petitioner requests a Conditional Permitted Use for a dog kennel; a variance to allow three (3) uses on one parcel; (1) dog kennel and other pets to be kenneled, (2) horse boarding, (3) single family residence; and, a variance to allow parking to remain unpaved (rock), approximately one thousand five hundred thirty (1,530) square feet, instead of the required bituminous seal coat.

Meeting adjourned.

Christina Yoc was sworn in.

Yoc: I am here to request a CPU for dog kennel, for 3 different uses. It is currently zoned agricultural. I have received staff recommendations.

Chimento: Any questions:

Mares: Is property being used currently for anything else?

Yoc: No, it is my personnel residence and that is where my chickens live.

Mares: Ok. And what you're proposing is very nice.

Yoc: It will be good for residents and an all-inclusive pet hotel, so good use of property.

Chimento: Is this going to be your sole income?

Yoc: Yes.

Mares: And you're currently working for veterinarian?

Yoc: Currently manage two vet clinic one in Virden and one in Chatham and pet care business, over 18yrs experience.

Mares: Question with regards to staff recommendation with regards to parking?

Yoc: Yes, sir.

Mares: Would that be something you would be within the 1yr period? Where would the parking variance come in?

Harrison: As this project grows and once need comes to that point...and the facility services the public she would be given ample time to pave lot, from a zoning compliance standpoint.

Wulf: These types of issues would at some point need to be addressed.

Spiro: We often come into this issue with paved vs unpaved lot. Do you know what cost would be to pave?

Yoc: As of right now cost not concern, my concern with request is for the asphalt itself the damage from trailers and safety of horses. Not ideal to have asphalt especially when it is wet outside for horses to be loaded and unloaded...it's a slippery material. Would you guys proposed doing a mixture of half and half.....gravel and parking, but up to actual facility?

Mares: I think based on square footage and usage we are probably going with a minimal parking area based on projected 1,500 square foot? 20 cars?

Yoc: About 10 cars?

Keenan: 10 cars.

Harrison: I don't know how staff feels about request, but she would be required to meet ADA requirements?

Spiro: If we pass this today as written you understand we are denying the request for gravel and you will have to work that out with staff as you go along and if you violate there will be consequences.

Yoc: Understood

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

STAFF RECOMMENDATION: Recommend approval of the requested Conditional Permitted Use (CPU) for a dog kennel with proof of adequate waste disposal.

Recommend approval of the requested use variance to allow three (3) uses on one (1) parcel: (1) dog kennel and other pets to be kenneled, (2) horse boarding, and (3) single-family residence. The property is zoned Agricultural and contains a single-family residence. By right in the Agricultural District, horse boarding is a permitted compatible use on the parcel. The request for the dog kennel generates the need to request three (3) uses on the parcel. Strict enforcement of the ordinance in this particular case could have the effect of denying the property owner the ability to operate one (1) additional use (dog kennel) on the property which is a use that is compatible for the area comprised of mixed agricultural/large lot residential parcels.

Recommend denial of the requested variance to allow the parking to remain unpaved (rock), approximately one thousand five hundred thirty (1,530) square feet. Paving will help the internal vehicular circulation and could decrease the risk for accidents on the subject property. The Standards for Variation are not met.

Committee Member Wulf made a motion to accept the staff recommendations as amended.

Committee Member Herbert seconded the motion.

Motion carries 5/0/0

Docket 2016-039 William Baker for property located at 409 & 413 N Milton Ave., Springfield, IL 6272

PETITIONER(S): William Baker

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: R-2 Single-Family and Two-Family Residence District

REQUESTING: Petitioner requests a rezoning from “R-2” Single-Family & Two-Family Residence District to “B-1” Neighborhood Business District, and a variance to allow two (2) uses on one (1) parcel (single-family residence and bait shop); a variance to allow single-family residences in the “B-1” Neighborhood Business District for Parcels 025 and 026; a variance to allow the parking lot to be paved with millings (approximately ten (10) parking spaces) instead of the required minimum bituminous seal coat; and, a variance for the side yard buffer for a business to remain seven (7) feet instead of the required ten (10) feet.

William Baker was sworn in.

Baker: I want to change from R-2 to B-1 and put in a bait shop, and variance for a parking lot and variance for side yard buffer.

Chimento: Any questions? County Board? Objectors?

Mares: Mr. Baker have you had a chance to read staff recommendation?

Baker: No, sir.

Mares: Thank you.

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

STAFF RECOMMENDATION: Recommend denial. As the subject property is located in a residential area, the list of permitted uses in the B-1 district is regarded as too intense. An area of B-1 exemplifies an inappropriate area of spot zoning. Given the staff recommendation to deny the B-1 zoning, the variance requests (to allow residences in B-1, to pave the parking area with milling, and to reduce the transitional buffer yard) are moot. The petition does not state any hardships that would justify a second use of a bait shop on the subject property. The residences’ driveways would remain as they are.

Committee Member Spiro made a motion to accept the staff recommendations as amended.

Committee Member Mares seconded the motion.

Motion carries 5/0/0

Docket 2016-040 Jeffrey & Pamela Leka for property located at 409 & 413 N Wesley Street, Springfield, IL 6272

PETITIONER(S): Jeffrey & Pamela Leka

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: R-2 Single-Family and Two-Family Residence District

REQUESTING: Petitioners request a rezoning from “R-2” Single-Family and Two-Family Residence District to “B-3” General Business District, a variance to allow the parking lot to remain unpaved (rock) instead of the required minimum bituminous seal coat limited to one (1) year; and, a variance to allow for outside storage limited to one (1) year until construction of a building.

Jeff Leka was sworn in.

Leka: I bought two lots on Wesley and have trucks there for storage for business and have cleaned up lots, and if we can get zoned to just park out trucks there overnight. Neighbors there seem to have no problem.

Chimento: Any questions?

Mares: I have question for staff in regards to the current usage in R-2, so are we allowed to have commercial vehicles parked overnight on the premises?

Harrison: We are allowed to have per parcel one to have truck on parcel; I believe 2 tons?

Mares: Two parcels or one parcel?

Harrison: Two parcels.

Mares: So we could have two trucks parked overnight?

Harrison: Technically since no residence there and would have to defer to legal staff, I believe the way it is written that in a residence this would be someone coming overnight and living there.

Mares: It’s an overnight purpose?

Harrison: Correct.

Chimento: You say 2 ton truck?

Leka: Yes.

Mares: Trucks parked M-f? Weekends?

Leka: Weekends yes, they will sit there unless they need mechanic work then I'll take them home.

Mares: So basically it's an in city parking lot?

Leka: See I was parking at Kmart lot, or sometimes truck stay overnight at job site.

Wulf: Question for staff and this primarily for property, is this something he could ask for some kind of variance? B-3 is out of the question.

Harrison: If you choose to concur with staff rec the petitioner has the right to withdraw and immediately apply for a use variance, by tomorrow at noon and be back in front of you next month.

Mares: If you went for use variance would you have to be fenced off or would property stand as it is right now? Fence off if going to make vacant lot?

Harrison: Depends on how he makes his request; his request would probably remain the same to build structure to store trucks. Think it was his long term goal anyway and staff may have different opinion on what they recommend.

Wulf: Essentially requesting a use variance to build a garage?

Harrison: Actually use variance would address the business operation, not the garage. The shed may just be a component of what he's requesting.

Wulf: Did you think about this when you bought it?

Leka: No I didn't think going to be a problem parking them there.

Wulf: Do you understand what we are saying... you aren't getting a B-3.

Leka: Yes I do.

Wulf: And what staff is saying and we are saying is you would withdraw and re-apply.

Chimento: You can only improve the area you can't hurt that area. Any objectors?

Harrison: He can withdraw now or tomorrow morning.

Dwayne: He would have to withdraw tonight if you make a finding. He needs to withdraw now.

Molly: Basically you have to take action now and tomorrow morning withdraw from zoning office and then submit petition for a use variance and then will be back before you next month.

Chairman Chimento read the staff recommendation.

STAFF RECOMMENDATION: Recommend denial. As the subject property is located in a residential area, the list of permitted uses in the B-1 district is regarded as too intense. An area of B-1 exemplifies an inappropriate area of spot zoning. Given the staff recommendation to deny the B-1 zoning, the variance requests (to allow residences in B-1, to pave the parking area with milling, and to reduce the transitional buffer yard) are moot. The petition does not state any hardships that would justify a second use of a bait shop on the subject property. The residences' driveways would remain as they are.

Committee Member Mares made a motion to accept the staff recommendations as amended.

Committee Member Herbert seconded the motion.

Motion carries 5/0/0

Docket 2016-041 William & Sheila Goldsberry for property located at 3400 Block Rt. 97., Pleasant Plains, IL 62677

PETITIONER(S): William & Sheila Goldsberry

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: A Agricultural District

REQUESTING: Petitioners request for Proposed Parcel 1: a rezoning from "A" Agricultural District to "R-1" Single Family Residence District; and, for Proposed Parcel 2: a variance to allow one (1) parcel less than forty (40) acres, and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width.

William Goldsberry was sworn in.

Goldsberry: I have a 34.5 acre and looking to split off 5 acres on north side as a triangle piece and cut off with a creek and floodplain, so I don't have access to that side, so looking to split off and sell it as a residential home site. I am requesting variance to allow

parcel less than 40 acres and a variance to allow parcel lot depth to be greater than 2 ½ times the lot width.

Chimento: 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 LESA score for the property is 163, and while this score indicates the property is marginal for agricultural usage there is a mitigating factor associated with the land. The presence of a wooded area, topographical changes, and an area of floodplain on the subject property make it unlikely the property could be economically used as cropland. The owner seeks to split off a five (5) acre residential tract from the current parcel. The parcel currently is less than forty (40) acres and contains varying topography and floodplain cutting across the subject parcel which limits where a residence could be constructed. The Standards for Variation are met.

Committee Member Herbert made a motion to accept the staff recommendations as amended.

Committee Member Spiro seconded the motion.

Motion carries 5/0/0

Docket 2016-042 Rebecca Cramblit for property located at 3926 Circle Drive, Auburn, IL 62615

PETITIONER(S): Rebecca Cramblit

OBJECTOR(S): none

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

REQUESTING: Petitioner requests a variance to allow the front yard setback to be approximately twenty (20) feet instead of the required thirty (30) feet.

Rebecca Cramblit was sworn in.

Cramblit: We purchased a house in fall and did not have sufficient garage space and only place we can put it because of the small lot is in front of house so we need about 10' of the 30' required setback in order to put a 20'x24' just standard two car garage.

Chimento: Any questions? County Board?

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

STAFF RECOMMENDATION: Recommend approval of the requested variance to allow the front yard setback to be approximately twenty (20) feet instead of the required thirty (30) feet. Due to the configuration of the existing residence on the parcel and the established trees in the side and rear yards, the owner is unable to construct a two car garage anywhere else on the property other than the front yard. The Standards for Variation are met.

Committee Member Wulf made a motion to accept the staff recommendations as amended.

Committee Member Mares seconded the motion.

Motion carries 5/0/0

Docket 2016-043 Drink-Em Up, Inc. for property located at 4136 N. Peoria Road, Springfield, IL 62702

PETITIONER(S): Drink-Em Up, Inc.

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: B-3 General Business District

REQUESTING: Petitioner requests a Conditional Permitted Use for the sale of alcoholic beverages for a tavern and sale of alcoholic beverages and live entertainment within a beer garden to be consistent with Sangamon County Liquor License.

Blair Suprenaunt and Don Thompson was sworn in.

Suprenaunt: Looking for a CPU to allow the sale of alcoholic beverages for a tavern and sale of alcoholic beverages and live entertainment within a beer garden to be consistent with the Sangamon County Liquor License. We currently go till 10 pm on Friday and Saturday and want to be consistent and go till 10:30 pm with County Liquor License/Commission.

Chimento: Any questions? County Board?

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

STAFF RECOMMENDATION: Recommend approval of the requested Conditional Permitted Use (CPU) to allow the sale of alcoholic beverages for a tavern and sale of alcoholic beverages and live entertainment within a beer garden to be consistent with the Sangamon County Liquor License. The purpose of the request is to amend the hours of operation for the live entertainment to be consistent with the Sangamon County Liquor

License held by the petitioner, which are 9:00 PM on weeknights and 10:30 PM on weekends.

Committee Member Mares made a motion to accept the staff recommendations as amended.

Committee Member Spiro seconded the motion.

Motion carries 5/0/0

Docket 2016-044 Ricky & Karen Dunk for property located at 1471 & 1525 Canterbury Road, Cantrall, IL 62625

PETITIONER(S): Ricky & Karen Dunk

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: A Agricultural District

REQUESTING: Petitioners request a rezoning from “A” Agricultural District to “R-1” Single Family Residence District for both parcels and, for Proposed Parcel 1: 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); and, for Proposed Parcel 2: 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 the road frontage to be sixty (60) feet instead of the required eighty (80) feet.

Rick Dunk was sworn in.

Dunk: My wife and I have owned this property for about 40 years and have 13 acres and like to split off the front 3 acres and think recommendation of house is ok but what I would like to do is request a 60’ wide road instead of 80’ wide road.

Chimento: Did you see the staff recommendation from staff?

Dunk: Yes, sir.

Chimento: Did they recommend 80’?

Dunk: Yes, sir.

Chimento: It’s not possible?

I rather not there’s problem with drainage and setback with buildings and we have rv we would like to store. It would be nice to have it and there’s already a 60’ road back to property and been there for 100yrs and to make it 80’ restricts us. Harder to sell in future.

Chimento: We aren't talking about the road we are talking about the frontage of the road.

Dunk: According to new rules and regulations we have to put another road.

Chimento: Is that what we are talking about, is another road staff?

Harrison: His current parcel currently land locked... he does have an access agreement to get there and since he is reconfiguring we need to bring both parcels in to compliance and to do that the minimum road frontage is 80', I mean yes he doesn't have road access but is there an access easement?

Chimento: Anybody have any questions?

Mares: So would this have to be a subdivision property?

Harrison: No.

Mares: Would just need to have an access on a frontage road?

Harrison: Currently not creating anymore just doing a reconfiguration of two lots, so in process in doing reconfiguring the land locked needs to be meet the frontage requirements of R-1 which is 80'.

Mares: Obviously you have had chance to read over staff recommendation. What would be your objection to allowing access to the property?

Dunk: Basically it's an access; this road would go nowhere and just to meet your requirements. I would like to have 60' so I can maintain my property. And make my turns with my rv on road. My lot keeps getting smaller and smaller.

Mares: Question for staff... the 80' would not be depth it's a linear issue, right?

Harrison: Correct. It's the width of the frontage.

Chimento: They aren't required to have 80'?

Harrison: Has to be 80' wide and a buildable are 30' front setback 30' rear setback and normally look at 20' structure, so 80' x 80' to meet frontage standard and by time we look at that it's about half of his front lot.

Mares: Does 80' become a flag lot and does 60' become a flag lot?

Molly: 80' because its property being zoned to R-1, 80' wide is enough for it not to be a flag lot the request of 60' it then becomes a flag lot. The 80' road frontage does not require him to actually build the road... he can continue to use the access agreement it is for the 2 acres and existing house property and attaching the 10 acres to it.

Spiro: You don't have any intention of selling any of this off?

Dunk: I do want to sell the back.

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

STAFF RECOMMENDATION: Recommend approval of the requested R-1 zoning. The purpose of the requested zoning is to allow the petitioner to sell off the existing landlocked house and approximately 9.71 acres with 60 feet of road frontage while retaining approximately two acres to construct a new residence. Additionally, the petitioner wants to construct a new garage that is 25 feet tall for the storage of a recreational vehicle. The LESA score of 129 indicates the subject property is suitable for non-agricultural development. There is a trend toward residences in the area, as public water is available from Athens and the subject property is adjacent to the Village of Cantrall.

Recommend approval of the requested variance to allow the lot depth to exceed 2.5 times the lot width which would give a landlocked parcel road frontage. The Standards for Variation are met.

Recommend approval of the requested accessory structure height variance, since the subject property is proposed to be re-zoned from A, with no height restrictions, to R-1, the garage height variance is needed. Further, there are few uses for which a proposed garage in the R-1 district could be used other than personal vehicular storage without necessitating further zoning relief. The Standards for Variation are met.

Recommend denial of the requested road frontage variance. The two (2) parcels can be reconfigured to allow both parcels to have the required eighty (80) feet of road frontage. The Standards for Variation are not met.

Committee Member Herbert made a motion to accept the staff recommendations as amended.

Committee Member Mares seconded the motion.

Motion carries 5/0/0

Docket 2016-045 Text Amendment to Chapter 17.02 General Provisions

PETITIONER(S): Public Health, Solid Waste & Zoning Committee of the Sangamon County Board

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: none

REQUESTING: 17.02.010 Title – Effective Date- Jurisdiction. The ordinance codified in this title shall be known, cited, and referred to as “The Sangamon County Zoning Ordinance.” It shall be effective from the twenty-second day of April, 1969, and it shall be effective for the entire county outside the limits from time to time of cities, villages, and incorporated towns which have or which may have from time to time in effect municipal zoning ordinances. It shall also be effective for all properties subject to an annexation agreement which are located, in whole or in part, more than 1.5 miles from the corporate boundaries of the annexing municipality.

Mares: Have amendments been submitted to record yet, or do they need to be read?

Molly: They are part of the minutes and I believe paper copies can be submitted as part of record; they were published and met the notification requirements.

Dwayne: Correct.

Chimento: Great.

Chimento: So I recommend we approve the amendments? Do we need to read them text amendment chapter 17.02 general provisions and text amendment chapter 17.76 administration and enforcement and chapter 17.76.020 zoning administrator?

Molly: They should be on separate votes, but yes that’s sufficient.

Chimento: Ok, we will vote on chapter 17.02 general provisions.

STAFF RECOMMENDATION: Recommend approval. The proposed text amendment is found to be advantageous to the immediate vicinity, community, or region.

Committee Member Mares made a motion to accept the staff recommendations as amended.

Committee Member Spiro seconded the motion.

Motion carries 5/0/0

Docket 2016-046 Text Amendment to Chapter 17.76 Administration and Enforcement

PETITIONER(S): Public Health, Solid Waste & Zoning Committee of the Sangamon County Board

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: none

REQUESTING:

17.76.010 Authorities Designated. The administration of this ordinance is hereby vested in the Zoning Administrator of the County and in the Zoning Board of Appeals.

17.76.020 Zoning Administrator. There is hereby created the Office of the Zoning Administrator. The head of the office shall be appointed or removed by the Chairman of the County Board, subject to County Board approval. Such other employees of the Office of the Zoning Administrator shall be appointed by the Zoning Administrator and authorized by the Public Health, Solid Waste and Zoning Committee of the County Board and applicable subsequent committees.

Chimento: Any public comments?

Chairman Chimento hearing none... adjourned meeting.

STAFF RECOMMENDATION: Recommend approval. The proposed text amendment is found to be advantageous to the immediate vicinity, community, or region.

Committee Member Wulf made a motion to accept the staff recommendations as amended.

Committee Member Mares seconded the motion.

Respectfully submitted,


Recording Secretary


Chairman

Minutes of November 17, 2016

Full record of minutes available upon request in the Zoning Department

