

CASE# 2015-010 8-1
RESOLUTION NUMBER

GRANTING A REZONING AND VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
4044 STAGECOACH ROAD &
IN THE 4100 BLOCK OF STAGECOACH 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 an amendment and variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Philip Brammer & William Phillips**, have petitioned the Sangamon County Board for **Proposed Lots 1 & 2: a variance to allow two (2) parcels less than 40 acres, and a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width; for Proposed Lot 4: a rezoning from "A" Agricultural District to "R-1" Single Family Residence District, and a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **April 16, 2015** 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 rezoning and variances; and**

FILED

APR 29 2015

Don J. May
Sangamon County Clerk

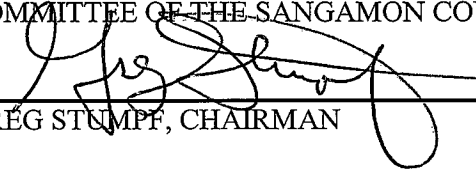
WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12th Day of May, 2015 that the request for Proposed Lots 1 & 2: a variance to allow two (2) parcels less than 40 acres, and a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width; for Proposed Lot 4: a rezoning from "A" Agricultural District to "R-1" Single Family Residence District, and a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 12th day of May, 2015.

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

JOHN FULGENZI

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTI

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

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EXHIBIT A

LOT 4 OF PHILLIPS MINOR SUBDIVISION

AND

PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 16 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY ILLINOIS, DESCRIBED AS FOLLOWS: FROM THE NORTHEAST CORNER OF SAID SECTION 10, SOUTH ON THE SECTION LINE 290.86 FEET; THENCE DEFLECTING TO THE RIGHT 106-02'-40", 243.43 FEET THENCE DEFLECTING TO THE LEFT 90-00'-00", 208.71 FEET: THENCE DEFLECTING TO THE LEFT 90-00'-00", 303.37 FEET; TO THE SECTION LINE THENCE NORTH ON THE SECTION LINE 217.20 FEET TO THE POINT OF BEGINNING, CONTAINING 1.31 ACRES MORE OR LESS.

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: 1 NAME: Harry "Tom" Fraase

DOCKET NUMBER: 2015-010

ADDRESS: 4044 Stagecoach Road & In the 4100 Block of Stagecoach Road,
Springfield, IL 62707

PETITIONER: Philip Brammer & William Phillips

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: For Proposed Lots 1 & 2: "A" Agricultural District with a variance to allow two (2) parcels less than 40 acres, and a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width. For Proposed Lot 4: "R-1" Single Family Residence District, and a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width.

AREA: 22.28 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval of the R-1 zoning for proposed Parcel 4. The LESA score of 154 indicates the site is marginal for agricultural purposes. The surrounding area contains a mixture of single-family residences, manufactured homes, and tillable ground. A variance was granted by the County Board in 2007 (case #2007-08) to facilitate new construction near the subject parcel. Recommend approval of the variance requests to allow two (2) parcels less than forty (40) acres for proposed Lots 1 and 2 and to allow the lot depth to be greater than two and one-half (2.5) times the lot width for proposed Lots 1, 2,

and 4. Division of the property will help settle an estate. Also, there is a question as to whether the side could economically revert back to agricultural use. The standards of variation are met.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval as staff recommended.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: **2015-010**
Philip Brammer & William Phillips)
))
)) **PROPERTY LOCATED AT:**
)) **4044 Stagecoach Road &**
)) **In the 4100 Block of Stagecoach 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 an **amendment and variances** 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 16, 2015** 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: **4044 Stagecoach Road & In the 4100 Block of Stagecoach Road, Springfield, IL 62707** and more particularly described as:

See Exhibit A

3. That the present zoning of said property is "A" Agricultural District.
4. That the present land use of said property is a single-family residence, farm ground and timber.
5. That the proposed land use of said property is two (2) single-family residences, farm ground and timber.
6. That the requested rezoning and variances of said property are for Proposed Lots 1 & 2: a variance to allow two (2) parcels less than 40 acres, and a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and for Proposed Lot 4: a rezoning from "A" Agricultural District to "R-1" Single Family Residence District, and a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width.
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 rezoning and variances 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 rezoning and variances be approved.


CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Anthony Mares**, 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 **Don Wulf**.

The vote of the Board was as follows:

YES: **Charles Chimento, Anthony Mares, Don Wulf, Andrew Spiro & Merilyn Herbert**

NO:

PRESENT:

ABSENT:

Cyndi Knowles
RECORDING SECRETARY

SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT

Case #: 2015-010

Address: 4044 Stagecoach Rd., Springfield

- (i) Existing uses of property within the general area of the property in question.

To the north is a single-family residence. To the east is a single-family residence and forested/pasture ground. To the south is tillable. To the west are several single-family residences, a manufactured home, and tillable ground.

- (ii) The zoning classification of property within the general area of the property in question.

The area is surrounded by Agricultural zoning.

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

The LESA score of 154 indicates the subject property is marginal for agricultural purposes. The site has some tillable ground. However, a portion of the subject property is forested, which could mitigate against converting the site back to agricultural use.

- (iv) The trend of development, within the vicinity since the property was originally classified.

Several residences have been constructed in the vicinity. Also, a variance was passed by the County Board to facilitate new construction (Case # 2007-08) near the subject property.

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**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2015-010**

Address: **4044 Stagecoach Rd., 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.

While the site can continue to be used for agricultural purposes and a single-family residence, there is a question as to whether the site could economically revert back to agricultural use.

- (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.

Division of the property will help settle an estate.

- (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 impacts are foreseen.

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Parcel # 13-10-200-010; 13-10-400-036

Zoning Case # 2015-010

LAND EVALUATION AND SITE ASSESSMENT

Part 1: Site Assessment

	Available Points	Points
<u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u>		
90% or more	20	
75-89%	10	
50-74%	5	5
Under 50%	0	
<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	
75-89%	10	
50-74%	5	20
Under 50%	0	
<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	
50-74%	5	0
Under 50%	0	
<u>COUNTY SECTOR</u>		
Rural	20	
0.5 mile from incorporated area	10	20
Incorporated area	0	
<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	
50-74%	10	
25-49%	5	0
Less than 25% or sewer available	0	
<u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u>		
Negative impact	15	
Little or none with protective measures	5	0
Little or none	0	

<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	0
No impact	0	

<u>CONDITION OF ROAD</u>		
unpaved, <40' ROW, or < 16' pavement	20	15
16'-18' pavement, 40' ROW	15	
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

<u>AVAILABILITY OF PUBLIC SEWER</u>		
Not available	15	15
Sewer over 600'-1200' away	8	
Private central sewage system	5	
Sewer 600' or less away and available	0	

<u>AVAILABILITY OF PUBLIC WATER</u>		
Not available	20	0
1,000-1,500' away	15	
Less than 1,000' away	5	
Public water available at site	0	

<u>DISTANCE FROM RESPONDING FIREHOUSE</u>		
Not in fire protection district	20	10
More than 5 miles or fire protection by assignment	10	
2.6-5 miles	5	
0-2.5 miles	0	

<u>DRIVING TIME TO HIGH SCHOOL</u>		
Over 30 minutes	10	5
15-30 minutes	5	
Less than 15 minutes	0	

SITE ASSESSMENT TOTAL		90
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Part 2: Agricultural Land Evaluation (Based on Sangamon County Soil Survey)

<u>Soil</u>	<u>Name</u>	<u>Type</u>	<u>%</u>	<u>Relative Value</u>	<u>Points</u>
198A	Elburn	P		100	
199A	Plano	P		100	
43A	Ipava	P		100	
7148A	Proctor	P		100	
46A	Herrick	P		100	
7037A	Worthen	P		100	
705A	Buckhart	P		98	
199B	Plano	P		98	
36B	Tama	P		98	
244A	Hartsburg	P2		98	
257A	Clarksdale	P2		98	
68A	Sable	P2		87	
679B	Blackberry	P		87	
705B	Buckhart	P		87	
86B	Oscos	P		87	
684B	Broadwell	P		87	
50A	Virden	P2		87	
712A	Spaulding	P2		87	
127B	Harrison	P		87	
3077A	Huntsville	P3		87	
138A	Shiloh	P2		87	
249A	Edinburg	P2		87	
242A	Kendall	P2		87	
7242A	Kendall	P2		87	
134A	Camden	P		87	
17A	Keomah	P2	3	87	3
3451A	Lawson	P3		75	
3107A	Sawmill	P5		75	
7075B	Drury	P		75	
8396A	Vesser	P2		75	
3074A	Radford	P3		75	
3073A	Ross	P3		75	
3284A	Tice	P3		75	
279B	Rozetta	P	49	75	37
45A	Denny	P2		75	
134B	Camden	P		75	
112A	Cowden	P2		75	
685B	Middletown	P		75	
3405A	Zook	P5		75	
131C2	Alvin	P		75	
86C2	Oscos	I		74	
36C2	Tama	I		74	
684C2	Broadwell	I		74	
119C2	Elco	I		74	
119D	Elco	I		74	
127C2	Harrison	I		74	
119D2	Elco	I		74	
567C2	Elkhart	I		74	
134C2	Camden	I		74	
259C2	Assumption	I		74	

685C2	Middletown	I		74	
280D2	Fayette	I		74	
119D3	Elco	N		74	
259D2	Assumption	I		74	
212C2	Thebes	I		74	
630C2	Navlys	I	10	74	7
630D2	Navlys	I		74	
630D3	Navlys	I	14	57	8
131D2	Alvin	I		57	
8D	Hickory	I		50	
8D2	Hickory	I		50	
280D3	Fayette	I		44	
8D3	Hickory	I		44	
8F	Hickory	N	20	44	9
549G	Marseilles	N		0	
533	Urban Land	N			
536	Dumps	N			
830	Orthents, Land	N			
862	Pits, Sand	N			
864	Pits, Quarries	N			
801C	Orthents, Silty	N			
W	Water				

Prime/Important Farmlands Designations:

P: Prime farmland

P2: Prime where drained

P3: Prime where protected from flooding or flooding is less often than once in two years during the growing season.

P5: Prime where drained and either protected from flooding or flooding is less often than once in two years during the growing season.

I: Important farmland

N: Not Prime/Important Farmland

AGRICULTURAL LAND EVALUATION TOTAL	64
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GRAND TOTAL	154
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Fewer than 150 points shall be deemed acceptable for non-agricultural development.

From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.

Greater than 175 points shall be considered suitable for agricultural use only.