

CASE # 2007-32 (6-1)
RESOLUTION NUMBER

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
781 GABRIEL ROAD
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 variances to** the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See exhibit A

WHEREAS, the Petitioner, **Betty Lindsey**, has petitioned the Sangamon County Board for **variances to allow one parcel less than 40 acres and to allow the lot depth to exceed 2 ½ times the lot width for one parcel;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **June 21, 2007**, 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 variances;** and

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

FILED

JUN 29 2007

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 July that the requested variances to allow one parcel less than 40 acres and to allow the lot depth to exceed 2 ½ times the lot width for one parcel on the above described property are hereby approved.

Signed and passed by the Sangamon County Board in session on this 10th day of July, 2007.

Respectfully submitted,

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

TIM MOORE, CHAIRMAN

Abe Forsyth

ABE FORSYTH, VICE-CHAIRMAN

BILL MOSS

SAM SNELL

DON STEPHENS

DAVID MENDENHALL

ATTEST:

Joe Gullb

SANGAMON COUNTY CLERK

A. Vonich

COUNTY BOARD CHAIRMAN

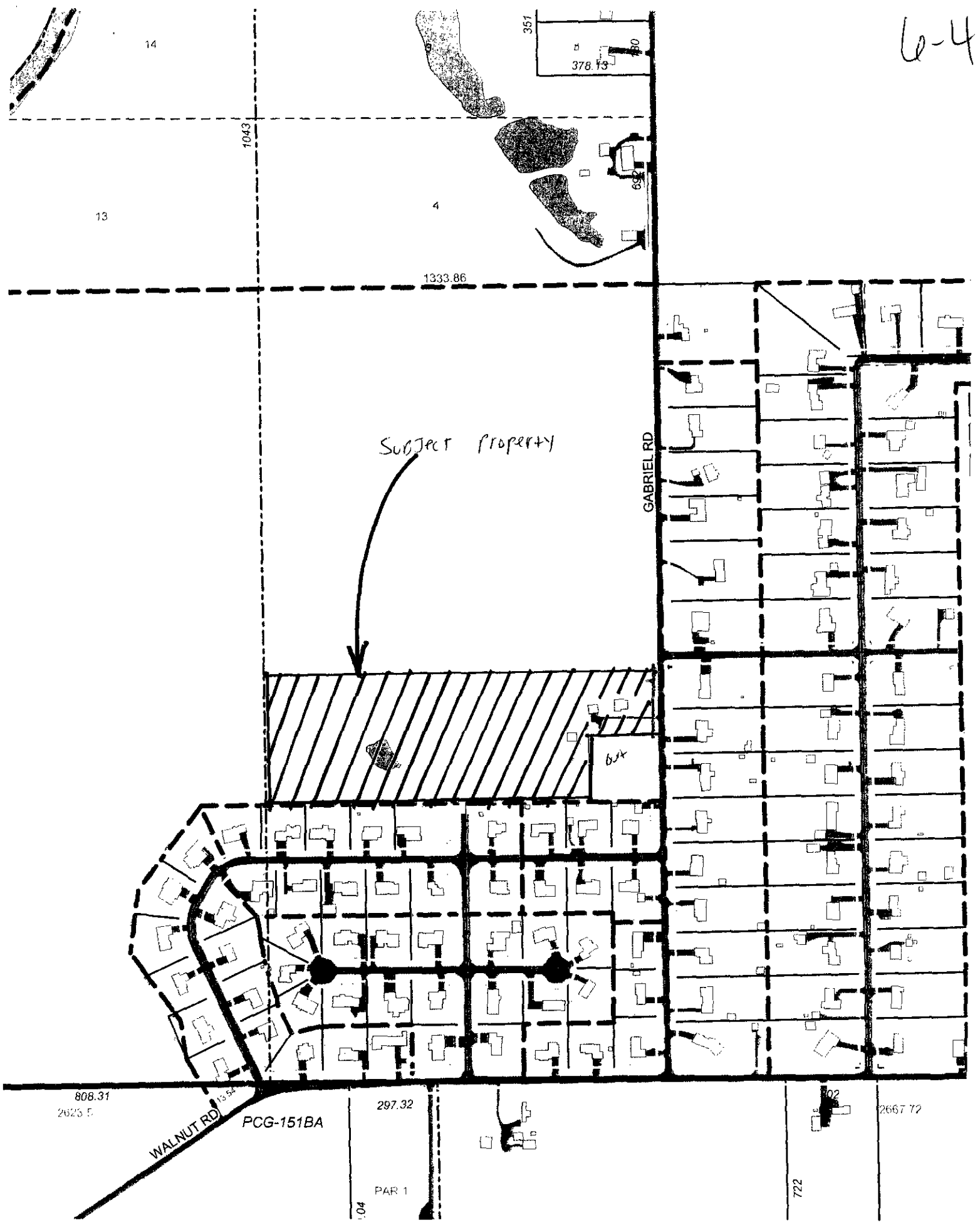
EXHIBIT A

PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 16 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT AN IRON PIN MARKING THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE AFOREMENTIONED SECTION 34, THENCE NORTH 00 DEGREES 40 MINUTES 57 SECONDS EAST ALONG THE QUARTER, QUARTER SECTION LINE A DISTANCE OF 1142.97 FEET TO A MAG NAIL, THENCE NORTH 88 DEGREES 54 MINUTES 20 SECONDS WEST A DISTANCE OF 40.00 FEET TO AN IRON PIPE MARKING THE TRUE POINT OF BEGINNING, THENCE CONTINUING NORTH 88 DEGREES 54 MINUTES 20 SECONDS WEST A DISTANCE OF 207.43 FEET TO AN IRON PIPE, THENCE SOUTH 00 DEGREES 40 MINUTES 57 SECONDS WEST A DISTANCE OF 210.00 FEET TO AN IRON PIPE, THENCE NORTH 88 DEGREES 54 MINUTES 20 SECONDS WEST A DISTANCE OF 1086.73 FEET TO AN IRON PIPE ON THE SECTION LINE, THENCE NORTH 00 DEGREES 31 MINUTES 53 SECONDS EAST ALONG THE SECTION LINE A DISTANCE OF 424.22 FEET TO AN IRON PIPE, THENCE SOUTH 89 DEGREES 05 MINUTES 38 SECONDS EAST A DISTANCE OF 1295.26 FEET TO AN IRON PIPE, THENCE SOUTH 00 DEGREES 40 MINUTES 57 SECONDS WEST A DISTANCE OF 218.46 FEET TO THE TRUE POINT OF BEGINNING. SAID PARCEL CONTAINS 11.672 ACRES, MORE OR LESS, ALL IN THE COUNTY OF SANGAMON, STATE OF ILLINOIS.

BASIS OF BEARING IS NORTH 00 DEGREES 40 MINUTES 57 SECONDS EAST ALONG THE QUARTER, QUARTER SECTION LINE.

6-4



Subject Property

GABRIEL RD

WALNUT RD

PCG-151BA

PAR 1

722

2667.72

808.31
2625.5

297.32

1043

1333.86

351

378.15

830

830

14

13

4

702

u-5

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #9 NAME: Sarah Musgrave

DOCKET NUMBER: 2007-32

ADDRESS: 781 Gabriel Road, Springfield, IL 62712-6538

PETITIONER: Betty Lindsey

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with variances to
allow one parcel less than 40 acres and to
allow the lot depth to exceed 2 ½ times the
lot width for one parcel.

AREA: 11.67 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The standards of variation are met.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION: **Approval.**



RECORDING SECRETARY

66

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2007-32
Betty Lindsey)	
)	PROPERTY LOCATED AT:
)	781 Gabriel Road
)	Springfield, IL 62712-6538
)	

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 **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 **June 21, 2007** 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 **781 Gabriel Road, Springfield, IL 62712-6538** and more particularly described as:

See exhibit A

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3. That the present zoning of said property is "A" Agricultural District.
4. That the present land use of said property is residence, farmland, and pasture.
5. That the proposed land use of said property is **existing use continued, divide off home from cropland.**
6. That the requested **variances** of said property are: **to allow one parcel less than 40 acres and to allow the lot depth to exceed 2 ½ times the lot width for one parcel.**
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 **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 **variances** 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, Peggy Egizii, Judith Johnson, Patrick Somers, Barbara Braner

NO:

ABSENT: Marvin Traylor

AD Armstrong
RECORDING SECRETARY

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EXHIBIT A

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BASIS OF BEARING IS NORTH 00 DEGREES 40 MINUTES 57 SECONDS EAST ALONG THE QUARTER, QUARTER SECTION LINE.

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SSCRPC

Springfield
Sangamon County Regional
Planning Commission

SANGAMON COUNTY ZONING CASE # 2007-32

Staff Findings and Recommendation

ADDRESS 781 Gabriel Road

(inspected 6/6/07 by LW & AJ)

Property Index # Pt. 15-34-300-001

PETITIONER Lindsey, Betty

REQUESTED ZONING A variance to allow one parcel less than 40 acres and to allow the lot depth to exceed 2 1/2 times the lot width for one parcel.

PROPOSED LAND USE Divide off existing home from the cropland.

EXISTING:

ZONING A

LAND USE Residence, farmland, pasture

ROAD FRONTAGE Gabriel Rd 210' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence

CONDITION OF STRUCTURE Good

LOT AREA 11.67 acres

FRONT YARD 200'

SIDE YARDS 70'/100'

REAR YARD 1090'



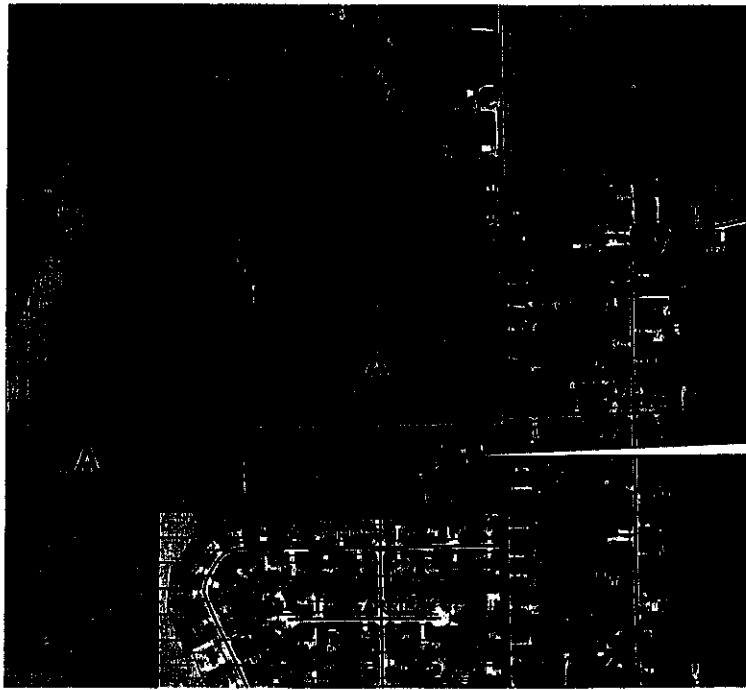
Would the proposed zoning be spot zoning? NA

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval.**
The standards for variation are met.

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County Zoning

Case# 2007-32



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



6-11

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2007-32**

Address: **781 Gabriel Road**

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.

Granting the variances would facilitate division of the property.

- (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 request is made to sell the existing home while preserving the tillable acreage.

- (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.

SANGAMON COUNTY ZONING BOARD OF APPEALS

RE: Docket No. 2007-32 Date: June 21, 2007

Name: Betty Lindsey

Address: 781 Gabriel Road, Springfield

Motion Made By: Peggy Egizii

Seconded By: Judith Johnson

MOTION: Approved

VOTE	YEAS	NAYS
Charles Chimento, Chairman	X	
Peggy Egizii	X	
Judith Johnson	X	
Patrick Somers	X	
Marvin Traylor	Absent	

ALTERNATES

VOTE	YEAS	NAYS
Barbara Braner	X	
Don Wulf		