

Illinois Times

March 20, 2025

One Run

The Springfield Planning and Zoning Commission will meet on Wednesday, April 16, 2025, at 5:30p.m. in the City Council Chamber of the Municipal Center West to hear the following petition.

A petition to vary Section 3 (Setbacks) & Section 4 (Boathouses) of Appendix A of the Land Use Plan for Lake Springfield and its Marginal Properties. Petitioner is the holder of a leasehold interest in the Subject Real Estate pursuant to that certain Assignment of Lakeshore Lease dated as of December 16, 2019. As stated in the petition: No issues involving the existence, compliance, or non-compliance of the covered patio structure adjacent to the shoreline that was in place as of the date of the Assignment were noted in the City's walk-down inspection letter. In 2021, Petitioner commenced construction project on the Subject Real Estate along the Lake Springfield shoreline, adjacent to the covered patio structure in existence prior to the Assignment of the Subject Real Estate. The construction included the replacement and enhancement of the preexisting dock, a new roof and other enhancements to the covered patio structure, and the construction of a boathouse in accordance with plans submitted to the City and its utility, City Water, Light, and Power ("CWLP"). On April 12, 2022, the City authorized the issuance of a building permit for the construction of the boathouse and associated improvements on the Subject Real Estate pursuant to the following conditions: A. The Boathouse shall meet the 20-foot regulation providing that no part of the boathouse shall be located more than 20 feet from the shoreline; B. The total square footage of the Boathouse shall not exceed 600 square feet; C. The Boathouse construction shall include landscape screening. A landscape-screening plan shall be submitted to the City for review and approval by the City; D. The seawall directly adjacent to the dock/boathouse and bordering the cove shall be adjusted as part of the final construction work on the Boathouse. A new seawall plan for that area shall be submitted to the City for review and approval; E. No covered patio area shall be enclosed at any time after the Boathouse construction is completed. On April 13, 2022, a revised building plan for the improvements to the Subject Real Estate was submitted to the City, demonstrating compliance with the above stated conditions. The City approved the revised building plan and issued a final building permit for the improvements to the Subject Real Estate on April 21, 2022. The City and CWLP conducted inspections of the improvements to the Subject Real Estate throughout the course of construction, with the final electrical, plumbing, and structural inspection occurring on August 26, 2022. The improvements to the Subject Real Estate were found to be compliant with applicable provisions of the City Code during the final electrical, plumbing, and structural inspection that occurred on August 26, 2022, and final approval was granted. Since the completion of the construction and final approval of the structures and improvements by the City, a neighbor filed suit against petitioner alleging violations of the Land Use Plan. Petitioner believes that the structure and other improvements comply with the Land Use Plan and City Code; however, to eliminate any ambiguity in the interpretation of Land Use Plan and City Code, petitioner seeks the following variances to ensure that the existing structure and other improvements along the shoreline of the Subject Real Estate are deemed compliant regardless of alternate interpretations of Appendix A to the Land Use Plan that could

be proffered: A variance of Section 3 of Appendix A to the Land Use Plan to authorize the existing roof arrangement, enclosed boathouse, covered patios, and covered dock, to the extent any portion thereof is considered an accessory structure located within seventy-five (75) feet of the lake shoreline; A variance of Section 4 of Appendix A to the Land Use Plan to authorize the existing roof arrangement, enclosed boathouse, covered patios, and covered dock, to the extent that any portion thereof is deemed to be a part of the boathouse constructed more than twenty (20) feet from the shoreline; A variance of Section 4 of Appendix A to the Land Use Plan to authorize the existing roof arrangement, enclosed boathouse, covered patios, and covered dock, to the extent that the area under roof or any other portion of the structure or improvements are deemed to be boathouse square footage that is in excess of six hundred (600) square feet; For such other and further relief necessary for the purposes stated within the petition.

Improvements (or structures) located on said property are one dwelling unit and improvements along the lakeshore. Subject Real Estate is currently classified in the R-1, Single family residence district, Section 155.016.

Legally described as: Exhibit A: That certain lease made by the City of Springfield, Illinois to Kimberly A. Richardson and Mark B. Richardson, as Trustees of the of the Doris L. Richardson Descendant's Trust Dated December 29, 1992, as custodian, for Tract 14, N.W. Cotton Hill Area of Lake Lands in Section 34 in Capital Township (Ord.# 277-8-11) Sangamon County, Illinois, and also all right, title and interest in and to the premises therein described and the improvements thereon, which lease bears date January 2, 2008 and is recorded in the Recorder's Office of Sangamon County, Illinois Doc# 2007R49020 the City Record Book No. 5 Page 1028 of Lakeshore Leases. Commonly known as: 38 Island View Lane, Springfield, IL 62712. Tax Identification No.: 22-34.0-451-004

The property is located at 38 Island View Lane, Springfield, Illinois.

The petitioner is BRYNE PAUL WILLEY, as Trustee of the Bryne Paul Willey Revocable Trust, and KELLIE ANN WILLEY, as Trustee of the Kellie Ann Willey Revocable Trust , By Its Attorneys Brown, Hay & Stephens, LLP, Daniel L. Hamilton of Counsel

Docket No. 2025-020

John Harris
Zoning Administrator

