

CASE # 2005-17
RESOLUTION NUMBER 6-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
1549 N. OAK 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:

All that Part of the Southwest Quarter of Section 3, Township 15 North, Range 4 West of the Third Principal Meridian located South of the B & O Railroad (now abandoned).

WHEREAS, the Petitioners, **Clifford & Carolyn Taft**, have petitioned the Sangamon County Board for a **variance to allow the lot width to be met greater than 60' from the road, to allow the lot depth to exceed 2 ½ times the lot width and to allow the parcel to exceed the 5 acre maximum for one lot;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **March 17, 2005**, 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

APR 01 2005

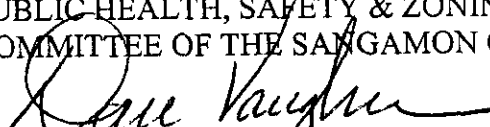
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 11th day of April, 2005 that a variance to allow the lot width to be met greater than 60' from the road, to allow the lot depth to exceed 2 1/2 times the lot width and to allow the parcel to exceed the 5 acre maximum for one lot on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 11th day of April, 2005.

Respectfully submitted,

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



DAN VAUGHN, CHAIRMAN

ABE FORSYTH

BILL MOSS

TYRONE PACE

TIM MOORE

DON STEPHENS

ATTEST:



SANGAMON COUNTY CLERK



COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 3 NAME: David Mendenhall

DOCKET NUMBER: 2005-17

ADDRESS: 1549 N. Oak Road, Rochester, IL. 62563

PETITIONER: Clifford & Carolyn Taft

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow the lot width to be met greater than 60' from the road, to allow the lot depth to exceed 2 1/2 times the lot width and to allow the parcel to exceed the 5 acre maximum for one lot.

AREA: 23.4 acres

COMMENTS: None

OBJECTORS: None

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

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



RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2005-17
Clifford & Carolyn Taft)	
)	PROPERTY LOCATED AT:
)	1549 N. Oak Road
)	Rochester, IL. 62563
)	

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 **March 17, 2005** 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 **1549 N. Oak Road, Rochester, IL. 62563** and more particularly described as:

All that Part of the Southwest Quarter of Section 3, Township 15 North, Range 4 West of the Third Principal Meridian located South of the B & O Railroad (now abandoned).

- 3. That the present zoning of said property is **"A" Agricultural District.**
- 4. That the present land use of said property is **Agricultural, vacant land and Single Family Residence.**
- 5. That the proposed land use of said property is **Divide off one acre tract for building site for daughter.**
- 6. That the requested **variances** of said property are: **to allow the lot width to be met greater than 60' from the road, to allow the lot depth to exceed 2 ½ times the lot width and to allow the parcel to exceed the 5 acre maximum for one lot.**
- 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 **granted.**



 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Donn Malwick** 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 **John Goleman.**

The vote of the Board was as follows:

YES: Charles Chimento, Donn Malwick, John Goleman, Patrick Somers, Marvin Traylor

NO:

ABSENT:



 RECORDING SECRETARY

ZONING VARIANCE CHECK LIST

DATE: 3-7-05

INSPECTED BY: DK LW

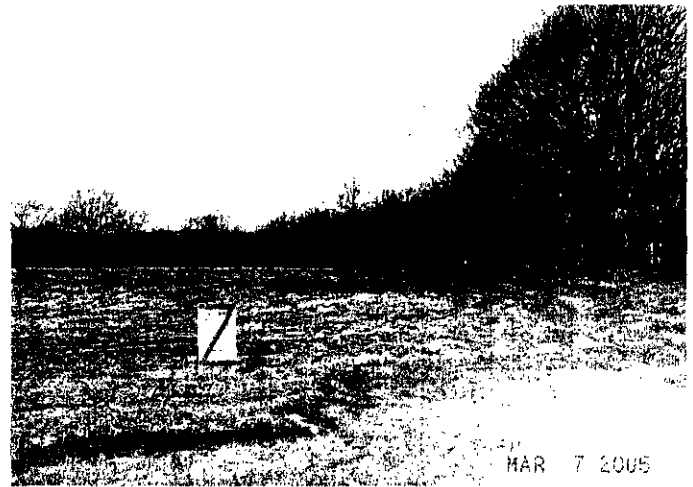
PETITIONER: Taft, Clifford and Carolyn

ADDRESS: 1549 North Oak Road

EXISTING ZONING: A

REQUEST DESCRIPTION: **Variance is requested to allow the lot width to be met greater than 60' from the road, to allow the lot depth to exceed 2 ½ times the lot width and to allow the parcel to exceed the 5 acre maximum for one lot.**

Staff Estimate of the Effect of the Variance on the Area		None	Slight	Mod.	Great
CONTRASTS: CURRENT VS. PROPOSED	land use	X			
	appearance	X			
	height	X			
	parking	X			
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow	X			



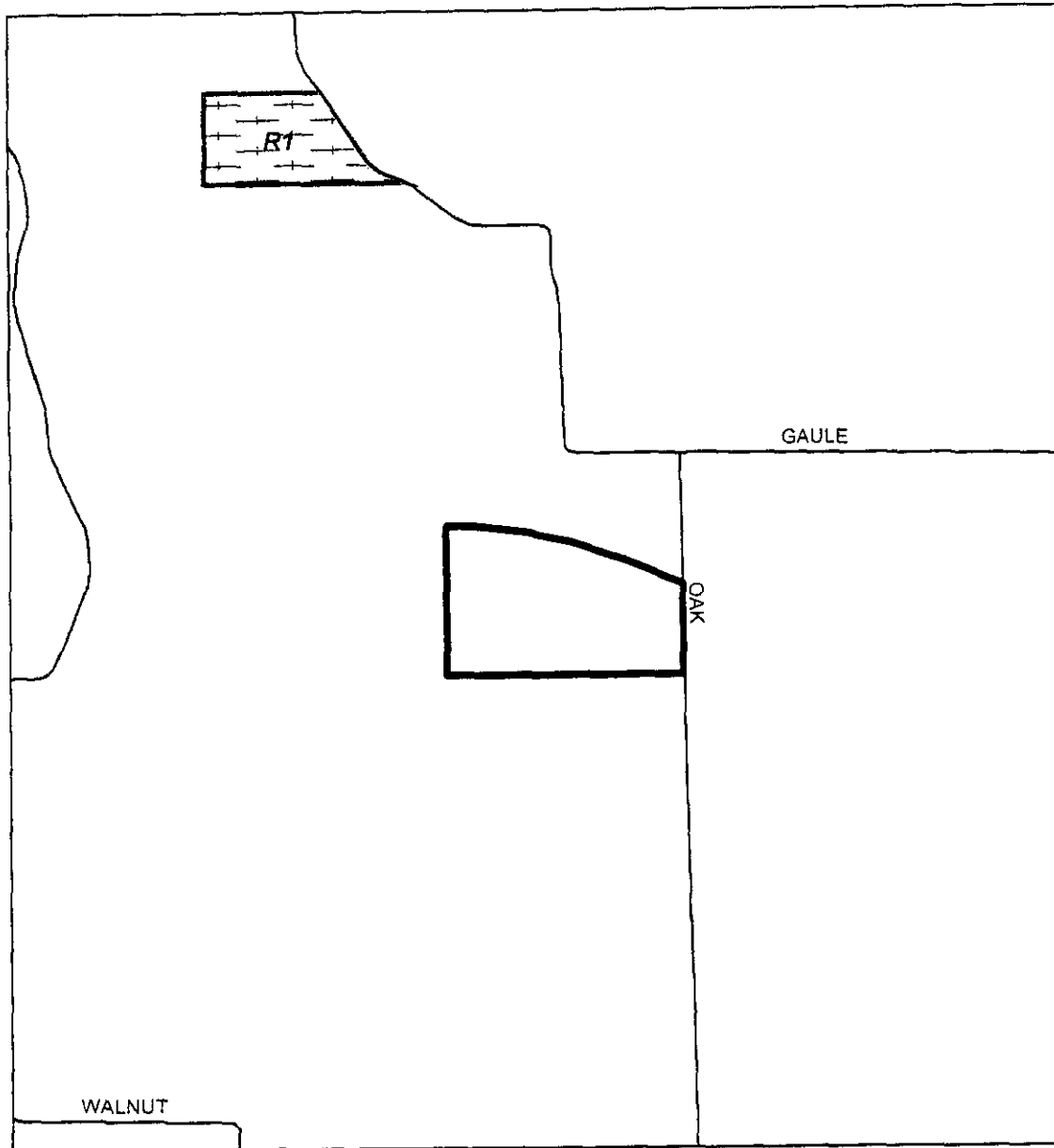
Frontage	Lineal Feet	Existing Yards (ft.)			Area
<u>North Oak Road - 570</u>	<u>100</u>	<u>20/550</u>	<u>1,150</u>	<u>23.4 acres</u>	
	front	side	rear		

OTHER COMMENTS:

STAFF RECOMMENDATIONS: **Recommend approval. The standards for variation are met.**

County Zoning

Case# 2005-017

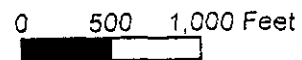


County Zoning

City Zoning

	RM-4		I1
	R3		I2
	R2		B3
	R1a		B2
	R1		B1
	OFF		A

	R5		H1		OFF
	R1		H2		PUD
	R2		H3		B1
	R3a		S1		B2
	R3b		S2		I1
	R4		S3		I2



6-8

County Zoning

Case# 2005-017



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

0 500 1,000 Feet

27

69



RECOMMENDED STANDARDS FOR VARIATIONS

Case #: **2005-17**

Address: **1549 North Oak 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.

The request is made to facilitate division of the property as provided by the one-time exception to the bulk regulations provision of the zoning ordinance.

- (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 preferred building site is a distance off the road in the timber. Each parcel will have owned, non-easement based access.

- (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