

CASE # 2005-34
RESOLUTION NUMBER 18-1

**GRANTING A REZONING
FOR CERTAIN PROPERTY LOCATED AT
9786 WICS ROAD, DAWSON
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 **granting an amendment** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

The Northeast Quarter of the Northeast Quarter of Section 31, Township 16 North, Range 3 West of the Third Principal Meridian excepting the East 641.00 feet.

WHEREAS, the Petitioners, **Michael & Donna Holinga**, have petitioned the Sangamon County Board for a **rezoning from "A" Agricultural District to "R-1" Single Family Residence District**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **May 19, 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 **approve the rezoning**; and

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

FILED

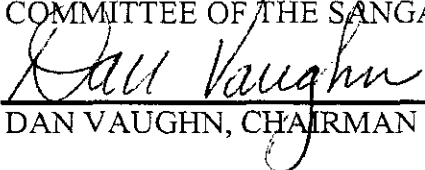
MAY 21 2005

Jan [Signature]
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14th day of June, 2005 that the request to rezone the above described property from "A" Agricultural District to "R-1" Single Family Residence District is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14th day of June, 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: **2005-34**

ADDRESS: **9786 WICS Rd., Dawson, IL. 62520 - 3066**

PETITIONER: **Michael & Donna Holinga**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District**

REQUESTED ZONING CLASSIFICATION: **"R-1" Single Family Residence District**

AREA: **20 acres**

COMMENTS: **none**

OBJECTORS: **none**

PLANNING COMMISSION RECOMMENDATION: **approval due to Land Evaluation and Site Assessment score of 152, infrastructure available, timbered land, and the residential character of the immediate area.**

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: 2005-34 |
| Michael & Donna Holinga) | |
|) | PROPERTY LOCATED AT: |
|) | 9786 WICS Rd. |
|) | Dawson, IL. 62520-3066 |
|) | |

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** 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 **May 19, 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 **9786 WICS Rd., Dawson, IL. 62520-3066** and more particularly described as:

The Northeast Quarter of the Northeast Quarter of Section 31, Township 16 North, Range 3 West of the Third Principal Meridian excepting the East 641.00 feet.

- 3. That the present zoning of said property is **“A” Agricultural District.**
- 4. That the present land use of said property is **1 Single Family Residence and vacant land.**
- 5. That the proposed land use of said property is **4 Single Family Residences.**
- 6. That the requested **rezoning** of said property is: **from “A” Agricultural District to “R-1” Single Family Residence District.**
- 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** 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** be **approved.**

Charles Chimento
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Don Wulf** 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 **Patrick Somers.**

The vote of the Board was as follows:

YES: **Donn Malwick, John Goleman, Patrick Somers, Barbara Braner & Don Wulf**

NO:

ABSENT: **Charles Chimento & Marvin Traylor**

Pat Armstrong
RECORDING SECRETARY

18-6



CASE #: 2005-34
 INDEX #: 16-31-200-019
 DATE: 5-4-05
 INSPECTED BY: DK LW

ZONING AMENDMENT CHECK LIST

PETITIONER: Holinga, Michael & Donna
 ADDRESS: 9786 WICS Road TWP. 16N RANGE 3 W SEC. 31 ¼ SEC. NE
 (OR NEAREST IDENTIFIABLE ROAD) TWP. _____ RANGE _____ W SEC. _____ ¼ SEC. _____
 CITY OR VILLAGE OR NEAREST ONE: Mechanicsburg

EXISTING ZONING: A PROPOSED ZONING: R-1
 LAND AREA: 20 acres ROAD FRONTAGE: 660 Lineal Ft. ROAD COND: Good
South Tower Rd. - 1,320 Good

EXISTING LAND USE: Single Family Residence and Timber
 PROPOSED LAND USE: Single Family Residences

TYPE OF STRUCTURE: Residential CONDITION OF STRUCTURE: Good

EXISTING YARDS: Front 30 ft. Side 180/470 ft. Rear 1,150 ft.

SPOT ZONING: X
 Yes No

- NEARBY LAND USE:
- a. To North Cropland, Timber
 - b. To South Single Family Residences
 - c. To East Single Family Residences
 - d. To West Single Family Residences

OTHER COMMENTS:

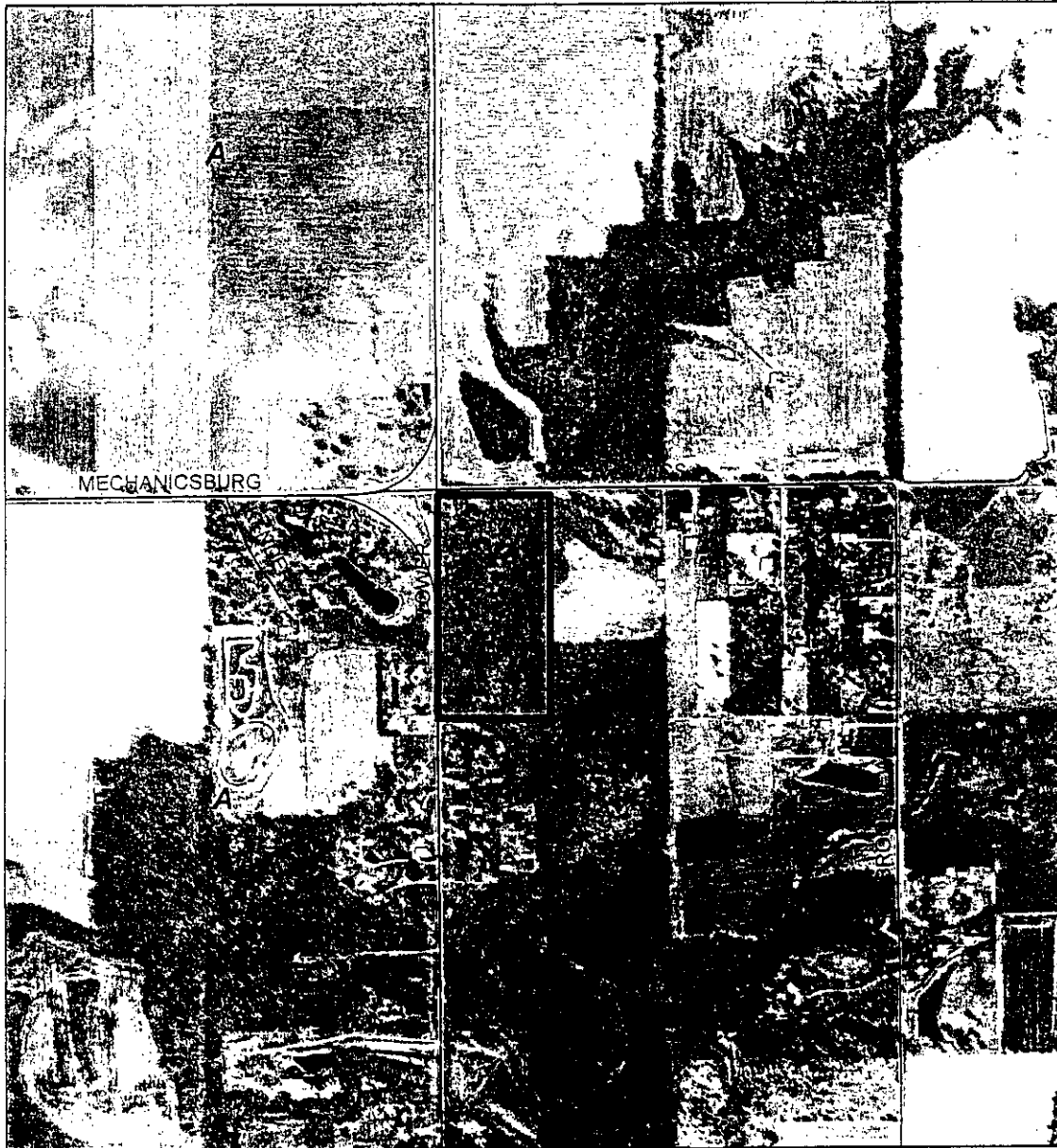
| Staff Estimate of the Effect of the Amendment on the Area | | None | Slight | Mod. | Great |
|---|--------------------|------|--------|------|-------|
| CONTRASTS: CURRENT VS. PROPOSED | land use | | X | | |
| | appearance | | X | | |
| | height | X | | | |
| | parking spaces | X | | | |
| PROBLEMS FORESEEN | drainage | X | | | |
| | sewer | | | X | |
| | traffic flow | X | | | |
| WILL USE INCREASE | pop. density | | X | | |
| | dwellings, density | | X | | |
| | school pop. | X | | | |
| | traffic volume | X | | | |



RECOMMENDATIONS: Recommend approval due to Land Evaluation and Site Assessment score of 152, infrastructure available, timbered land, and the residential character of the immediate area.

County Zoning

Case# 2005-034



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

47
N

18-8



RECOMMENDED FINDINGS OF FACT

Case #: **2005-34**

Address: **9786 WICS Road**

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

To the south, east and west are single family residences.

To the north is cropland and timber.

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

The entire area is zoned A.

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

The Land Evaluation and Site Assessment score of 152 indicates the property may be suitable for non-agricultural development if mitigating factors are present. Being located on a County highway, covered with timber and having public water are supportive factors for non-agricultural development.

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

There has been somewhat of a residential trend in the area.

LAND EVALUATION AND SITE ASSESSMENT**Part 1: Site Assessment**

| | Available Points | Points |
|--|---------------------|--------|
|--|---------------------|--------|

| <u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u> | Available Points | Points |
|---|---------------------|-----------|
| 90% or more | 20 | |
| 75-89% | 10 | 10 |
| 50-74% | 5 | |
| Under 50% | 0 | |

| <u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u> | Available Points | Points |
|---|---------------------|-----------|
| 90% or more | 20 | |
| 75-89% | 10 | 10 |
| 50-74% | 5 | |
| Under 50% | 0 | |

| <u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u> | Available Points | Points |
|--|---------------------|-----------|
| 75-100% | 10 | 10 |
| 50-74% | 5 | |
| Under 50% | 0 | |

| <u>COUNTY SECTOR</u> | Available Points | Points |
|---------------------------------|---------------------|-----------|
| Rural | 20 | 20 |
| 0.5 mile from incorporated area | 10 | |
| Incorporated area | 0 | |

| <u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u> | Available Points | Points |
|---|---------------------|-----------|
| 75% or more | 20 | 20 |
| 50-74% | 10 | |
| 25-49% | 5 | |
| Less than 25% or sewer available | 0 | |

| <u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u> | Available Points | Points |
|--|---------------------|----------|
| Negative impact | 15 | |
| Little or none with protective measures | 5 | 5 |
| Little or none | 0 | |

| <u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u> | Available Points | Points |
|--|---------------------|----------|
| Negative impact | 10 | |
| No impact | 0 | 0 |

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

1840

Parcel # 16-31-200-019

Zoning Case # 2005-34

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

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

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

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

| | | |
|------------------------------|--|-----------|
| SITE ASSESSMENT TOTAL | | 95 |
|------------------------------|--|-----------|

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> |
|-------------|----------------|------------------|-----------|-----------------------|---------------|
| 8D3 | Hickory | Important | | 55 | |
| 8E | Hickory | Important | 15 | 55 | 8 |
| 8E3 | Hickory | Non-prime | | 52 | |
| 8F | Hickory | Non-prime | | 0 | |
| 17 | Keomah | Prime | | 77 | |
| 19C2 | Sylvan | Important | | 72 | |
| 19D | Sylvan | Important | | 72 | |
| 19D3 | Sylvan | Important | | 55 | |
| 19E3 | Sylvan | Non-prime | | 52 | |
| 36A | Tama | Prime | | 100 | |
| 36B | Tama | Prime | | 95 | |
| 36C2 | Tama | Prime | | 90 | |
| 36D2 | Tama | Important | | 72 | |
| 43 | Ipava | Prime | | 100 | |
| 45 | Denny | Prime | | 77 | |
| 50 | Virден | Prime | | 87 | |
| 67 | Harpster | Prime | | 87 | |
| 68 | Sable | Prime | | 95 | |
| 73 | Ross | Prime | | 95 | |

18-11

Parcel # 16-31-200-019

Zoning Case # 2005-34

| | | | | | |
|--------------|----------------|------------------|-----------|-----------|-----------|
| 74 | Radford | Prime* | | 87 | |
| 77 | Huntsville | Prime* | | 95 | |
| 107 | Sawmill | Prime* | | 87 | |
| 112 | Cowden | Prime | | 77 | |
| 119D | Elco | Important | | 72 | |
| 119D3 | Elco | Important | | 55 | |
| 119E3 | Elco | Non-prime | | 52 | |
| 131C | Alvin | Prime | | 77 | |
| 131D | Alvin | Prime | | 77 | |
| 131E2 | Alvin | Important | 41 | 55 | 23 |
| 134A | Camden | Prime | | 90 | |
| 134B | Camden | Prime | | 77 | |
| 134C2 | Camden | Important | | 72 | |
| 134D3 | Camden | Important | | 55 | |
| 138 | Shiloh | Prime | | 87 | |
| 198 | Elburn | Prime | | 100 | |
| 199A | Plano | Prime | | 95 | |
| 199B | Plano | Prime | | 90 | |
| 208 | Sexton | Prime | | 77 | |
| 212D3 | Thebes | Important | | 55 | |
| 242 | Kendall | Prime | | 77 | |
| 244 | Hartsburg | Prime | | 87 | |
| 249 | Edinburg | Prime | | 77 | |
| 259C | Assumption | Prime | | 77 | |
| 259D2 | Assumption | Important | | 72 | |
| 280B | Fayette | Prime | | 77 | |
| 280C2 | Fayette | Important | 7 | 72 | 5 |
| 280D2 | Fayette | Important | 2 | 72 | 1 |
| 280D3 | Fayette | Important | | 55 | |
| 284 | Tice | Prime* | | 90 | |
| 451 | Lawson | Prime* | 21 | 95 | 20 |
| 551F | Gosport | Non-prime | | 0 | |
| 567C | Elkhart | Prime | | 77 | |
| 567D2 | Elkhart | Important | | 72 | |
| 684B | Broadwell | Prime | | 87 | |
| 684C2 | Broadwell | Prime | | 77 | |
| 685B | Middletown | Prime | | 77 | |
| 685C2 | Middletown | Important | | 72 | |
| 801 | Orthents | Non-prime | | 0 | |

*subject to flooding

AGRICULTURAL LAND EVALUATION TOTAL 57

GRAND TOTAL 152

Fewer than 150 points shall be deemed acceptable for non-agricultural development.

Between 150 and 175 points shall be considered marginal requiring mitigating factors for non-ag development.

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