

CASE # 2005-59  
RESOLUTION NUMBER 12-1

**GRANTING VARIANCES**  
**FOR CERTAIN PROPERTY LOCATED**  
**IN THE 7500 BLOCK OF CORNLAND ROAD, BUFFALO**  
**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, **Doug Schemmer**, has petitioned the Sangamon County Board for a **variance to allow the lot depth to be more than 2 ½ times the lot width and a variance of the maximum lot area of 5 acres allowed under the one time exception to the bulk regulations provision of the zoning ordinance;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **August 18, 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.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13<sup>th</sup> day of September, 2005 that the request on the above referenced property for a variance to allow the lot depth to be more than 2 ½ times the lot width and a variance of the maximum lot area of 5 acres allowed under the one time exception to the bulk regulations provision of the zoning ordinance is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13th day of September, 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

**EXHIBIT A**

Part of the South Half of the Northwest Quarter of Section 22, Township 17 North, Range 3 West of the Third Principal Meridian in Sangamon County, Illinois, more particularly described as follows:

Commencing at a found iron pipe marking the Southwest corner of the East Half of the Northwest quarter of the aforesaid Section 22; Thence North 00 degrees 06 minutes 11 seconds West along the West line of said East half 435.00 feet; Thence South 89 degrees 59 minutes 47 seconds West 30.89 feet to a set iron pin on the West Right-Of-Way line of Cornland Road marking the true point of beginning; thence North 00 degrees 43 minutes 40 seconds West along said west right-of-way line 240.00 feet to a set iron pin; thence South 89 degrees 44 minutes 45 seconds West 566.60 feet to a set iron pin; thence South 00 degrees 06 minutes 02 seconds East 242.70 feet to a set iron pin; thence North 89 degrees 59 minutes 47 seconds East 569.11 feet to the true point of beginning, containing 3.15 acres, more or less.

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 3 NAME: **David Mendenhall**

DOCKET NUMBER: **2005-59**

ADDRESS: **In the 7500 Block of Cornland Rd., Buffalo, IL. 62515**

PETITIONER: **Doug Schemmer**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance to allow the lot depth to be more than 2 ½ times the lot width and a variance of the maximum lot area of 5 acres allowed under the one time exception to the bulk regulations provision of the zoning ordinance.**

AREA: **7 + acres**

COMMENTS: **Petitioner was stuck in St Louis and did not make the Board of Appeals meeting**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **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: <b>2005-59</b>
<b>Doug Schemmer</b> )	
)	PROPERTY LOCATED AT:
)	<b>In the 7500 block of Cornland Rd.</b>
)	<b>Buffalo, IL. 62515</b>
)	

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 **August 18, 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 **in the 7500 Block of Cornland Rd., Buffalo, IL. 62515** 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 Agricultural.
5. That the proposed land use of said property is a Single Family Residence.
6. That the requested variances of said property are: to allow the lot depth to be more than 2 ½ times the lot width and of the maximum lot area of 5 acres allowed under the one time exception to the bulk regulations provision of the zoning ordinance.
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 are 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.

\_\_\_\_\_  
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 **Patrick Somers**.

The vote of the Board was as follows:

YES: **Charles Chimento, Donn Malwick, John Goleman, Patrick Somers, Barbara Braner**

NO:

ABSENT: **Marvin Traylor**

\_\_\_\_\_  
RECORDING SECRETARY

ZONING VARIANCE CHECK LIST

DATE: 8-3-05

INSPECTED BY: DK LW

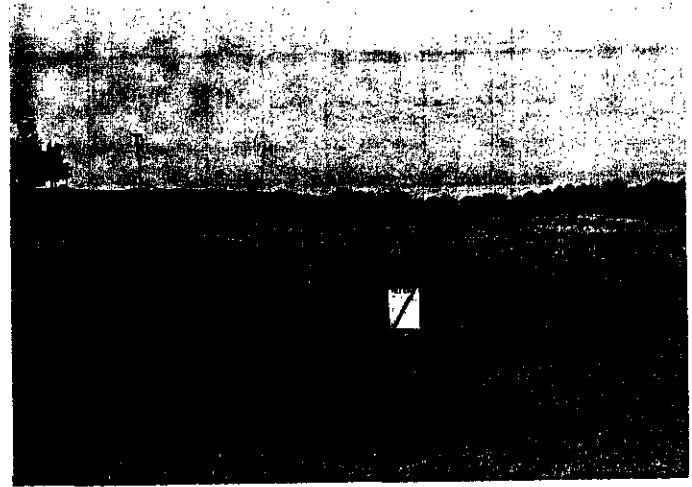
PETITIONER: Schemmer, Doug

ADDRESS: 7500 Block of Cornland Road

EXISTING ZONING: A

REQUEST DESCRIPTION: Variance to allow the lot depth to be more than 2 1/2 times the lot width and a variance of the maximum lot area of 5 acres allowed under the one time exception to the bulk regulations provision of the zoning ordinance.

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			



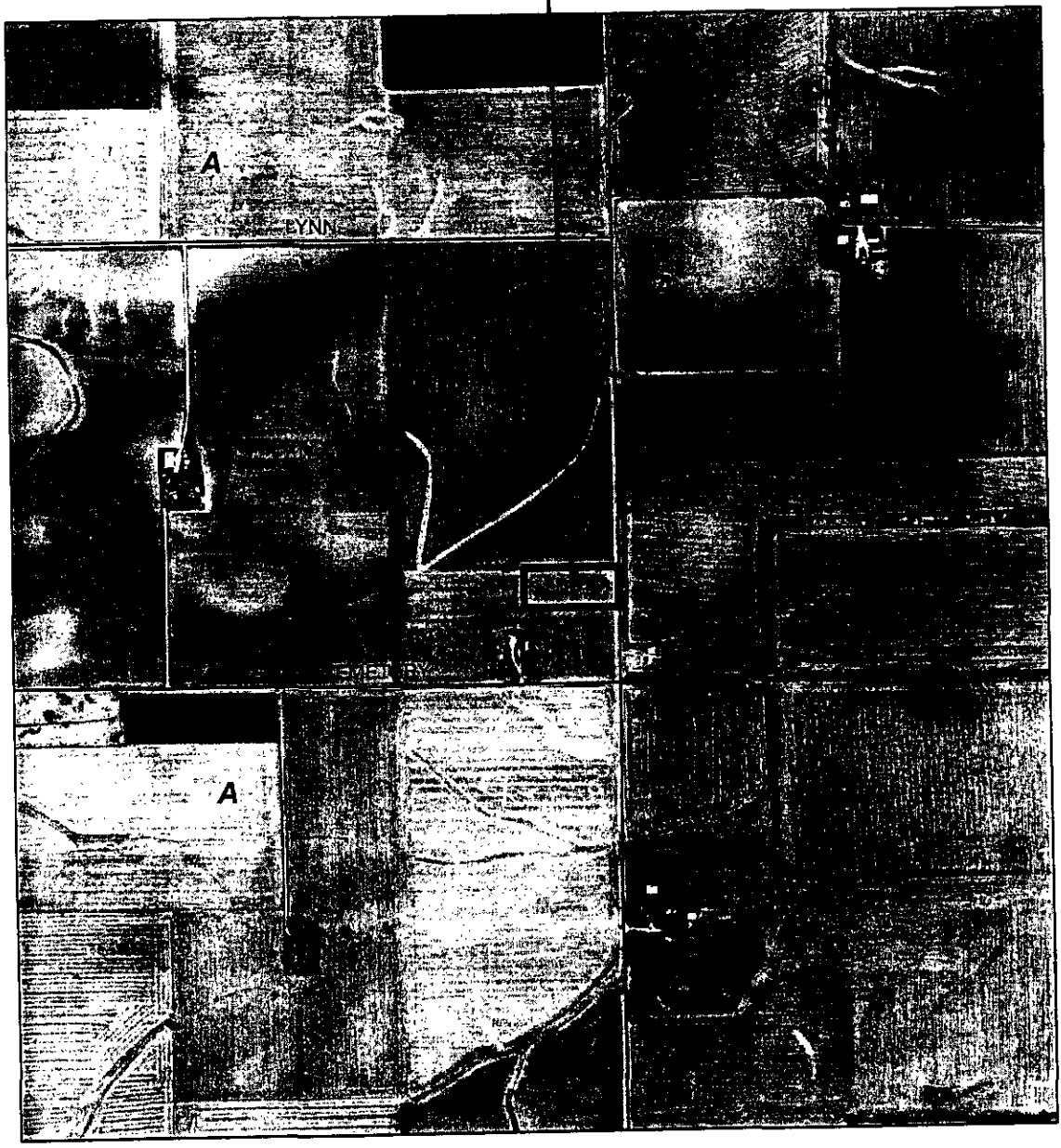
Frontage	Lineal Feet	Existing Yards (ft.)			Area
Cornland Road - 240		--	--	--	7+ acres
		front	side	rear	

OTHER COMMENTS:

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

# County Zoning

## Case# 2005-059

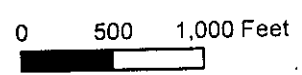


### County Zoning

	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







### RECOMMENDED STANDARDS FOR VARIATIONS

Case #: 2005-59

Address: 7500 Block of Cornland 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 property. A 3.15 acre tract was created from a 66 acre tract under the one time exception to the bulk regulations provision of the zoning ordinance. Additional acreage would be added to this tract.**

- (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.

**Petitioner desires to include all of the pasture land in one tract while retaining the tillable land.**

- (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