

CASE # 2006-01
RESOLUTION NUMBER 2-1

GRANTING VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
12687 CLEVINGER RD, LOAMI
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 a variance to** the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

The southeast quarter of the southwest quarter of section 4, Township 14 North Range 7 West of the Third Principle Meridian.

WHEREAS, the Petitioner, **Zinala Farms LTD**, represented by **Matthew Reyhan**, has petitioned the Sangamon County Board for a **variance to allow the lot area to exceed 5 acres and a variance 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 **January 19, 2006**, 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

JAN 20 2006

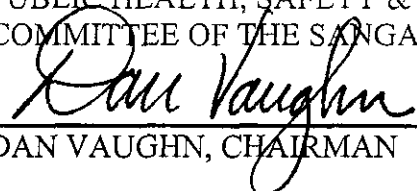
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 1st day February, 2006 that the request for a variance to allow the lot area to exceed 5 acres and a variance to allow the lot depth to exceed 2 ½ times the lot width for one parcel on the above described property hereby granted.

Signed and passed by the Sangamon County Board in session on this 1st day of February, 2006

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

DAVID MENDENHALL

ATTEST:



SANGAMON COUNTY CLERK



COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 7 NAME: **Craig Hall**

DOCKET NUMBER: 2006-01

ADDRESS: 12687 Clevinger Rd, Loami, IL 62661

PETITIONER: Zinala Farms LTD, represented by Matthew Reyhan

PRESENT ZONING CLASSIFICATION: "A" Agriculture

REQUESTED ZONING CLASSIFICATION: "A" Agriculture with a variance to allow the lot area to exceed 5 acres and a variance to allow the lot depth to exceed 2 1/2 times the lot width for one parcel

AREA: 40 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: 2006-01
 Zinala Farms LTD)
)
) PROPERTY LOCATED AT:
)
) 12687 Clevinger Rd
) Loami, IL 62661

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 **January 19, 2006** 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 **12687 Clevinger Rd, Loami, IL 62661** and more particularly described as:

The southeast quarter of the southwest quarter of section 4, Township 14 North Range 7 West of the Third Principle Meridian.

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- 3. That the present zoning of said property is **"A" Agriculture**
- 4. That the present land use of said property is **Agricultural**
- 5. That the proposed land use of said property is **to sell off the hog operation from the farmland.**
- 6. That the requested **variances** of said property are **to allow the lot area to exceed 5 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 **Pat Somers**.

The vote of the Board was as follows:

YES: **Charles Chimento, Peggy Egizii, Donn Malwick, Pat Somers, Barbara Braner**

NO: **None**

ABSENT: **Marvin Traylor**

Pat Somers
RECORDING SECRETARY

27-04
300-004

27-04
300-005

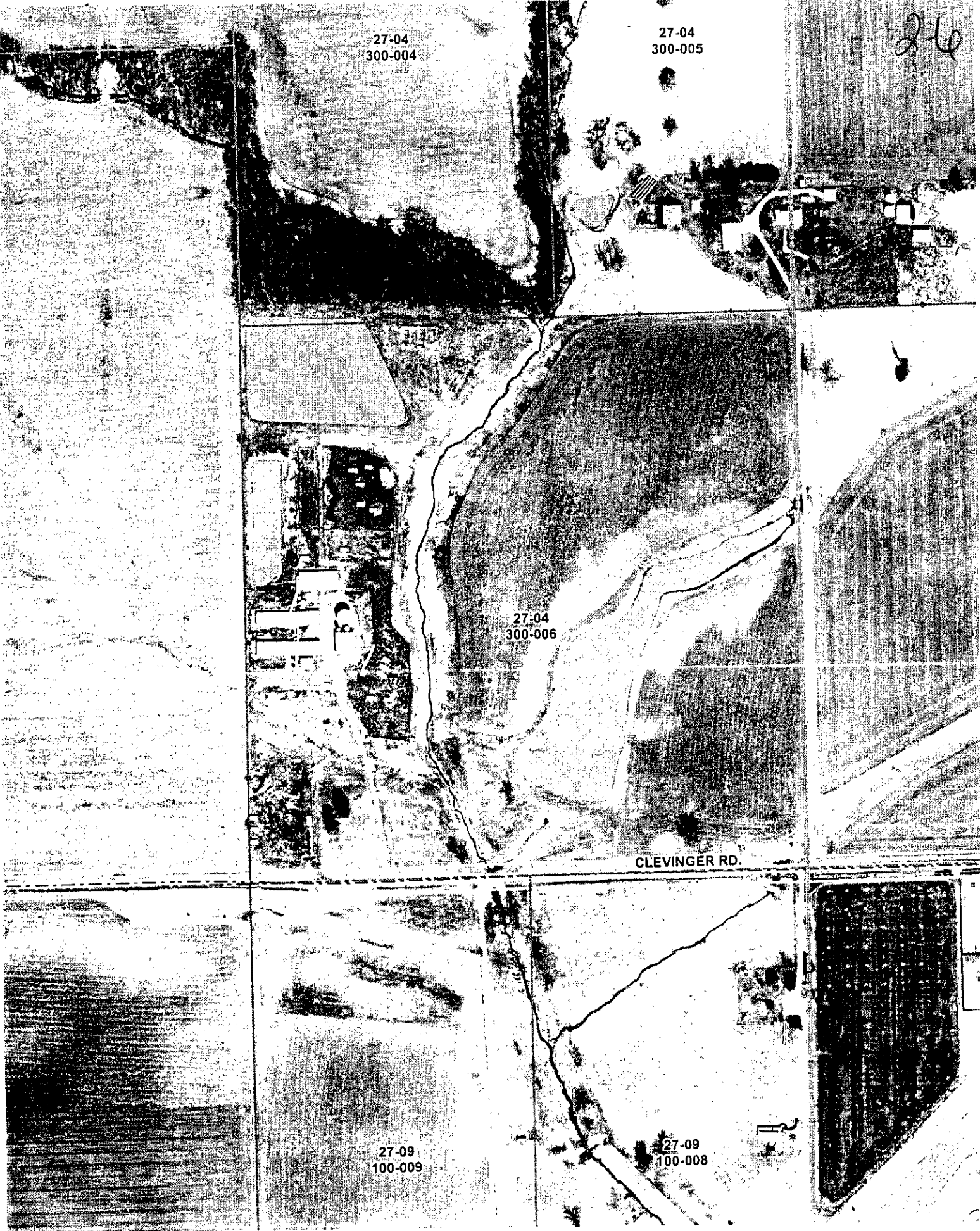
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27-04
300-006

CLEVINGER RD.

27-09
100-009

27-09
100-008



ZONING VARIANCE CHECK LIST

DATE: 1-5-06

INSPECTED BY: DK LW

PETITIONER: Zinala Farms LTD

ADDRESS: 12687 Clevinger Road

EXISTING ZONING: A

REQUEST DESCRIPTION: **Variance to allow the lot area to exceed 5 acres and a variance to allow the lot depth to exceed 2 1/2 times the lot width for one parcel.**

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



Frontage	Lineal Feet	Existing Yards (ft.)			Area
<u>Clevinger Road - 1,320</u>		<u>Varied</u>			<u>40 acres</u>
		front	side	rear	

OTHER COMMENTS:

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

County Zoning Case# 2006-01



County Zoning

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

City Zoning

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

0 500 1,000 Feet





RECOMMENDED STANDARDS FOR VARIATIONS

Case #: 2006-1

Address: 12687 Clevinger 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 allowed under 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.

Petitioner desires to divide the tillable land from the area used for a hog operation.

- (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