

FILED

CASE # 2005-88
RESOLUTION NUMBER 3-1

DEC 30 2005

Joe Diello
Sangamon County Clerk

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
6079 WORKMAN ROAD AND 6248 MOFFETT ST., NEW BERLIN
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, **Mike Workman**, has petitioned the Sangamon County Board for a **variance of the lot width requirement to allow the lot width to be met greater than 60' from a public road and to allow the lot depth to exceed 2 ½ times the lot width for two parcels; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **December 15, 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 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 10th day of January, 2006 that the request for variances of the lot width requirement to allow the lot width to be met greater than 60' from a public road and to allow the lot depth to exceed 2 1/2 times the lot width for two parcels on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 10th day of January, 2006.

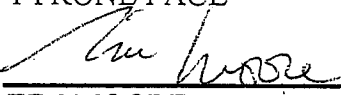
Respectfully submitted,

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

EXHIBIT A

Parcel 1

The East Half of the Southeast quarter of Section of 21, excepting the Southeast quarter of the Southeast quarter of the Southeast quarter of said section 21.

Parcel 2

The East half of the Northeast quarter of section 21, excepting part of the Northeast quarter of the Northeast quarter of section 21, Township 15 North, Range 6 West, of the Third Principal meridian, described as follows:

Commencing at the Northeast corner of said section 21, thence Westerly along the North line of the Northeast quarter of section 21 a distance of 622 35 feet, thence Southerly along a line parallel to the East line of the Northeast quarter of section 21 a distance of 681 33 feet, thence Easterly along a line parallel to the North line of the Northeast quarter of section 21 a distance of 622 35 feet, thence Northerly along the East line of the Northeast quarter of section 21 a distance of 681 33 feet to the place of beginning

And further excepting that part of the East half of the Northeast quarter of said section 21 lying North and West of the former right-of-way of the St. Louis and Springfield (formerly the Chicago, Peoria and St. Louis) railroad.

And further excepting:

A part of the Northeast quarter of the Northeast quarter of section 21 township 15 North, range 6 West of the third principal meridian, Sangamon County, Illinois, more particularly described as follows:

Beginning at the Northeast corner of section 21, thence North 90 degrees, 00 minutes, 00 seconds West along the North line of the Northeast quarter of section 21, 622 35 feet to a point 60.00 feet at right angles from the Southeast right-of-way line of the Chicago, Peoria and St. Louis railroad (abandoned), said point being the true point of beginning, thence South 00 degrees, 00 minutes, 00 seconds East, 681.33 feet, thence North 90 degrees, 00 minutes, 00 seconds West along a line parallel to the North line of the Northeast quarter of section 21, 330.00 feet, thence North 00 degrees, 00 minutes, 00 seconds East, 374.67 feet to a point 60 00 feet at right angles from said railroad right-of-way line, thence North 47 degrees, 06 minutes, 00 seconds East along a line parallel to and 60.00 feet at right angles Southeast of said railroad right-of-way a distance of 450.49 feet to the true point of beginning,

Excepting and reserving therefrom the rights-of-way of all railroads across said lands.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 1 NAME: Tom Fraase

DOCKET NUMBER: 2005-88

ADDRESS: 6079 Workman Rd. & 6248 Moffet Street, New Berlin, IL. 62670
(Village of Curran)

PETITIONER: Mike Workman

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance of
the lot width requirement to allow the lot width
to be met greater than 60' from a public road
and to allow the lot depth to exceed 2 1/2 times
the lot width for two parcels.


AREA: Parcel 1: 73.61 acres Parcel 2: 61.49 acres

COMMENTS: none

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: 2005-88
Mike Workman)	
)	PROPERTY LOCATED AT:
)	6079 Workman Rd & 6248 Moffet St.
)	New Berlin, IL. 62670 (Village of Curran)
)	

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 **December 15, 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 **6079 Workman Rd. & 6248 Moffet St., New Berlin, IL. 62670 (Village of Curran)** 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 farmland & 2 Single Family Residences.
- 5. That the proposed land use of said property is to divide off the 2 Single Family Residences from the farmland.
- 6. That the requested variances of said property are: of the lot width requirement to allow the lot width to be met greater than 60' from a public road and to allow the lot depth to exceed 2 1/2 times the lot width for two parcels.
- 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 **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, Peggy Egizii, Patrick Somers, Marvin Traylor**

NO:

ABSENT:

B.D. Armstrong
RECORDING SECRETARY



CASE #: 2005-88 3-7

INDEX #: 21-21-226-012, 21-21-400-003

ZONING VARIANCE CHECK LIST

DATE: 11-29-05

INSPECTED BY: DK LW

PETITIONER: Workman, Mike
 ADDRESS: 6079 Workman Road and 6248 Moffet Street
 EXISTING ZONING: A

REQUEST DESCRIPTION: Variance of the lot width requirement to allow the lot width to be met greater than 60' from a public road and to allow the lot depth to exceed 2 1/2 the lot width for two parcels.

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			

SEE ATTACHED PHOTOS

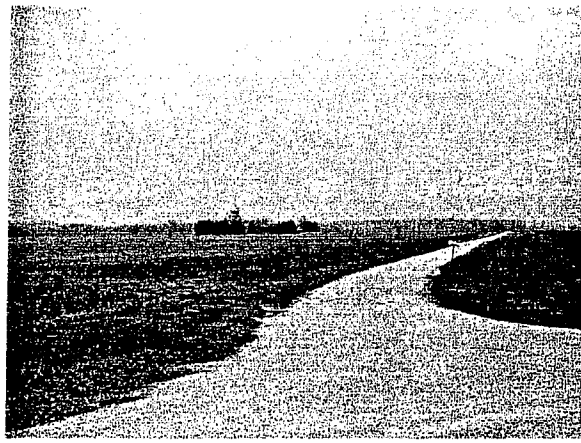
Frontage	Lineal Feet	Existing Yards (ft.)			Area
<u>Parcel 1 - 1,020'</u>		<u>Varied</u>			<u>Parcel 1 - 73.61 acres</u>
<u>Parcel 2 - 560'</u>		front	side	rear	<u>Parcel 2 - 61.49 acres</u>

OTHER COMMENTS:

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

Case #: 2005-88

Address: 6079 Workman Road and 6248 Moffet Street

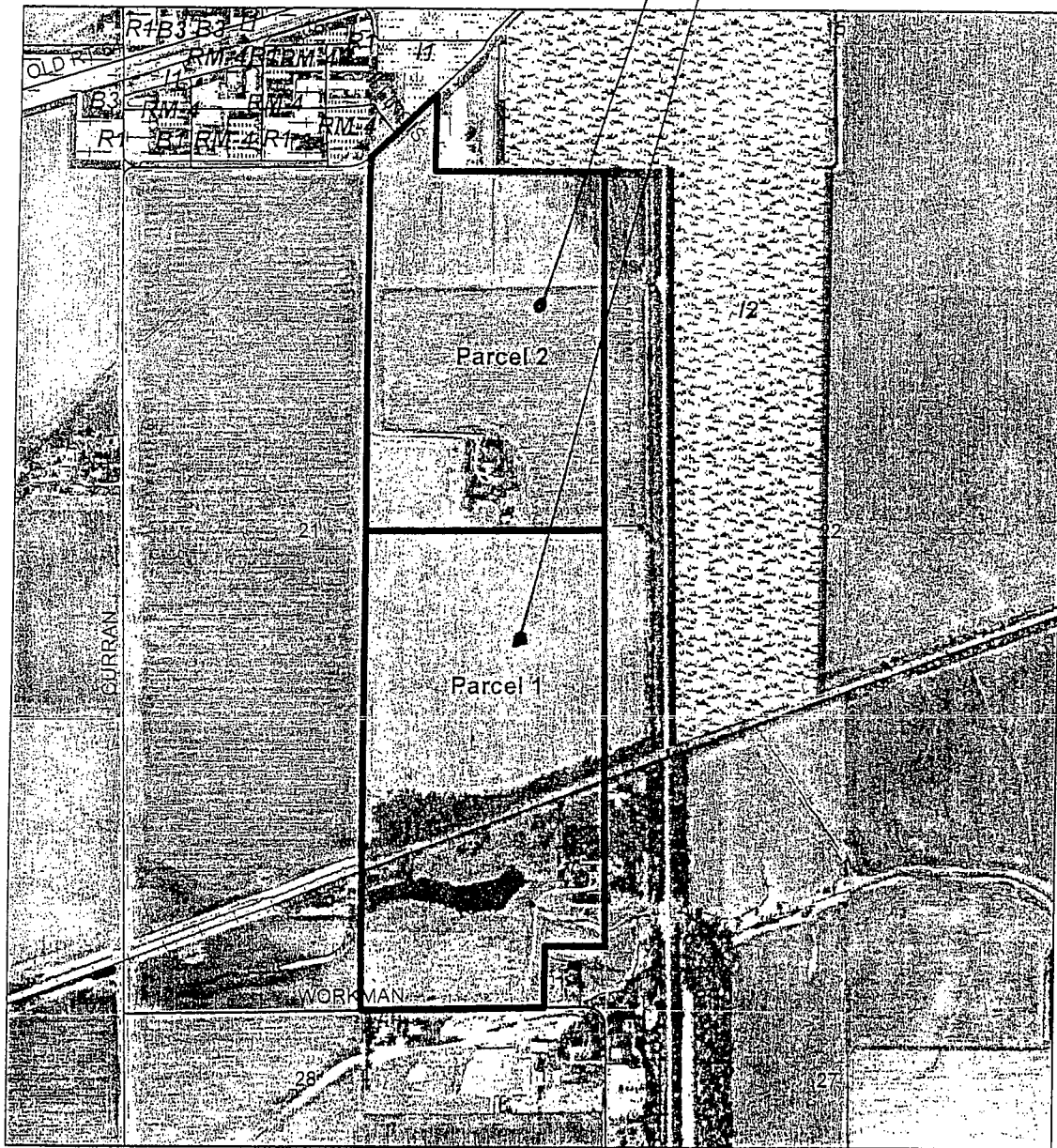


6248 Moffet Street



6079 Workman Road

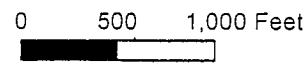
County Zoning Case# 2005-088



County Zoning

City Zoning

R1	B1	R1	H1	OFF
R1a	B2	R2	H2	PUD
R2	B3	R3a	H3	B1
R3	I1	R3b	S1	B2
RM-4	I2	R4	S2	I1
OFF	A	R5	S3	I2





RECOMMENDED STANDARDS FOR VARIATIONS

Case #: 2005-88

Address: 6079 Workman Road and 6248 Moffet Street

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.

The variances would allow the division of the two existing homes from the cropland.

- (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