

FILED

CASE # 2005-89
RESOLUTION NUMBER 4-1

DEC 30 2005

Joe Aiello
Sangamon County Clerk

GRANTING A REZONING AND VARIANCE
FOR CERTAIN PROPERTY LOCATED IN THE
8000 TO 8250 BLOCKS OF PRAIRIE CREEK RD & IN THE 1000 TO 1250 BLOCKS
OF FARMINGDALE ROAD, PLEASANT PLAINS
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 an amendment and variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See EXHIBIT A

WHEREAS, the Petitioner, **Mary Perkins**, has petitioned the Sangamon County Board for a rezoning from **"A" Agricultural District** to **"R-1" Single Family Residence District** with a variance to allow the lot depth to exceed **2 ½ times the lot width** on four of the proposed sites; 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 **grant the rezoning and variance**; 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 to rezone the above referenced property from "A" Agricultural District to "R-1" Single Family Residence District with a variance to allow the lot depth to exceed 2 ½ times the lot width on four of the proposed sites is hereby approved.

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

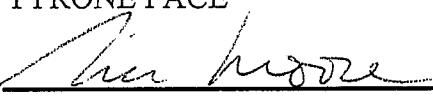
Respectfully submitted,

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

The SE ¼ of the SE ¼ of Section 19, Township 16 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois, Except:

Part of the Southeast Quarter of Section 19, Township 16 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois, being more particularly described as follows: Commencing at the Southeast corner of the Southeast Quarter of Section 19; thence North 00 degrees 01 minutes 11 seconds East along the East line of the Southeast Quarter of said Section 19, a distance of 865.00 feet to the point of beginning.

From the said point of beginning; thence South 89 degrees 59 minutes 19 seconds West, parallel with the South line of the Southeast Quarter of said Section 19, a distance of 460.00 feet; thence North 00 degrees 01 minutes 11 seconds East, parallel with the East line of the Southeast Quarter of said section 19, a distance of 370.00 feet; thence North 89 degrees 59 minutes 19 seconds East, parallel with the South line of the Southeast Quarter of said section 19, a distance of 460.00 feet to a point on the East line of the Southeast Quarter of said section 19; thence South 00 degrees 01 minutes 11 seconds West along the East line of the Southeast Quarter of said Section 19, a distance of 370.00 feet to the point of beginning.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 1 NAME: Tom Fraase

DOCKET NUMBER: 2005-89

ADDRESS: In the 8000 to 8250 blocks of Prairie Creek Rd & in the 1000 to 1250
Blocks of Farmingdale Rd., Pleasant Plains, IL. 62677

PETITIONER: Mary Perkins

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "R-1" Single Family Residence District with a
variance to allow the lot depth to exceed 2 1/2
times the lot width on four of the proposed
sties.

AREA: 36.09 acres

COMMENTS: none

OBJECTORS: yes

PLANNING COMMISSION RECOMMENDATION: Approval. There are several
residences in the area, the
property is located on two county
highways and public water is
available. 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: 2005-89
Mary Perkins)	
)	PROPERTY LOCATED AT:
)	In the 8000 to 8250 Bl. of Prairie Creek Rd. &
)	In the 1000 to 1250 Bl. of Farmingdale Rd.
)	Pleasant Plains, IL. 62677
)	

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 & variance** 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 **In the 8000 to 8250 Block of Prairie Creek Rd. & In the 1000 to 1250 Block of Farmingdale Rd., Pleasant Plains, IL. 62677** 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 cropland.
- 5. That the proposed land use of said property is Single Family Residences.
- 6. That the requested rezoning and variance of said property is: from "A" Agricultural District to "R-1" Single Family Residence District with a variance to allow the lot depth to exceed 2 1/2 times the lot width for four of the proposed sites.
- 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 and variance 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 and variance 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 **Marvin Traylor**.

The vote of the Board was as follows:

YES: **Charles Chimento, Donn Malwick, Peggy Egizii, Patrick Somers, Marvin Traylor**

NO:

ABSENT:


 RECORDING SECRETARY

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CASE #: 2005-89

INDEX #: 13-19-400-012

ZONING AMENDMENT CHECK LIST

DATE: 11-29-05

INSPECTED BY: DK LW

PETITIONER: Perkins, Mary

ADDRESS: 8000 to 8250 Blocks of Prairie Creek Rd.
 & 1000 to 1250 Blocks of Farmingdale Rd. TWP. 16N RANGE 6 W SEC. 19 ¼ SEC. SE
 (OR NEAREST IDENTIFIABLE ROAD) TWP. _____ RANGE ___ W SEC. _____ ¼ SEC. _____

CITY OR VILLAGE OR NEAREST ONE: Springfield

EXISTING ZONING: A PROPOSED ZONING: R-1 with Variance*

LAND AREA: 36.09 acres ROAD FRONTAGE: 1,320 Lineal Ft. ROAD COND: Good
 Farmingdale - 956 Good

EXISTING LAND USE: Cropland

PROPOSED LAND USE: Single Family Residences

TYPE OF STRUCTURE: NA CONDITION OF STRUCTURE: NA

EXISTING YARDS: Front -- ft. Side -- ft. Rear -- ft.

SPOT ZONING: X
 Yes No

NEARBY LAND USE:

- a. To North Cropland, Single Family Residences
- b. To South Cropland, Single Family Residence
- c. To East Cropland, Single Family Residence
- d. To West Cropland, Single Family Residence

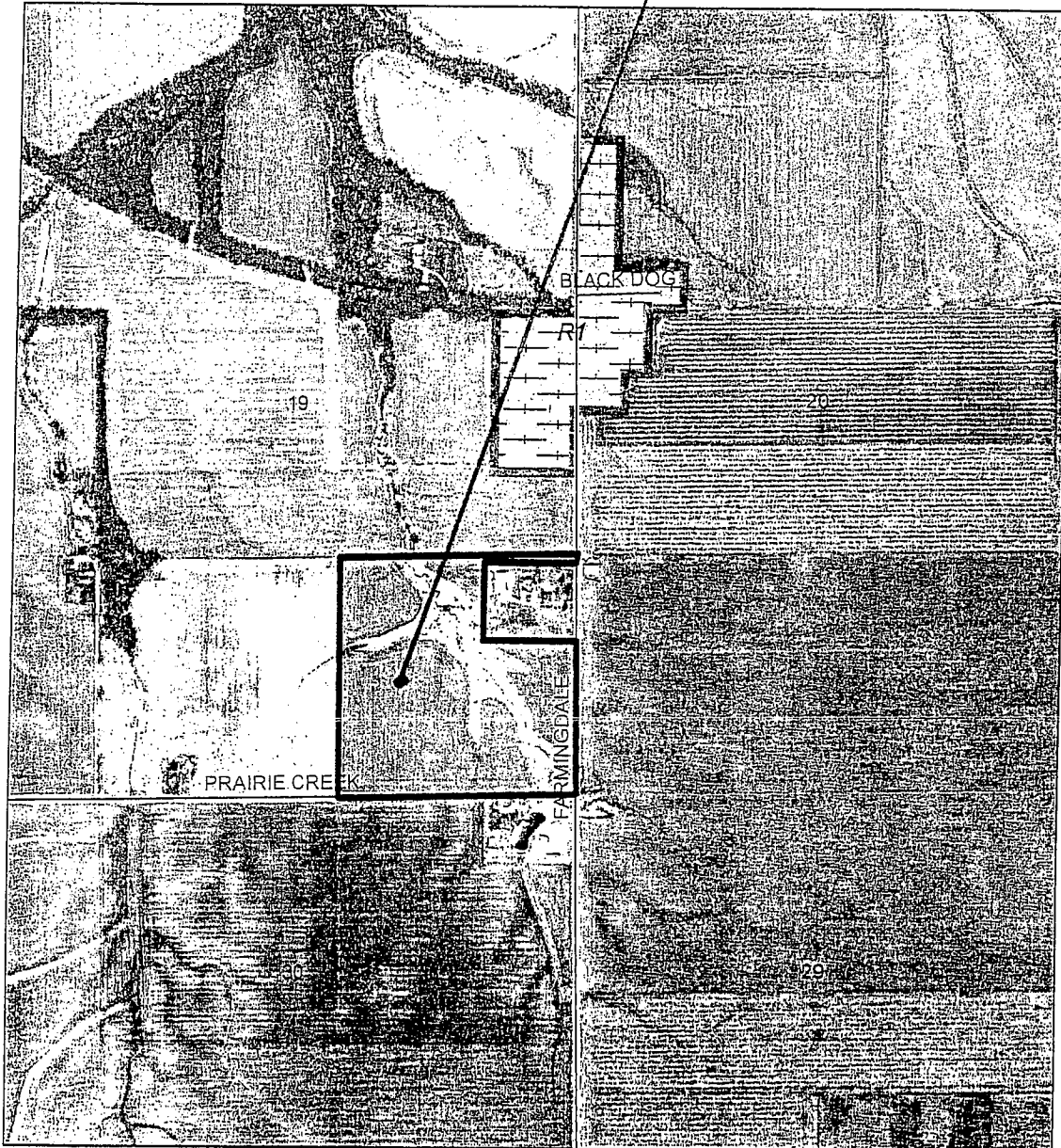
OTHER COMMENTS: *Variance to allow the lot depth to exceed 2 ½ times the lot width on four of the proposed sites.

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. There are several residences in the area, the property is located on two county highways and public water is available. The standards for variation are met.

County Zoning Case# 2005-089

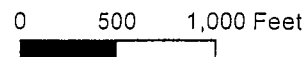


County Zoning

	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





RECOMMENDED FINDINGS OF FACT

Case #: 2005-89

Address: 8000 to 8250 Blocks of Prairie Creek Rd. and 1000 to 1250 Blocks of Farmingdale Rd.

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

There is cropland and several single family residences to the north. There is cropland and one single family residence to the east, south and west.

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

The property is surrounded by A zoning although the residential area to the north is zoned R-1.

- (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 177 is just above the marginal range for non-agricultural development. The property is located on two county highways and the Farmingdale area to the north is developed with several residences. There is public water available.

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

There are several homes in the area.

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SSCRPC

Springfield
Sangamon County Regional
Planning Commission

RECOMMENDED STANDARDS FOR VARIATIONS

Case #: 2005-89

Address: 8000 to 8250 Blocks of Prairie Creek Rd. & 1000 to 1250 Blocks of Farmingdale Rd.

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.

- (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 configuration of the existing parcel and topography present unique circumstances for dividing the property.

- (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

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

	Available Points	Points
<u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u>		
90% or more	20	
75-89%	10	20
50-74%	5	
Under 50%	0	
<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	
75-89%	10	10
50-74%	5	
Under 50%	0	
<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	
50-74%	5	10
Under 50%	0	
<u>COUNTY SECTOR</u>		
Rural	20	
0.5 mile from incorporated area	10	20
Incorporated area	0	
<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	
50-74%	10	
25-49%	5	5
Less than 25% or sewer available	0	
<u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u>		
Negative impact	15	
Little or none with protective measures	5	0
Little or none	0	
<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	
No impact	0	0
<u>CONDITION OF ROAD</u>		
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

AVAILABILITY OF PUBLIC SEWER

Not available	15	15
Sewer over 600'-1200' away	8	
Private central sewage system	5	
Sewer 600' or less away and available	0	

AVAILABILITY OF PUBLIC WATER

Not available	20	0
1,000-1,500' away	15	
Less than 1,000' away	5	
Public water available at site	0	

DISTANCE FROM RESPONDING FIREHOUSE

Not in fire protection district	20	10
More than 5 miles or fire protection by assignment	10	
2.6-5 miles	5	
0-2.5 miles	0	

DRIVING TIME TO HIGH SCHOOL

Over 30 minutes	10	0
15-30 minutes	5	
Less than 15 minutes	0	

SITE ASSESSMENT TOTAL**90****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		55	
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	18	95	17
36C2	Tama	Prime	40	90	36
36D2	Tama	Important		72	
43	Ipava	Prime	15	100	15
45	Denny	Prime		77	
50	Virden	Prime		87	
67	Harpster	Prime		87	
68	Sable	Prime		95	
73	Ross	Prime		95	

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Parcel # 13-19-400-012

Zoning Case # 2005-89

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	55		
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	27	72	19
280B	Fayette	Prime	77		
280C2	Fayette	Important	72		
280D2	Fayette	Important	72		
280D3	Fayette	Important	55		
284	Tice	Prime*	90		
451	Lawson	Prime*	95		
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 87

GRAND TOTAL 177

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

From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.

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