

CASE # 2007-1851
RESOLUTION NUMBER 5-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED IN THE
12300 BLOCK OF CRONIE 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 a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

The West half of the Northeast Quarter of Section 16, Township 16 North, Range 7 West of the Third Principal Meridian, Sangamon County, Illinois.

WHEREAS, the Petitioners, **John J. Dahm and Marilyn E. Dahm**, have petitioned the Sangamon County Board for a **variance of the lot area requirement in "A" Agricultural District to allow one tract less than the required minimum of 40 acres to facilitate division of the lot;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **April 19, 2007**, 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 variance;** and

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

FILED

APR 27 2007

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 8th day of May, 2007 that the requested variance of the lot area requirement in "A" Agricultural District to allow one tract less than the required minimum of 40 acres to facilitate division of the lot on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 8th day of May, 2007.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

CATHY SCAIFE

TYRONE PACE

SAM SNELL

DON STEPHENS

DAVID MENDENHALL

ATTEST:



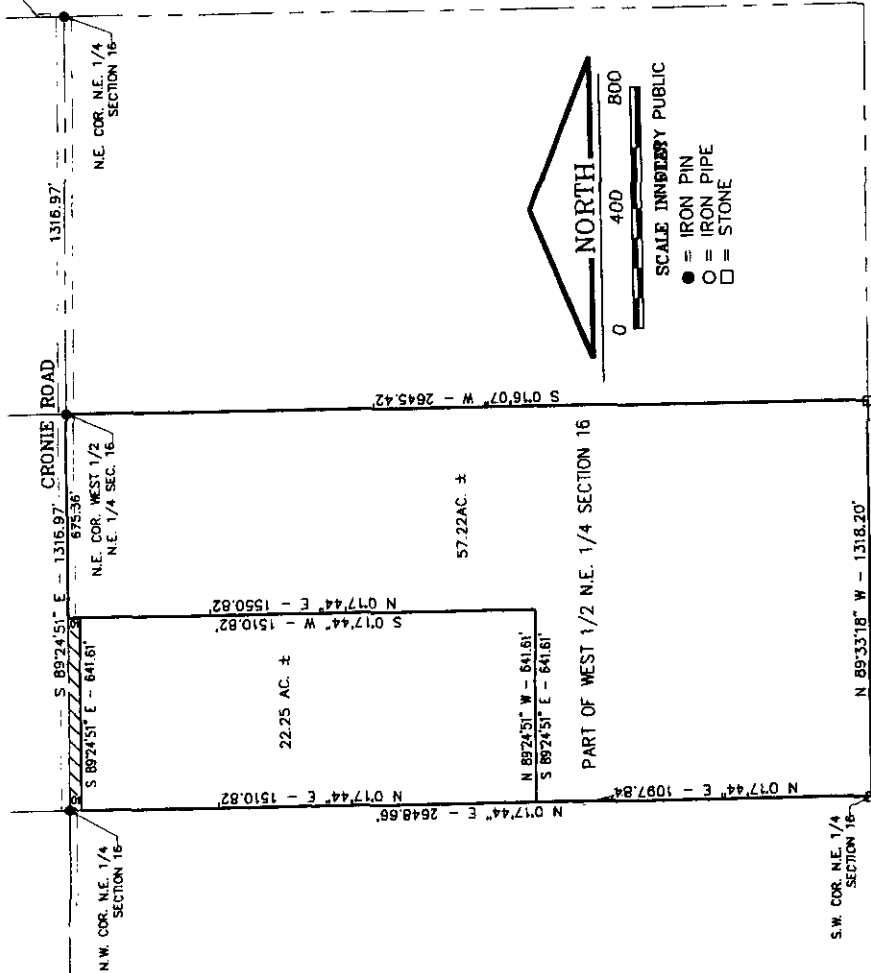
SANGAMON COUNTY CLERK



COUNTY BOARD CHAIRMAN

DAHM MARILYN E TRUSTEE &
DAHM JOHN JAY TRUSTEE
3701 SULLIVAN DR
BELLEVILLE IL 62226-7326

John W. Carrison, Jr.
Professional Land Surveyor
1055 Gateway Drive
Glenham, IL 62536
(217) 483-7560



WEST EDGE OF CRIB IS ON SECTION LINE

TRACT 1

PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 16 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS, BEING DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON PIN AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 16; THENCE SOUTH 0 DEGREES 17 MINUTES 44 SECONDS EAST 40.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 24 MINUTES 51 SECONDS EAST 641.61 FEET; THENCE SOUTH 0 DEGREES 17 MINUTES 44 SECONDS WEST 1510.82 FEET TO AN IRON PIN; THENCE NORTH 0 DEGREES 17 MINUTES 44 SECONDS WEST 1510.82 FEET TO THE POINT OF BEGINNING, CONTAINING 22.25 ACRES, MORE OR LESS.

TRACT 2

PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 16 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS, BEING DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIN AT THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE WEST HALF OF SECTION 16; THENCE SOUTH 0 DEGREES 16 MINUTES 07 SECONDS WEST 2645.42 FEET TO A STONE; THENCE NORTH 89 DEGREES 33 MINUTES 18 SECONDS WEST 1318.20 FEET TO A STONE; THENCE NORTH 0 DEGREES 17 MINUTES 44 SECONDS EAST 1097.84 FEET TO AN IRON PIN; THENCE SOUTH 89 DEGREES 24 MINUTES 51 SECONDS EAST 641.61 FEET TO AN IRON PIN; THENCE NORTH 0 DEGREES 17 MINUTES 44 SECONDS EAST 1550.82 FEET TO AN IRON PIN; THENCE SOUTH 89 DEGREES 24 MINUTES 51 SECONDS EAST 675.36 FEET TO THE POINT OF BEGINNING, CONTAINING 57.22 ACRES, MORE OR LESS.

RIGHT-OF-WAY

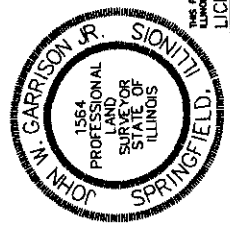
BEGINNING AT AN IRON PIN AT THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 16 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN IN SANGAMON COUNTY, ILLINOIS; THENCE SOUTH 0 DEGREES 17 MINUTES 44 SECONDS WEST 40.00 FEET; THENCE SOUTH 89 DEGREES 24 MINUTES 51 SECONDS EAST 641.61 FEET; THENCE NORTH 0 DEGREES 17 MINUTES 44 SECONDS EAST 40.00 FEET; THENCE NORTH 89 DEGREES 24 MINUTES 51 SECONDS WEST 641.61 FEET TO THE POINT OF BEGINNING, CONTAINING 0.59 ACRES, MORE OR LESS.

WE, THE UNDERSIGNED, JOHN JAY DAHM AND MARILYN E. DAHM, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED ON THIS PLAT OF SURVEY, DO HEREBY CONVEY IN FEE SIMPLE THE RIGHT-OF-WAY PARCEL SHOWN, TO THE CARTWRIGHT TOWNSHIP HIGHWAY DEPARTMENT.

GIVEN UNDER OUR HAND AND SEAL THIS _____ DAY OF _____

I, _____ A NOTARY PUBLIC IN AND FOR THE COUNTY OF SANGAMON, DO HEREBY CERTIFY THAT GEORGE ALLEN BAKER AND JULIE ANN BAKER DIXON, KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED, SEALED AND DELIVERED SAID INSTRUMENT AS THEIR FREE AND VOLUNTARY ACT.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____



I HEREBY CERTIFY THAT THE ACCOMPANYING PLAT CORRECTLY REPRESENTS THE RESULTS OF A LAND SURVEY MADE UNDER MY DIRECTION.

PROFESSIONAL LAND SURVEYOR NO. 1564

MARCH 13, 2007 DATE

THIS PROFESSIONAL SERVICE CONTRACT IS THE CURRENT ILLINOIS MANDATORY STANDARD FOR A BOUNDARY SURVEY. LICENSE EXPIRES: 11/30/2006

PROJECT 2007119

BASIS OF BEARINGS: S 89° 24' 51" E ALONG THE NORTH LINE OF SECTION 16.
NO PART OF THIS SURVEY IS WITHIN A FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

RECAP
(For County Board Use)

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

DOCKET NUMBER: **2007-18**

ADDRESS: **12300 Block of Cronie Road, Pleasant Plains, IL 62677**

PETITIONER: **John J. Dahm and Marilyn E. Dahm**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance of the lot area requirement allow one tract less than the required minimum of 40 acres to facilitate division of the lot.**

AREA: **79.36 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The standards of 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: 2007-18
John J. Dahm and Marilyn E. Dahm)	
)	PROPERTY LOCATED AT:
)	12300 Block of Cronie Road
)	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 a **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 **April 19, 2007** 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 **12300 Block of Cronie Road, Pleasant Plains, IL 62677** and more particularly described as:

The West half of the Northeast Quarter of Section 16, Township 16 North, Range 7 West of the Third Principal Meridian, Sangamon County, Illinois.

Page 2

- 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 Divide property into 2 tracts.
- 6. That the requested variance of said property is: of the lot area requirement to allow one tract less than the required minimum of 40 acres to facilitate division of the lot.
- 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 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 variance be approved.


 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member Peggy Egizil 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, Peggy Egizii, Judith Johnson, Patrick Somers, Marvin Traylor

NO:

ABSENT:


 RECORDING SECRETARY

57

SSCRPC **Springfield Sangamon County Regional Planning Commission**

Staff Findings and Recommendation
 (inspected 4/4/07 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-18
 ADDRESS 12300 block of Cronie Road
 Property Index # 12-16-200-001

PETITIONER Dahm, John J. and Marilyn E. Dahm

REQUESTED ZONING Variance of the lot area requirement to allow one tract less than 40 acres.

PROPOSED LAND USE Divide property into 2 tracts

EXISTING:

ZONING A

LAND USE Cropland

ROAD FRONTAGE Cronie Rd. 1330' CONDITION OF PAVEMENT Poor

STRUCTURE DESIGNED FOR NA

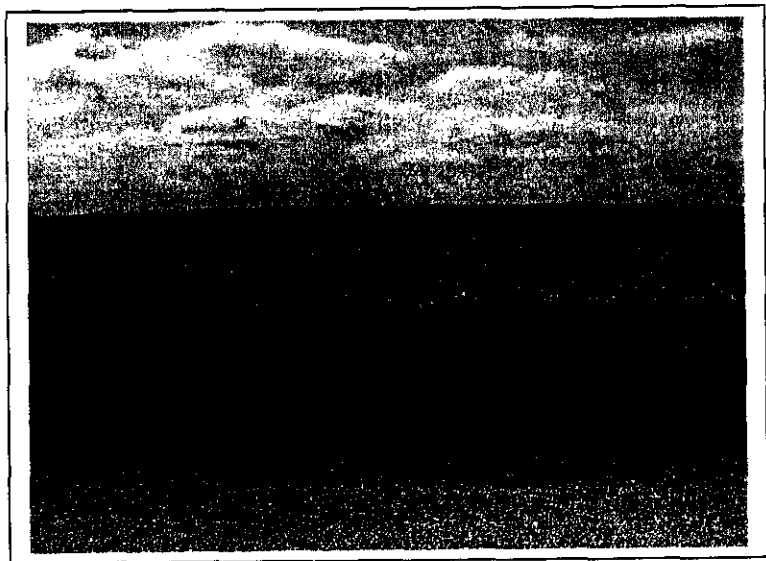
CONDITION OF STRUCTURE NA

LOT AREA 79.36 acres

FRONT YARD NA

SIDE YARDS NA

REAR YARD NA

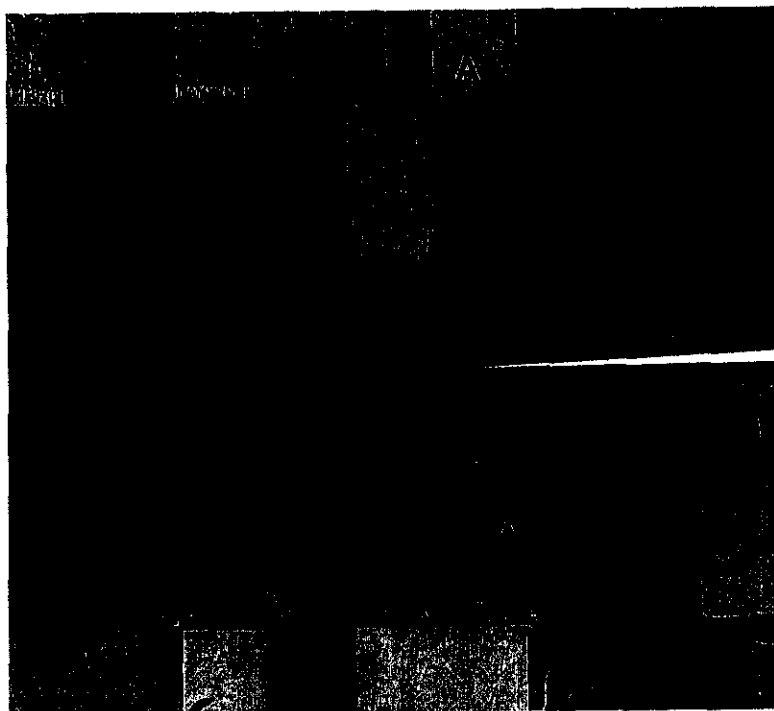


Would the proposed zoning be spot zoning? NA

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval. The standards for variation are met.**

County Zoning

Case# 2007-18



Requested:
Variance

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



500 Feet

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2007-18**

Address: **12300 block of Cronie 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.

Granting the variance would 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 request is made to divide and preserve the tillable land. Because the existing tract is just under 80 acres no division could occur without a variance.

- (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 negative impact is anticipated.