

CASE # 2008-60
RESOLUTION NUMBER 4-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
10,100 BLOCK OF GILREATH ROAD, CHATHAM
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 east ½ of the northeast quarter of section 20, Township 14 North, Range 5 West of the Third Principal Meridian, excepting there from the south 1320' of the west 330' and a 125' x 100' area known as the Knotts and Easely Cemetery.

WHEREAS, the Petitioner, **Chester W. Ping, Jr.**, has petitioned the Sangamon County Board for a **variance to allow one parcel greater than 5 acres to be divided from the property**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **October 16, 2008**, 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

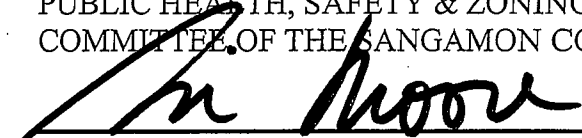
WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12th day of November, 2008 that the request for a variance to allow one parcel greater than 5 acres to be divided from the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 12th day of November, 2008.

Respectfully submitted,

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


TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JENNIFER DILLMAN

DAVID MENDENHALL

GEORGE PRECKWINKLE

SAM SNELL

DON STEPHENS

LINDA DOUGLAS WILLIAMS

ATTEST:


SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

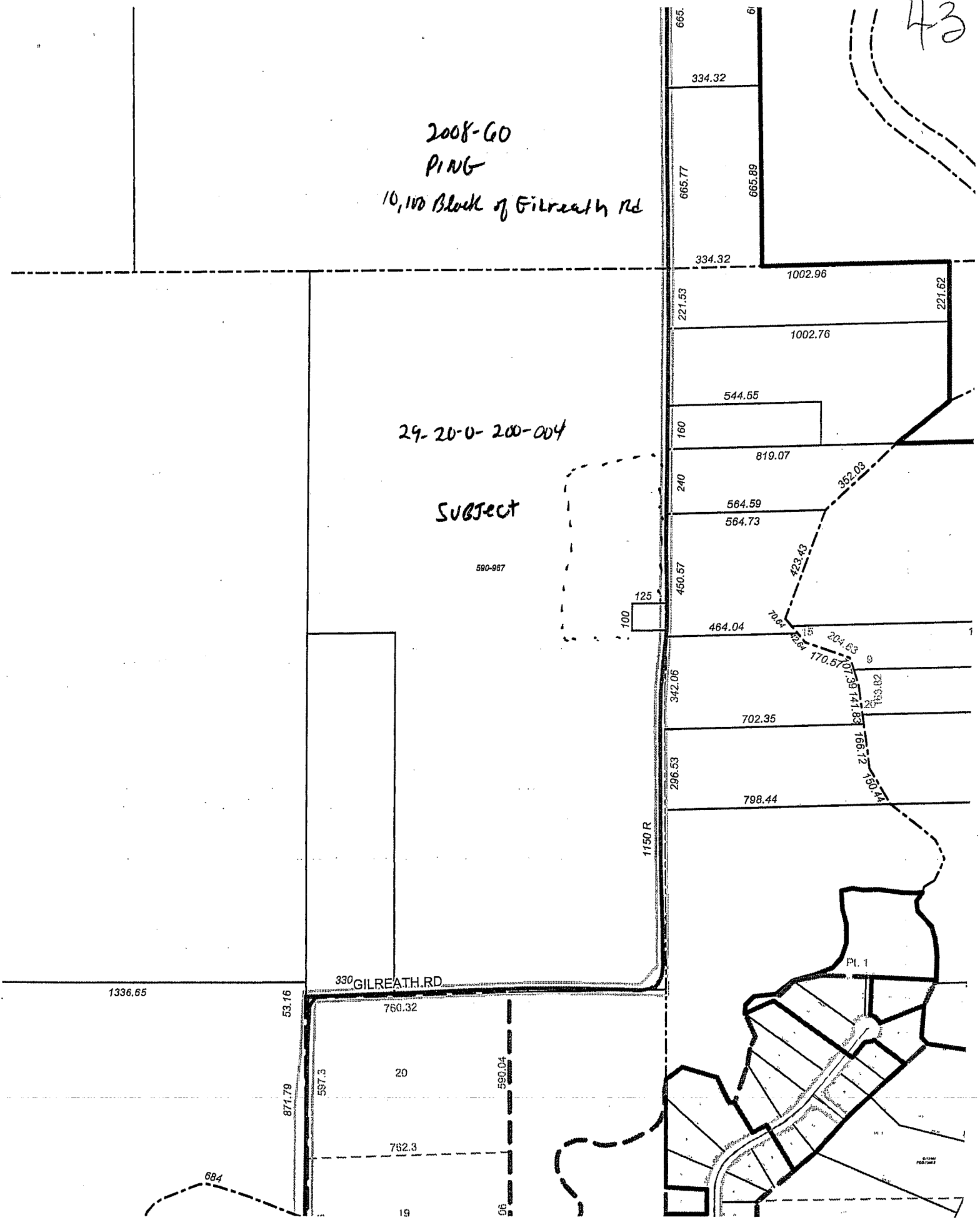
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2008-60
PING
10,100 Block of Gilreath Rd

29-20-0-200-004

SUBJECT

590-987



330 GILREATH RD

1150 R

PL 1

684

66

19

20

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 5 NAME: Don Stephens

DOCKET NUMBER: 2008-60

ADDRESS: 10,100 Block of Gilreath Road, Chatham, IL

PETITIONER: Chester W. Ping, Jr

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow one parcel greater than 5 acres to be divided from the property.

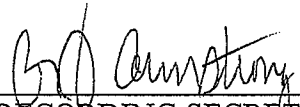
AREA: 69.88 Acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval. The standard 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: 2008-60
Chester W. Ping, Jr)
)
) PROPERTY LOCATED AT:
) 10,100 Block of Gilreath Road
) Chatham, IL 62629
)

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 **October 16, 2008** 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, contract to purchase, or is the County Board Member representing the property commonly known as **10,100 Block of Gilreath Road, Chatham, IL** and more particularly described as:

The east ½ of the northeast quarter of section 20, Township 14 North, Range 5 West of the Third Principal Meridian, excepting there from the south 1320' of the west 330' and a 125' x 100' area known as the Knotts and Easely Cemetery.

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- 3. That the present zoning of said property is **"A" Agricultural District.**
- 4. That the present land use of said property **Farm Land.**
- 5. That the proposed land use of said property is **Farm Land.**
- 6. That the requested **variance** of said property is **to allow one parcel greater than 5 acres to be divided from the property.**
- 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 **Don Wulf** 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 **Judith Johnson.**

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Judith Johnson, Marvin Traylor, Don Wulf**

NO:

ABSENT: **Peggy Egizii**



 RECORDING SECRETARY

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SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 9/26/08 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2008-60

ADDRESS 10,100 Block of Gilreath Road

Property Index # 29-20-200-004

PETITIONER Ping, Chester W. Jr.

REQUESTED ZONING A variance to allow one parcel greater than 5 acres to be divided from the property.

PROPOSED LAND USE Divide former home-site from cropland.

EXISTING:

ZONING A

LAND USE Cropland

ROAD FRONTAGE Gilreath Rd. - 2,478' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR N/A

CONDITION OF STRUCTURE N/A

LOT AREA 69.88 acres

FRONT YARD N/A

SIDE YARDS N/A

REAR YARD N/A



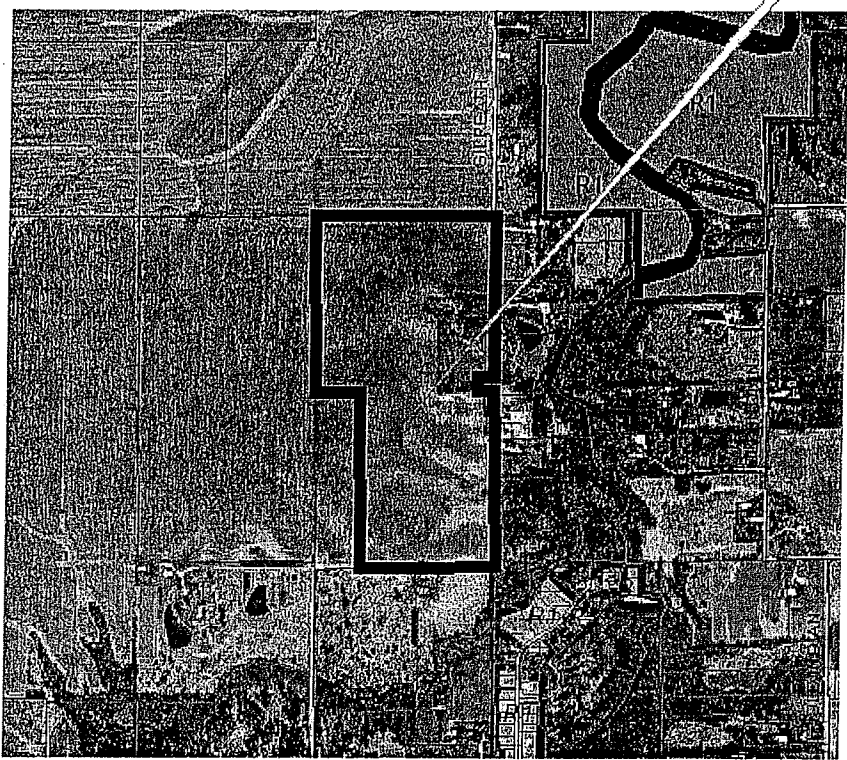
Would the proposed zoning be spot zoning? N/A

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

County Zoning

Case# 2008-60

Requested:
Variance

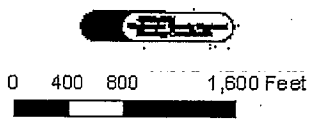


County Zoning

	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



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**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2008-60

Address: 10,100 Block of Gilreath 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 subject property covers a substantial amount of road frontage. There are many parcels less than 10 acres in the area so dividing a 69.88 acre tract into 2 lots would be with the trend in the area.

- (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.