

CASE # 2008-61
RESOLUTION NUMBER 5-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
5500 SO. FARMINGDALE RD., 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:

The West ½ of the Southwest Quarter of Section 29, Township 15 North, Range 6 West of the Third Principal Meridian, excepting therefrom the south 270.99' thereof.

WHEREAS, the Petitioner, **Robert Komnick**, has petitioned the Sangamon County Board for a **variance to allow a parcel over 5 acres and to allow the lot width to be met greater than 60' from the road for one parcel;** 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 variances;** and

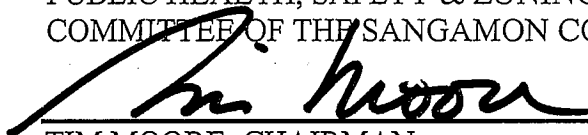
WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12th day of November, 2008, that the request for a variance to allow a parcel over 5 acres and to allow the lot width to be met greater than 60' from the road for one parcel on 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

2008-61
Kornick
5500 S. Farmingdale Rd

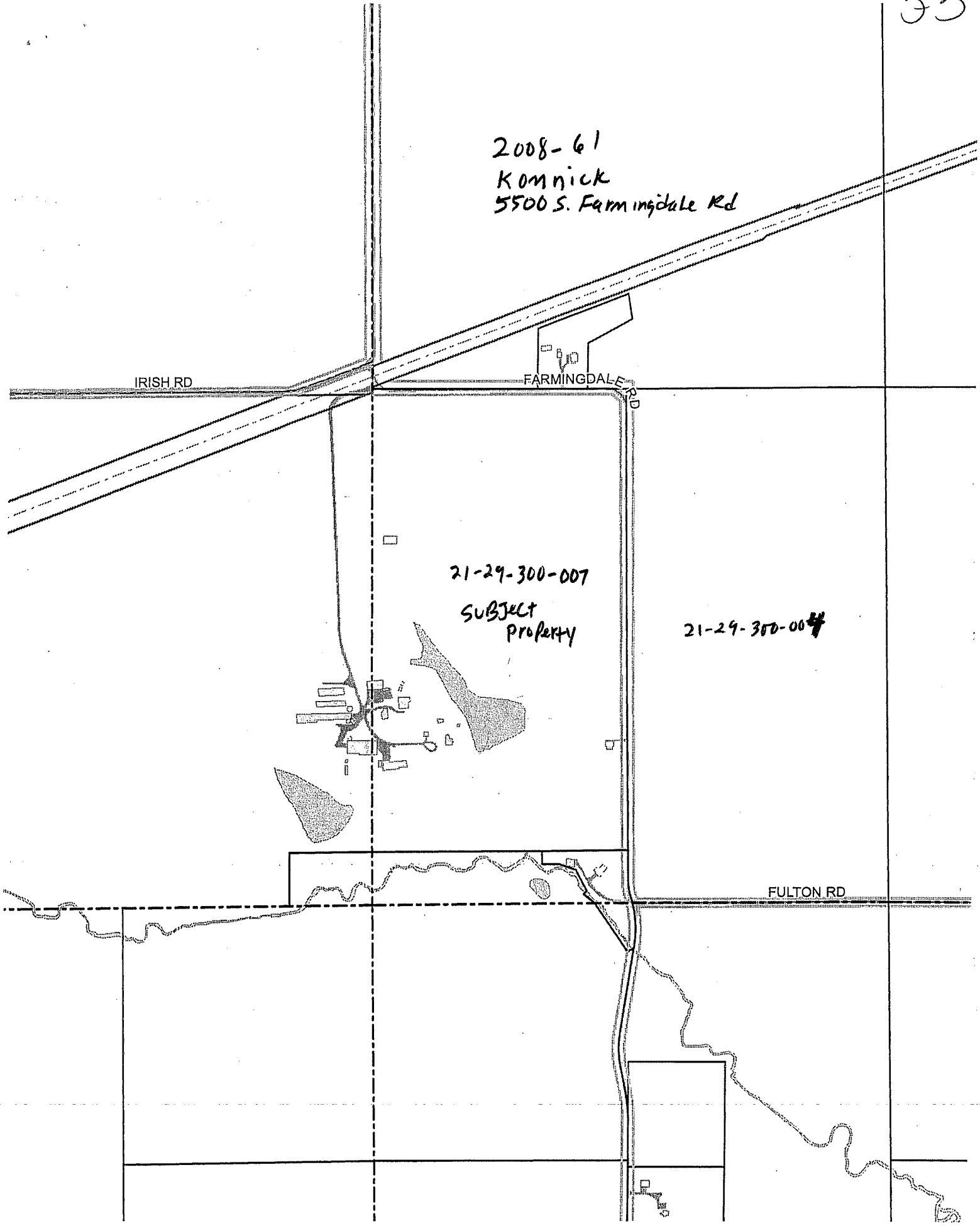
IRISH RD

FARMINGDALE RD

21-29-300-007
SUBJECT
PROPERTY

21-29-300-004

FULTON RD



RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 1 NAME: Tom Fraase

DOCKET NUMBER: 2008-61

ADDRESS: 5500 So. Farmingdale Rd., New Berlin, IL. 62670

PETITIONER: Robert Komnick

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow a parcel over 5 acres and to allow the lot width to be met greater than 60' from the road for one parcel.

AREA: 72.73 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: 2008-61
Robert Komnick)	
)	PROPERTY LOCATED AT:
)	5500 So. Farmingdale Rd
)	New Berlin, IL. 62670
)	

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 **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 **5500 So. Farmingdale Rd., New Berlin, IL. 62670** and more particularly described as:

The West ½ of the Southwest Quarter of Section 29, Township 15 North, Range 6 West of the Third Principal Meridian, excepting therefrom the south 270.99' thereof.

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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 **Agricultural.**
- 5. That the proposed land use of said property is **Agricultural with building site to replace house destroyed by tornado.**
- 6. That the requested **variances** of said property are **to allow a parcel over 5 acres and to allow the lot width to be met greater than 60' from the road 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 **Judith Johnson** 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 **Don Wulf.**

The vote of the Board was as follows:

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

NO:

ABSENT: **Peggy Egizii**

B.D. Armstrong
RECORDING SECRETARY

SSCRPC Springfield
Sangamon County Regional
Planning Commission

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

SANGAMON COUNTY ZONING CASE # 2008-61
ADDRESS 5500 Farmingdale Road
Property Index # 21-29-300-007

PETITIONER Komnick, Robert

REQUESTED ZONING A variance to allow a parcel over 5 acres and to allow the lot width to be met greater than 60' from the road for one parcel.

PROPOSED LAND USE Divide building site from the farmland.

EXISTING:

ZONING A

LAND USE Agricultural

ROAD FRONTAGE Farmingdale Rd. - 2,336' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Outbuildings

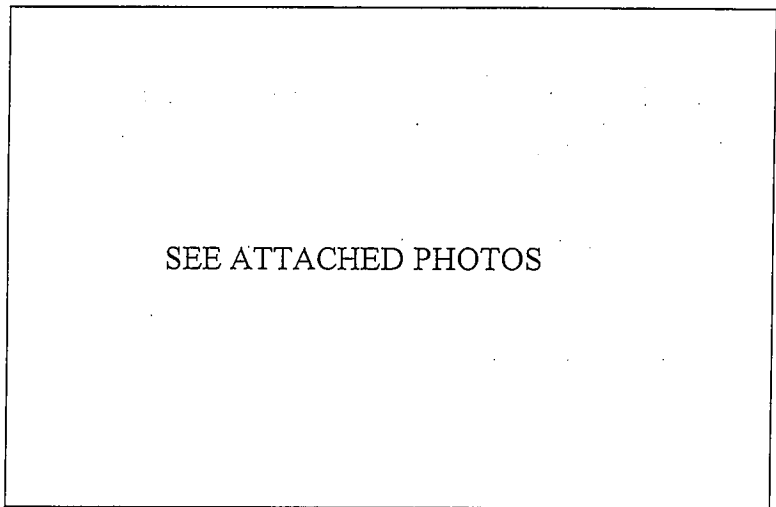
CONDITION OF STRUCTURE Good

LOT AREA 72.73 acres

FRONT YARD N/A

SIDE YARDS N/A

REAR YARD N/A

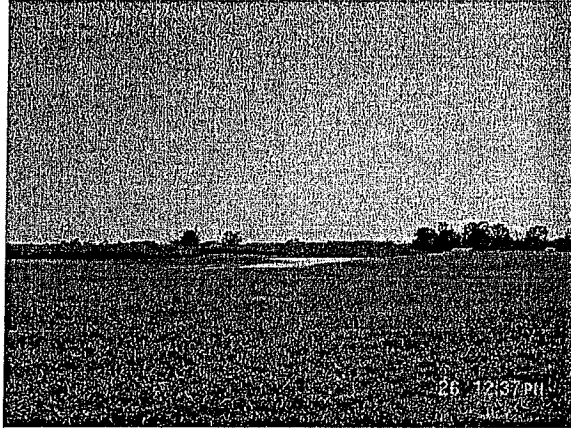


Would the proposed zoning be spot zoning? N/A

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

Case #: 2008-61

Address: 5500 Farmingdale Road



5500 Farmingdale Road



5500 Farmingdale Road

County Zoning

Case# 2008-61

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



**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2008-61**

Address: **5500 Farmingdale 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.

A tornado destroyed the farmhouse and several outbuildings several years ago. The petitioner moved to a different location and now desires to separate the previous home site from the preservable, tillable land so his son can build a home.

- (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.