

CASE # 2008-47
RESOLUTION NUMBER 6-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
2113, 2137 & 2167 NEW CITY ROAD, PAWNEE
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 12, Township 14 North, Range 5 West of the Third Principal Meridian, excepting therefrom the south 451.2' of the West 343'.

WHEREAS, the Petitioners, **Sam, Charles & John Brunk**, have petitioned the Sangamon County Board for a **variance to allow the lot depth to exceed 2 ½ times the lot width for 3 parcels and a variance to allow one parcel less than 40 acres**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **August 21, 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.

FILED
AUG 29 2008

Joe Quillo
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 9th day of September, 2008 that the request for a variance to allow the lot depth to exceed 2 ½ times the lot width for 3 parcels and a variance to allow one parcel less than 40 acres on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 9th day of September, 2008.

Respectfully submitted,

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

TIM MOORE, CHAIRMAN

Abe Forsyth

ABE FORSYTH, VICE CHAIRMAN

JENNIFER DILLMAN

DAVID MENDENHALL

GEORGE PRECKWINKLE

SAM SNELL

DON STEPHENS

LINDA DOUGLAS WILLIAMS

ATTEST:

Joe DiIorio

SANGAMON COUNTY CLERK

A. V. ...

COUNTY BOARD CHAIRMAN

6-3

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 5 NAME: Don Stephens

DOCKET NUMBER: 2008-47

ADDRESS: 2113, 2137 & 2167 New City Road, Pawnee, IL 62558-4659

PETITIONER: Sam, Charles & John Brunk

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow the lot depth to exceed 2 1/2 times the lot width for 3 parcels and a variance to allow one parcel less than 40 acres.


AREA: 76.19 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

6-4

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: 2008-47
 Sam, Charles & John Brunk)
)
) PROPERTY LOCATED AT:
) **2113, 2137 & 2167 New City Road**
) **Pawnee, IL 62558-4659**
)

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 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 **2113, 2137 & 2167 New City Road, Pawnee, IL 62558-4659** and more particularly described as:

The West ½ of the Southwest Quarter of Section 12, Township 14 North, Range 5 West of the Third Principal Meridian, excepting therefrom the south 451.2' of the West 343'.

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property Residential, and agricultural.
- 5. That the proposed land use of said property is Residential, and agricultural.
- 6. That the requested variances of said property are to allow the lot depth to exceed 2 ½ times the lot width for 3 parcels and to allow one parcel less than 40 acres.
- 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 **Peggy Egizii** 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:

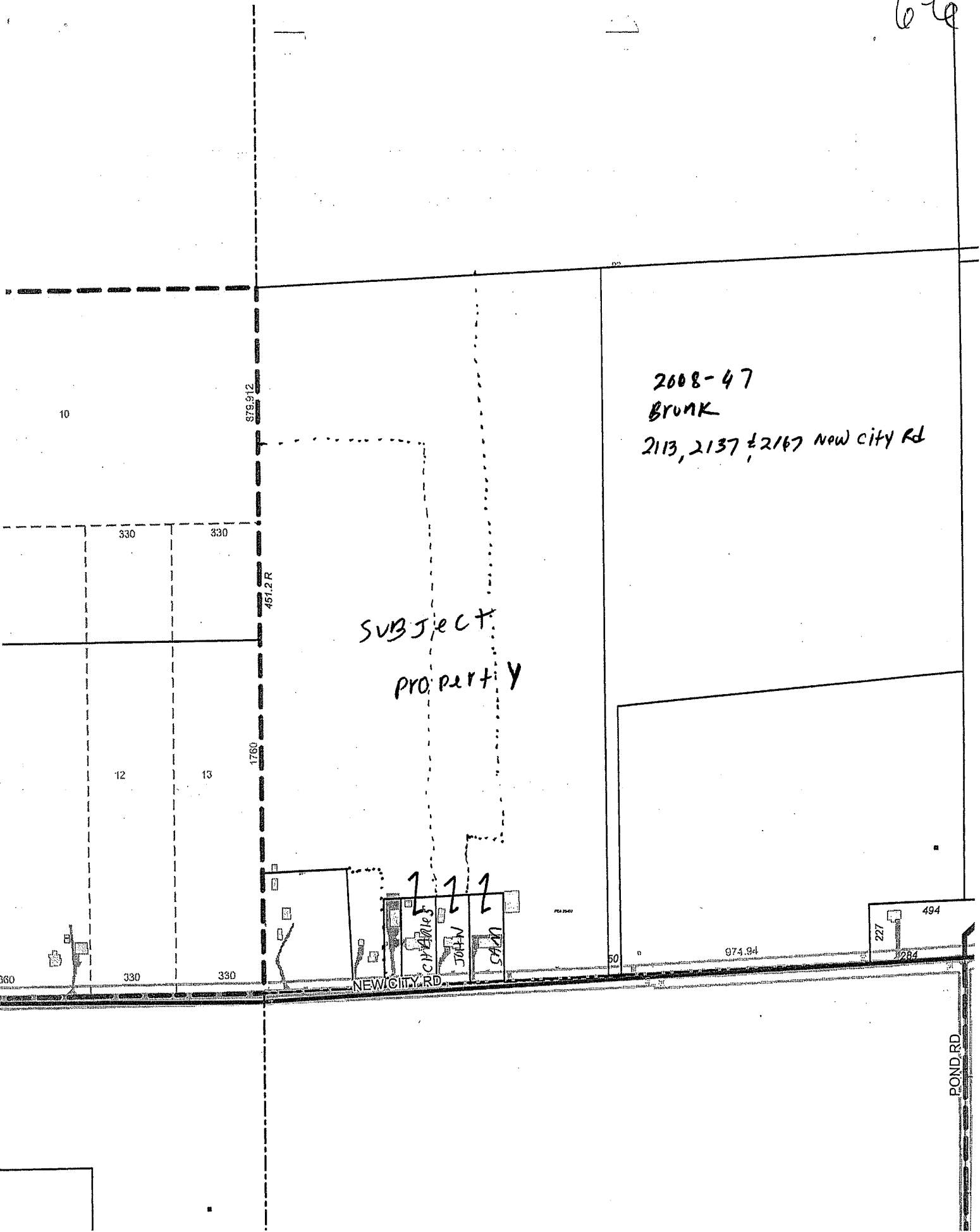
YES: **Charles Chimento, Byron Deaner, Judith Johnson, Marvin Traylor, Don Wulf, Peggy Egizii**

NO:

ABSENT:

Bob Armstrong
RECORDING SECRETARY

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2008-47
 BRUNK
 2113, 2137 & 2167 New City Rd

SUBJECT
 PROPERTY

222
 CAMP
 JOHN
 CAMP

NEW CITY RD.

POND RD.

6-7

SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 8/1/08 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2008-47
 ADDRESS 2113, 2137 & 2167 New City Road
 Property Index # 29-12-300-002, 008, 010 and 013

PETITIONER Sam, Charles & John Brunk

REQUESTED ZONING A variance to allow the lot depth to exceed 2 1/2 times the lot width for three parcels and a variance to allow one parcel less than 40 acres.

PROPOSED LAND USE Three separate single family residential parcels.

EXISTING:

ZONING A

LAND USE Single family residences

ROAD FRONTAGE New City Road - 990' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence

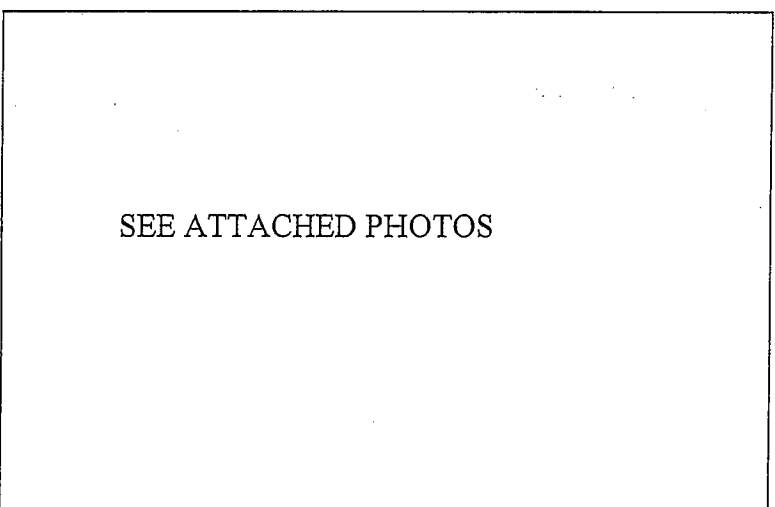
CONDITION OF STRUCTURE Good

LOT AREA 76.19 acres

FRONT YARD Varied

SIDE YARDS Varied

REAR YARD Varied



Would the proposed zoning be spot zoning? N/A

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

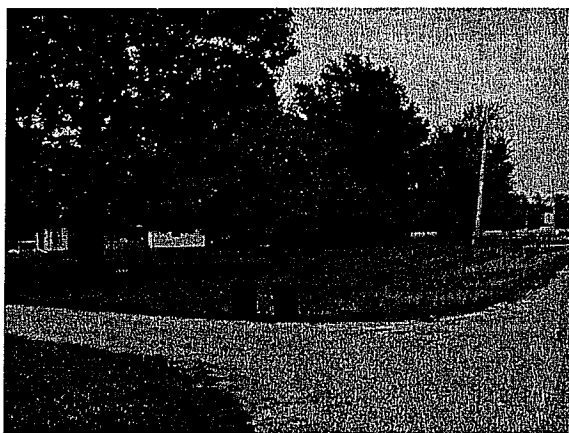
6-8

Case #: 2008-047

Address: 2113, 2137 and 2167 New City Road



2008-47 (A)

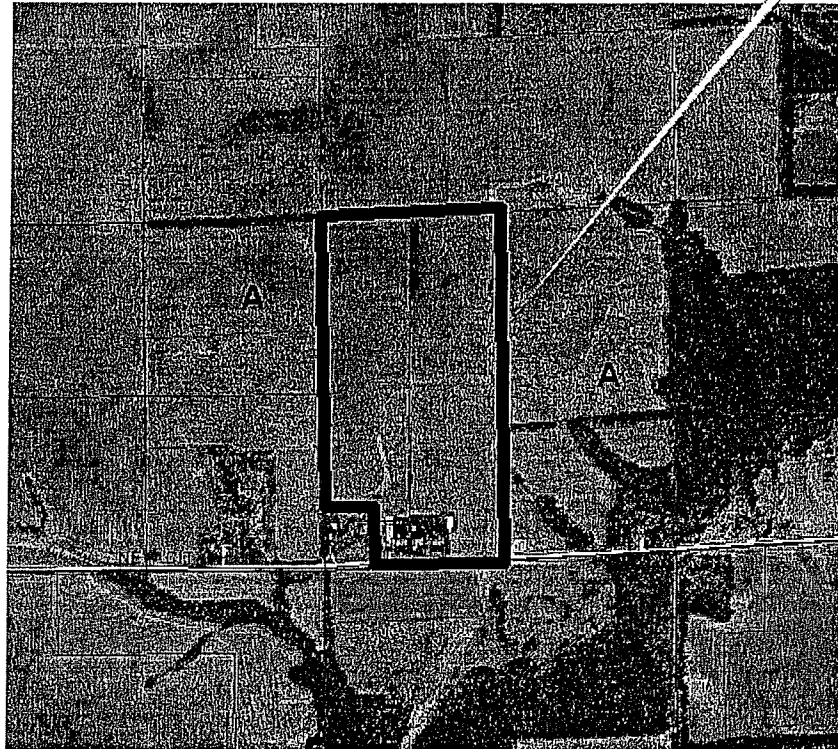


2008-47 (B)

County Zoning

Case# 2008-47

Requested:
Variance

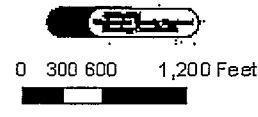


County Zoning

	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 #: **2008-47**

Address: **2113, 2137 & 2167 New City 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.

The request is made to facilitate division of the property and is implementing provisions of a will and trust.

- (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 three existing single family residential properties will be combined with property to the rear (north side) and divided as stated in petition.

- (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.