

**FILED**

NOV 26 2024

*Don J. King*  
Sangamon County Clerk

**GRANTING VARIANCES  
FOR CERTAIN PROPERTY LOCATED AT  
2680 N. WALNUT ROAD, ROCHESTER  
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 the variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **Hanne Bennett**, has petitioned the Sangamon County Board requesting for **Proposed Parcel 1: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 8.65 acres); and, for Proposed Parcel 2: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 29.5 acres); and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **November 21, 2024** 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 **10<sup>th</sup> Day of December, 2024** that the following requests on the above described property are hereby approved:

**For Proposed Parcel 1:**

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 8.65 acres); and,

**For Proposed Parcel 2:**

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 29.5 acres).

Signed and passed by the Sangamon County Board in session on this **10<sup>th</sup> day of December, 2024.**

\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

**ATTEST:**

\_\_\_\_\_  
SANGAMON COUNTY CLERK

**Exhibit A**

The East Half, of the Southwest Quarter, of the Northwest Quarter and the West Half of the Southwest Quarter all in Section 10, Township 15 North, Range 4 West, of the Third Principal Meridian, Sangamon County, Illinois, EXCEPTING THEREFROM the following described tracts of land:

A 10-acre square in the Southwest corner of the Southwest Quarter of said Section 10; And BEGINNING at the Northwest corner of the Southwest Quarter of said Section 10, being a point; Thence, S 89° 25' 33" E, along the North line of the Southwest Quarter of said Section 10, a distance of 282.00 feet, to an iron pin;  
Thence S 00° 00' 00" E a distance of 155.33 feet, to an iron pin; Thence, N 90° 00' 00" W, along the West line of the Southwest Quarter, a distance of 278.57 feet, to a point;  
Thence, N 01° 14' 20" W, along the West line of the Southwest Quarter of said Section 10, a distance of 158.20 feet, to the POINT OF BEGINNING.

PIN #: 23-10.0-300-006 and 23-10.0-100-003

**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: # 9                      NAME: Tom Madonia, Jr.

DOCKET NUMBER: 2024-025

ADDRESS: 2680 N. Walnut Road, Rochester, IL 62563

PETITIONER: Hanne Bennett

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: For Proposed Parcel 1: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 8.65 acres); and, for Proposed Parcel 2: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 29.5 acres).

AREA: 89 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval. Granting the requested variances would facilitate a division to separate the subject property into three parcels: the single-family residence with approximately 8.6 acres, approximately 29.5 acres of agricultural land, and approximately 50 acres of agricultural land to settle an estate. The Standards for Variation are met.**

SANGAMON COUNTY ZONING BOARD OF APPEALS RECOMMENDATION:  
**Approval of Staff Recommendation.**

  
\_\_\_\_\_  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: ) DOCKET NO: **2024-025**  
**Hanne Bennett** )  
)  
) PROPERTY LOCATED AT:  
) **2680 N. Walnut Road,**  
) **Rochester, IL 62563**

RECOMMENDATION OF THE ZONING 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 **November 21, 2024** 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: **2680 N. Walnut Road, Rochester, IL 62563** 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 **single-family residence, cropland, and timber**.
5. That the proposed land use of said property is **Proposed Parcel 1: Single-family residence, Proposed Parcel 2: Cropland and timber, and Proposed Parcel 3: Cropland and timber**.
6. That the requests for the subject property are for **Proposed Parcel 1: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 8.65 acres); and, for Proposed Parcel 2: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 29.5 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).

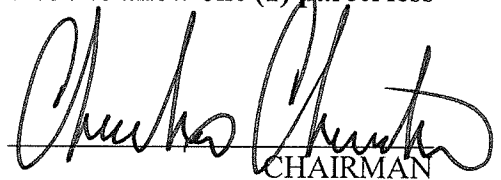
IT IS, THEREFORE, the recommendation of the Sangamon County Zoning Board of Appeals to the County Board of Sangamon County that the following requests **are hereby approved**:

**For Proposed Parcel 1:**

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 8.65 acres); and,

**For Proposed Parcel 2:**

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 29.5 acres).

  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Don Wulf**, which was duly seconded by **Richard Thompson**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the following requests **are hereby approved:**

**For Proposed Parcel 1:**

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 8.65 acres); and,

**For Proposed Parcel 2:**

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 29.5 acres).

The vote of the Board was as follows:

**YES: Charlie Chimento, Anthony Mares, Don Wulf, Richard Thompson, and JD Sudeth**

**NO:**

**PRESENT:**

**ABSENT: George Petrilli**

  
\_\_\_\_\_  
RECORDING SECRETARY

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2024-025**

Address: **2680 North Walnut Road, Rochester**

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 requested variances would facilitate a division to separate the subject property into three parcels: the single-family residence with approximately 8.6 acres, approximately 29.5 acres of agricultural land, and approximately 50 acres of agricultural land to settle an estate.**

- (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 division will help settle an estate.**

- (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.

**Negative impacts are not anticipated.**