

**GRANTING A VARIANCE  
FOR CERTAIN PROPERTY LOCATED AT  
11430 BUCKHART ROAD, MECHANICSBURG, IL 62545  
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:

**See Exhibit A**

WHEREAS, the Petitioners, **Darrel and Tricia Berry**, has petitioned the Sangamon County Board requesting **pursuant to Chapter 17.66, a variance of Section 17.36.010(A) and Section 17.38.010 to allow an accessory structure to be within the front yard with a front yard setback to be approximately ten (10) feet instead of the required thirty (30) feet; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **May 16, 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 a 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 **11<sup>th</sup> Day of June, 2024 that the following request on the above described property is hereby approved:**

- Pursuant to Chapter 17.66, a variance of Section 17.36.010(A) and Section 17.38.010 to allow an accessory structure to be within the front yard with a front yard setback to be approximately ten (10) feet instead of the required thirty (30) feet.

Signed and passed by the Sangamon County Board in session on this 11<sup>th</sup> day of June, 2024.

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

**ATTEST:**

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

## Exhibit A

Part of the N 1/2 of the NE 1/4 of the SW 1/4 of Sec.16, T 15 N, R 3 W of the 3<sup>rd</sup> P. M.

POC at the SW corner of the NW 1/4 of Sec. 16; thence East along the 1/4 Section line, 2312.72'; thence S 3°24'30" W, 319.95' to the POB; thence S 3°24'30" W, 427.00'; thence N 31°36'10" W, 209.60'; thence N 86°55'40" W, 78.40'; thence N 3°24'30" E, 77.91'; thence N 89°50'50" W, 141.6'; thence N 3°24'30" E, 175.00'; thence S 89°50'50" E, 340.00 feet to the POB, containing 1.95 Acres±.

PIN# 24-16.0-326-018

**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: # 3                      NAME: David Mendenhall

DOCKET NUMBER: 2024-012

ADDRESS: 11430 Buckhart Road, Mechanicsburg, IL 62545

PETITIONER: Darrel and Tricia Berry

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: Pursuant to Chapter 17.66, a variance of Section 17.36.010(A) and Section 17.38.010 to allow an accessory structure to be within the front yard with a front yard setback to be approximately ten (10) feet instead of the required thirty (30) feet.

AREA: 1.95 Acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval. The petitioners propose to construct an additional accessory structure in the front yard. The subject property is unique in that it is a landlocked parcel, created between 1978-1981, that sits back approximately 250 feet from the southern right-of-way line of Buckhart Road. Since the subject property has no road frontage, the proposed setback of 10 feet would be equal to a side yard setback requirement from neighboring properties. 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: **2024-012**  
**Darrel and Tricia Berry** )  
)  
) PROPERTY LOCATED AT:  
) **11430 Buckhart Road**  
) **Mechanicsburg, IL 62545**

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 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 **May 16, 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: **11430 Buckhart Road, Mechanicsburg, IL 62545** 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 and accessory structures**.
5. That the proposed land use of said property is **single-family residence and accessory structures**.
6. That the request for the subject property is **pursuant to Chapter 17.66, a variance of Section 17.36.010(A) and Section 17.38.010 to allow an accessory structure to be within the front yard with a front yard setback to be approximately ten (10) feet instead of the required thirty (30) feet**.
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 following request(s) **is hereby approved**:

- **Pursuant to Chapter 17.66, a variance of Section 17.36.010(A) and Section 17.38.010 to allow an accessory structure to be within the front yard with a front yard setback to be approximately ten (10) feet instead of the required thirty (30) feet.**

  
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 request is **hereby approved**:

- Pursuant to Chapter 17.66, a variance of Section 17.36.010(A) and Section 17.38.010 to allow an accessory structure to be within the front yard with a front yard setback to be approximately ten (10) feet instead of the required thirty (30) feet.

The vote of the Board was as follows:

YES:           **Don Wulf, Richard Thompson, Charlie Chimento, George Petrilli, Phil Sidles**

NO:

PRESENT:

ABSENT:      **Tony Mares, JD Sudeth**

  
RECORDING SECRETARY

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2024-012**

Address: **11430 Buckhart Road, Mechanicsburg**

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 subject property has a detached garage that is setback 10 feet from the front property line, so granting the requested variance would allow the proposed building to line up with the existing detached garage.**

- (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 is unique in that it is a landlocked parcel, created between 1978-1981, that sits back approximately 250 feet from the southern right-of-way line of Buckhart Road. Since the subject property has no road frontage, the proposed setback of 10 feet would be equal to a side yard setback requirement from neighboring properties.**

- (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.**