

**GRANTING A REZONING AND VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
6624 MINDER 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 a rezoning and variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Gary Minder**, has petitioned the Sangamon County Board requesting for **Proposed Parcel 1 and 2: pursuant to Chapters 17.68 and 17.12, a rezoning from "A" Agricultural District to "R-1" Single Family Residence District; pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the "R-1" Single-Family Residence District; and, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **May 15, 2025** 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 rezoning and variances; and,**

FILED

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Don / Hays

Sangamon County Clerk

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 10th Day of June, 2025 that the following requests on the above described property are hereby approved:

For Proposed Parcel 1:

- Pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District;
- Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the “R-1” Single-Family Residence District; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and,

For Proposed Parcel 2:

- Pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District;
- Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the “R-1” Single-Family Residence District; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.

Signed and passed by the Sangamon County Board in session on this 10th day of June, 2025.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

Exhibit A

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 15 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 32, THENCE N1°-09'-09"W ON THE SECTION LINE, 325.50 FEET TO THE POINT OF BEGINNING, THENCE N89°-15'-58"W, 1288.63 FEET; THENCE N1°-21'-03"W, 282.90 FEET; THENCE S89°-15'-58"E, 540.74 FEET; THENCE N0°-00'-00"W, 117.01 FEET; THENCE S89°-15'-58"E, 257.62 FEET; THENCE S0°-00'-00"E, 67.01 FEET; THENCE S89°-15'-58"E, 490.24 FEET TO A POINT ON THE SECTION LINE; THENCE S1°-09'-09"E, 332.87 FEET TO THE POINT OF BEGINNING, CONTAINING 9.622 ACRES, MORE OR LESS

ALSO;

PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 15 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 33, THENCE N1°-09'-09"W ON THE SECTION LINE, 327.90 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING N1°-09'-09"W, 330.47 FEET; THENCE S89°-35'-18"E, 2643.20 FEET TO A POINT ON THE QUARTER SECTION LINE; THENCE S1°19'-18"E, ON THE QUARTER SECTION LINE, 330.50 FEET; THENCE N89°-35'-18"W, 2644.18 FEET TO THE POINT OF BEGINNING, CONTAINING 20.048 ACRES, MORE OR LESS

CONTAINING A TOTAL OF 29.670 ACRES, MORE OR LESS.

Permanent Index Number 23-32.0-400-027

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 9 NAME: Tom Madonia

DOCKET NUMBER: 2025-005

ADDRESS: 6624 Minder Road, Rochester, IL 62563

PETITIONER: Gary Minder

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: Proposed Parcels 1 and 2: Pursuant to Chapters 17.68 and 17.12, a rezoning from "A" Agricultural District to "R-1" Single Family Residence District; pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the "R-1" Single-Family Residence District; and, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.

AREA: 29.67 Acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval. The petitioner is proposing to divide the subject property into two parcels (an approximately 5-acre parcel and an approximately 24-acre parcel) to construct an additional single-family residence. While the LESA score of 187 indicates the property is suitable for agricultural use only, the subject property is located in a rural residential area where residential zoning is appropriate. While the lot-width-depth ratio is greater than the allowed 2.5 times, the subject property is unique in that the rear half is unbuildable located in the floodplain and another quarter or more is heavily timbered. Granting the requested lot-width-depth variances will facilitate a division of the approximately 29-acre subject property into two parcels via the tract survey process. Other parcels in the area are zoned Agricultural, which has no height restrictions.

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: **2025-005**
Gary Minder)
)
) PROPERTY LOCATED AT:
) **6624 Minder 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 a **rezoning and 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 **May 15, 2025** 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: **6624 Minder 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 with accessory structure, timber, and cropland**.
5. That the proposed land use of said property is for **Proposed Parcel 1: Single-family residence with accessory structure and for Proposed Parcel 2: Single-family residence with accessory structure**.
6. That the request(s) for the subject property are for **Proposed Parcels 1 and 2: pursuant to Chapters 17.68 and 17.12, a rezoning from "A" Agricultural District to "R-1" Single Family Residence District; and, pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the "R-1" Single-Family Residence District; and, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width**.
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 **rezoning and variances** is in the public interest and is not solely in the interest of the petitioner(s).

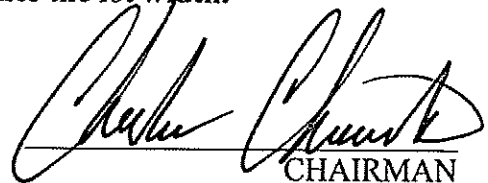
IT IS, THEREFORE, the recommendation of the Sangamon County Zoning Board of Appeals to the County Board of Sangamon County that the following requests are hereby approved:

For Proposed Parcel 1:

- Pursuant to Chapters 17.68 and 17.12, a rezoning from **"A" Agricultural District to "R-1" Single-Family Residence District**;
- Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the **"R-1" Single-Family Residence District**; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and,

For Proposed Parcel 2:

- Pursuant to Chapters 17.68 and 17.12, a rezoning from **"A" Agricultural District to "R-1" Single-Family Residence District**;
- Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the **"R-1" Single-Family Residence District**; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.



CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **George Petrilli**, which was duly seconded by **Anthony Mares**, 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 Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District;
- Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the “R-1” Single-Family Residence District; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and,

For Proposed Parcel 2:

- Pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District;
- Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the “R-1” Single-Family Residence District; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.

The vote of the Board was as follows:

YES: **George Petrilli, Anthony Mares, Charlie Chimento, Don Wulf, JD Sudeth**

NO:

PRESENT:

ABSENT: **Richard Thompson**



RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

Case #: 2025-005

Address: 6624 Minder Road, Rochester

- (i) Existing uses of property within the general area of the property in question.

North – Agricultural buildings, cropland, and timber. East – Timber. South & West – Cropland and timber.

- (ii) The zoning classification of property within the general area of the property in question.

North, East, South, & West – Agricultural.

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

While the LESA score of 187 indicates the property is suitable for agricultural use only, the subject property is located in a rural residential area where residential zoning is appropriate. Additionally, the subject property is appropriate for residential zoning as the rear half of the subject property is located in the floodplain and another quarter or more is heavily timbered.

- (iv) The trend of development, within the vicinity since the property was originally classified.

The trend of development in the area is rural residential. In 2012, variances were granted to allow 4 parcels greater than 5 acres, lot-width-depth, and 2 residences on one parcel for the subject property and three other parcels. In 2006, a side yard variance was granted north of the subject property. In 1991, a CPU for a private airport was granted and in 1982, a CPU for a heliport was granted for parcels south of the subject property. In 1988, a side yard variance was granted northwest of the subject property. In 1983, a variance to allow no road frontage was granted for a parcel south of the subject property.

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2025-005**

Address: **6624 Minder 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 lot-width-depth variances will facilitate a division of the subject property into an approximately 5-acre parcel and an approximately 24-acre parcel, which is consistent with surrounding lots. Allowing an accessory structure to be 24 feet instead of 18 feet in the R-1 District would be consistent with the height of accessory structures located on properties in this area that are zoned Agricultural, which has no height restrictions.

- (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.

While the lot-width-depth ratio is greater than the allowed 2.5 times, the subject property is unique in that the rear half is unbuildable located in the floodplain and another quarter or more is heavily timbered. This is consistent with the shape of lots immediately to the north and south. Granting the requested lot-width-depth variances will facilitate a division of the approximately 29-acre subject property into two parcels via the tract survey process. Other parcels in the area are zoned Agricultural, which has no height restrictions.

- (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.

LAND EVALUATION AND SITE ASSESSMENT**Part 1: Site Assessment**

Part 1: Site Assessment	Available Points	Points
<u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u>		
90% or more	20	10
75-89%	10	
50-74%	5	
Under 50%	0	
<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	20
75-89%	10	
50-74%	5	
Under 50%	0	
<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	10
50-74%	5	
Under 50%	0	
<u>COUNTY SECTOR</u>		
Rural	20	20
0.5 mile from incorporated area	10	
Incorporated area	0	
<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	5
50-74%	10	
25-49%	5	
Less than 25% or sewer available	0	
<u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u>		
Negative impact	15	5
Little or none with protective measures	5	
Little or none	0	
<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	0
No impact	0	

CONDITION OF ROAD

unpaved, <40' ROW, or < 16' pavement	20	20
16'-18' pavement, 40' ROW	15	
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

AVAILABILITY OF PUBLIC SEWER

Not available	15	15
Sewer over 600'-1200' away	8	
Private central sewage system	5	
Sewer 600' or less away and available	0	

AVAILABILITY OF PUBLIC WATER

Not available	20	0
1,000-1,500' away	15	
Less than 1,000' away	5	
Public water available at site	0	

DISTANCE FROM RESPONDING FIREHOUSE

Not in fire protection district	20	10
More than 5 miles or fire protection by assignment	10	
2.6-5 miles	5	
0-2.5 miles	0	

DRIVING TIME TO HIGH SCHOOL

Over 30 minutes	10	0
15-30 minutes	5	
Less than 15 minutes	0	

SITE ASSESSMENT TOTAL**115**

Part 2: Agricultural Land Evaluation (Based on Sangamon County Soil Survey)

<u>Soil</u>	<u>Name</u>	<u>Type</u>	<u>%</u>	<u>Relative Value</u>	<u>Points</u>
198A	Elburn	P		100	
199A	Plano	P		100	
43A	Ipava	P		100	
7148A	Proctor	P	21	100	21
46A	Herrick	P		100	
7037A	Worthen	P		100	
705A	Buckhart	P		98	
199B	Plano	P		98	
36B	Tama	P		98	
244A	Hartsburg	P2		98	
257A	Clarksdale	P2		98	
68A	Sable	P2		87	
679B	Blackberry	P		87	
705B	Buckhart	P		87	
86B	Osco	P		87	
684B	Broadwell	P		87	
50A	Viriden	P2		87	
712A	Spaulding	P2		87	
127B	Harrison	P		87	
3077A	Huntsville	P3		87	
138A	Shiloh	P2		87	
249A	Edinburg	P2		87	
242A	Kendall	P2		87	
7242A	Kendall	P2	5	87	4
134A	Camden	P		87	
17A	Keomah	P2		87	
3451A	Lawson	P3		75	
3107A	Sawmill	P5	5	75	4
7075B	Drury	P		75	
8396A	Vesser	P2	11	75	8
3074A	Radford	P3		75	
3073A	Ross	P3		75	
3284A	Tice	P3		75	
279B	Rozetta	P	24	75	18
45A	Denny	P2		75	
134B	Camden	P		75	
112A	Cowden	P2		75	
685B	Middletown	P		75	
3405A	Zook	P5	11	75	8
131C2	Alvin	P		75	
86C2	Osco	I		74	
36C2	Tama	I		74	
684C2	Broadwell	I		74	
119C2	Elco	I		74	
119D	Elco	I		74	
127C2	Harrison	I		74	
119D2	Elco	I	5	74	4
567C2	Elkhart	I		74	
134C2	Camden	I		74	
259C2	Assumption	I		74	

685C2	Middletown	I		74	
280D2	Fayette	I		74	
119D3	Elco	N		74	
259D2	Assumption	I		74	
212C2	Thebes	I		74	
630C2	Navlys	I		74	
630D2	Navlys	I		74	
630D3	Navlys	I		57	
131D2	Alvin	I		57	
8D	Hickory	I	10	50	5
8D2	Hickory	I		50	
280D3	Fayette	I		44	
8D3	Hickory	I		44	
8F	Hickory	N		44	
549G	Marseilles	N		0	
533	Urban Land	N			
536	Dumps	N			
830	Orthents, Land	N			
862	Pits, Sand	N			
864	Pits, Quarries	N			
801C	Orthents, Silty	N			
W	Water				

Prime/Important Farmlands Designations:

P: Prime farmland

P2: Prime where drained

P3: Prime where protected from flooding or flooding is less often than once in two years during the growing season.

P5: Prime where drained and either protected from flooding or flooding is less often than once in two years during the growing season.

I: Important farmland

N: Not Prime/Important Farmland

AGRICULTURAL LAND EVALUATION TOTAL

72

GRAND TOTAL

187

Fewer than 150 points shall be deemed acceptable for non-agricultural development.

From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.

Greater than 175 points shall be considered suitable for agricultural use only.

**GRANTING A REZONING AND VARIANCES AND DENYING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
3915 WOLF CREEK ROAD, SHERMAN
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 rezoning and variances and deny a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Sherman Holdings, LLC**, has petitioned the Sangamon County Board requesting for **Proposed Parcels 1 and 2: pursuant to Chapters 17.68 and 17.12, a rezoning from "A" Agricultural District to "R-1" Single Family Residence District; pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the "R-1" Single-Family Residence District; and, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; for Proposed Parcel 2: a variance of Section 17.38.010 to allow the side yard setback to be approximately five (5) feet instead of the required ten (10) feet; and, for Proposed Parcel 3: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 39 acres); and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **May 15, 2025** 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,

FILED

MAY 20 2025

Don / May
Sangamon County Clerk

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 rezoning and variances and deny 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 10th Day of June, 2025 that the following requests on the above described property are hereby approved:

For Proposed Parcel 1:

- Pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District;
- Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the “R-1” Single-Family Residence District; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width;

For Proposed Parcel 2:

- Pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District;
- Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the “R-1” Single-Family Residence District; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and,

For Proposed Parcel 3:

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 39 acres).

The following request on the above described property is hereby denied:

For Proposed Parcel 2:

- Pursuant to Chapter 17.66, a variance of Section 17.38.010 to allow the side yard setback to be approximately five (5) feet instead of the required ten (10) feet.

Signed and passed by the Sangamon County Board in session on this 10th day of June, 2025.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

Exhibit A

All of the East Half of the Northeast Quarter of Section Nineteen (19), excepting the North 14 1/2 chains thereof;

Also all of that part of the West Half of the Northeast Quarter of said Section 19 lying East of the right of way of the Illinois Traction System;

All in Township Seventeen (17) North, Range Four (4) West of the Third Principal Meridian.

Except that part conveyed by Dedication of Right-of-Way for Public Roads to Williams Township, recorded February 7, 1991, as Document No. 91003737, and described as follows:

Part of the northeast quarter of Section 19, Township 17 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows:

All of the East Half of the Northeast Quarter of Section Nineteen (19), excepting the North 14 1/2 chains thereof;

Also all of that part of the West Half of the Northeast Quarter of said Section 19 lying East of the right of way of the Illinois Traction System;

All in Township Seventeen (17) North, Range Four (4) West of the Third Principal Meridian.

Except that part conveyed by Dedication of Right-of-Way for Public Roads to Williams Township, recorded February 7, 1991, as Document No. 91003737, and described as follows:

Part of the northeast quarter of Section 19, Township 17 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Parcel #1

Commencing at a stone marking the east quarter-corner of Section 19; thence north 90 degrees 00 minutes 00 seconds west 573.67 feet along the south line of said northeast quarter to the point of beginning; thence continuing along said south line, north 90 degrees 00 minutes 00 seconds west, 1,177.77 feet; thence north 17 degrees 28 minutes 26 seconds east 20.25 feet; thence north 89 degrees 49 minutes 29 seconds east 365.63 feet; thence north 85 degrees 51 minutes 08 seconds east 144.35 feet; thence south 87 degrees 19 minutes 50 seconds east 662.82 feet to the point of beginning.

Said parcel contains 21,057 square feet (0.483 acres), more or less.

Bearings are based on the south line of the northeast quarter of Section 19 having an assumed bearing of north 90 degrees 00 minutes 00 seconds west.

ALSO EXCEPT that part described as follows:

Part of the East Half of Northeast Quarter of Section 19, Township 17 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Beginning at a stone at the Southeast corner of the Northeast Quarter of said Section 19; thence South 89 degrees 58 minutes 21 seconds West along the South line of said Northeast Quarter; a distance of 300.00 feet; thence North 00 degrees 00 minutes 00 seconds East along a line running parallel with the East line of said Northeast Quarter, a distance of 1689.76 feet; thence North 89 degrees 49 minutes 52 seconds East, 150.00 feet to a point which is 1690.13 feet North of the South line of said Northeast Quarter; thence North 89 degrees 49 minutes 52 seconds East, 150.00 feet to a point on the East line of said Northeast Quarter 1690.50 feet North of the point of beginning; thence South 00 degrees 00 minutes 00 seconds West along the East line of said Northeast Quarter, a distance of 1690.50 feet to the point of beginning.

Situated in Sangamon County, Illinois.

Parcel Nos. 07-19-200-025 & 07-19-200-024

Address: 3915 Wolf Creek Road, Sherman, IL 62684

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 2 NAME: Casey Constant

DOCKET NUMBER: 2025-006

ADDRESS: 3915 Wolf Creek Road, Sherman, IL 62684

PETITIONER: Sherman Holdings, LLC

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: for Proposed Parcels 1 and 2: pursuant to Chapters 17.68 and 17.12, a rezoning from "A" Agricultural District to "R-1" Single Family Residence District; pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the "R-1" Single-Family Residence District; and, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; for Proposed Parcel 2: a variance of Section 17.38.010 to allow the side yard setback to be approximately five (5) feet instead of the required ten (10) feet; and, for Proposed Parcel 3: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 39 acres).

AREA: 45.20 Acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval of the requested R-1 zoning. The LESA score of 167 indicates the property is marginal requiring mitigating factors for non-agricultural development. The relatively small size of Proposed Parcels 1 and 2 (approximately 2.5 acres each) and being located within 0.5 miles of residential subdivisions within the Village of Sherman make residential zoning appropriate. Recommend approval of the variances for the accessory structure height, lot-width-depth, and lot area. Allowing an accessory structure to be 24 feet instead of 18 feet in the R-1 District would be consistent with the height of accessory structures located on properties in this area that are zoned Agricultural, which has no height restrictions. Granting the requested lot-width-depth variances will facilitate a division of the subject property into two 2.5-acre parcels and an approximate 39-acre parcel. The lot area variance is necessary as Proposed Parcel 3 will become less than 40 acres due to the right-of-way being conveyed for the division. The Standards for Variation are met for these requests.

Recommend denial of the requested variance to allow the side yard setback to be 5 feet instead of the required 10 feet. The request is related to a proposed division of the subject property where the west line of Proposed Parcel 2 could be adjusted so the existing garage

would comply with the zoning regulations. No unique circumstances exist to justify the side yard setback variance. The Standards for Variation are not met for this request.

Staff also notes improvements to the existing garage and/or development of the property may require floodplain development permits.

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: **2025-006**
Sherman Holdings, LLC)
)
) PROPERTY LOCATED AT:
) **3915 Wolf Creek Road**
) **Sherman, IL 62684**

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 **rezoning and 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 **May 15, 2025** 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: **3915 Wolf Creek Road, Sherman, IL 62684** 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 **Garage, timber, and pasture.**
5. That the proposed land use of said property is **Proposed Parcel 1: Single-family residence and accessory structure. Proposed Parcel 2: Single-family residence and accessory structure. Proposed Parcel 3: Timber and pasture.**
6. That the requests for the subject property are for **Proposed Parcel 1 and 2: pursuant to Chapters 17.68 and 17.12, a rezoning from "A" Agricultural District to "R-1" Single Family Residence District; pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the "R-1" Single-Family Residence District; and, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; for Proposed Parcel 2: a variance of Section 17.38.010 to allow the side yard setback to be approximately five (5) feet instead of the required ten (10) feet; and, for Proposed Parcel 3: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 39 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 **rezoning and variances** is in the public interest and is not solely in the interest of the petitioner(s) but **does not** support the proposition that the adoption of a 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 requests **are hereby approved:**

For Proposed Parcel 1:

- Pursuant to Chapters 17.68 and 17.12, a rezoning from **"A" Agricultural District to "R-1" Single-Family Residence District;**
- Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the **"R-1" Single-Family Residence District; and,**
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width;

For Proposed Parcel 2:

- Pursuant to Chapters 17.68 and 17.12, a rezoning from **"A" Agricultural District to "R-1" Single-Family Residence District;**
- Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the **"R-1" Single-Family Residence District; and,**
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and,

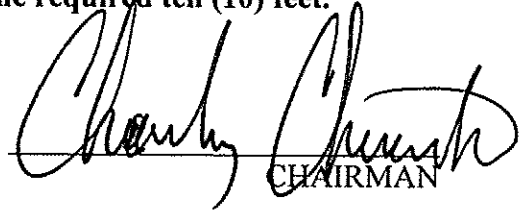
For Proposed Parcel 3:

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 39 acres).

The following request on the above described property is hereby denied:

For Proposed Parcel 2:

- Pursuant to Chapter 17.66, a variance of Section 17.38.010 to allow the side yard setback to be approximately five (5) feet instead of the required ten (10) feet.



CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **George Petrilli**, which was duly seconded by **Anthony Mares**, 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 Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District;
- Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the “R-1” Single-Family Residence District; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and ,

For Proposed Parcel 2:

- Pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District;
- Pursuant to Chapter 17.66, a variance of Section 17.36.010(B) to allow an accessory structure to be approximately twenty-four (24) feet instead of the maximum height of eighteen (18) feet allowed in the “R-1” Single-Family Residence District; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and,

For Proposed Parcel 3:

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 39 acres).

The following request on the above described property are hereby denied:

For Proposed Parcel 2:

- Pursuant to Chapter 17.66, a variance of Section 17.38.010 to allow the side yard setback to be approximately five (5) feet instead of the required ten (10) feet.

The vote of the Board was as follows:

YES: **George Petrilli, Anthony Mares, Charlie Chimento, Don Wulf, JD Sudeth**

NO:

PRESENT:

ABSENT: **Richard Thompson**


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

Case #: **2025-006**

Address: **3915 Wolf Creek Road, Sherman**

- (i) Existing uses of property within the general area of the property in question.

North – Pasture. East – Timber. South – Residence, pasture, and timber. West – Railroad and residence.

- (ii) The zoning classification of property within the general area of the property in question.

North, East, South, & West – Agricultural.

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

The LESA score of 167 indicates the property is marginal requiring mitigating factors for non-agricultural development. The relatively small size of Proposed Parcels 1 and 2 (approximately 2.5 acres each) and being located within 0.5 miles of residential subdivisions within the Village of Sherman make residential zoning appropriate.

- (iv) The trend of development, within the vicinity since the property was originally classified.

The trend of development is rural residential and residential within the Village of Sherman surrounding and west of the subject property. Farther east of the subject property is agricultural.

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2025-006

Address: 3915 Wolf Creek Road, Sherman

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.

Allowing an accessory structure to be 24 feet instead of 18 feet in the R-1 District would be consistent with the height of accessory structures located on properties in this area that are zoned Agricultural, which has no height restrictions. Granting the requested lot-width-depth variances will facilitate a division of the subject property into two 2.5-acre parcels and an approximate 39-acre parcel. The division triggers the need for right-of-way conveyance which brings the total acreage for Proposed Parcel 3 to approximately 39 acres, which is better suited to remain zoned Agricultural and receive the appropriate lot area variance.

Side Yard Setback Variance: The side yard setback variance request is related to a proposed division of the subject property where the west line of Proposed Parcel 2 could be adjusted so the existing garage would comply with the zoning regulations.

- (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.

Other parcels in the area are zoned Agricultural, which has no height restrictions. Granting the requested lot-width-depth variances will facilitate a division of the subject property into two 2.5-acre parcels and an approximate 39-acre parcel. The lot area variance is necessary as Proposed Parcel 3 will become less than 40 acres due to the right-of-way being conveyed for the division.

Side Yard Setback Variance: No unique circumstances exist to justify the side yard setback variance.

- (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 for the accessory structure height, lot-width-depth, and lot area variances.

Side Yard Setback Variance: The proposed division can be altered to be in compliance with the side yard setback.

LAND EVALUATION AND SITE ASSESSMENT**Part 1: Site Assessment**

Part 1: Site Assessment	Available Points	Points
<u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u>		
90% or more	20	5
75-89%	10	
50-74%	5	
Under 50%	0	
<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	20
75-89%	10	
50-74%	5	
Under 50%	0	
<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	10
50-74%	5	
Under 50%	0	
<u>COUNTY SECTOR</u>		
Rural	20	10
0.5 mile from incorporated area	10	
Incorporated area	0	
<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	5
50-74%	10	
25-49%	5	
Less than 25% or sewer available	0	
<u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u>		
Negative impact	15	5
Little or none with protective measures	5	
Little or none	0	
<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	0
No impact	0	

CONDITION OF ROAD

unpaved, <40' ROW, or < 16' pavement	20	
16'-18' pavement, 40' ROW	15	15
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

AVAILABILITY OF PUBLIC SEWER

Not available	15	
Sewer over 600'-1200' away	8	15
Private central sewage system	5	
Sewer 600' or less away and available	0	

AVAILABILITY OF PUBLIC WATER

Not available	20	
1,000-1,500' away	15	0
Less than 1,000' away	5	
Public water available at site	0	

DISTANCE FROM RESPONDING FIREHOUSE

Not in fire protection district	20	
More than 5 miles or fire protection by assignment	10	5
2.6-5 miles	5	
0-2.5 miles	0	

DRIVING TIME TO HIGH SCHOOL

Over 30 minutes	10	
15-30 minutes	5	0
Less than 15 minutes	0	

SITE ASSESSMENT TOTAL**90**

Part 2: Agricultural Land Evaluation (Based on Sangamon County Soil Survey)

<u>Soil</u>	<u>Name</u>	<u>Type</u>	<u>%</u>	<u>Relative Value</u>	<u>Points</u>
198A	Elburn	P		100	
199A	Plano	P		100	
43A	Ipava	P		100	
7148A	Proctor	P		100	
46A	Herrick	P		100	
7037A	Worthen	P	31	100	31
705A	Buckhart	P		98	
199B	Plano	P		98	
36B	Tama	P		98	
244A	Hartsburg	P2		98	
257A	Clarksdale	P2		98	
68A	Sable	P2		87	
679B	Blackberry	P		87	
705B	Buckhart	P		87	
86B	Osko	P	7	87	6
684B	Broadwell	P		87	
50A	Virden	P2		87	
712A	Spaulding	P2		87	
127B	Harrison	P		87	
3077A	Huntsville	P3		87	
138A	Shiloh	P2		87	
249A	Edinburg	P2		87	
242A	Kendall	P2		87	
7242A	Kendall	P2		87	
134A	Camden	P		87	
17A	Keomah	P2		87	
3451A	Lawson	P3		75	
3107A	Sawmill	P5	10	75	8
7075B	Drury	P		75	
8396A	Vesser	P2		75	
3074A	Radford	P3	19	75	14
3073A	Ross	P3		75	
3284A	Tice	P3		75	
279B	Rozetta	P		75	
45A	Denny	P2		75	
134B	Camden	P		75	
112A	Cowden	P2		75	
685B	Middletown	P		75	
3405A	Zook	P5		75	
131C2	Alvin	P		75	
86C2	Osko	I		74	
36C2	Tama	I		74	
684C2	Broadwell	I		74	
119C2	Elco	I	9	74	7
119D	Elco	I		74	
127C2	Harrison	I		74	
119D2	Elco	I	2	74	1
567C2	Elkhart	I		74	
134C2	Camden	I		74	
259C2	Assumption	I		74	

685C2	Middletown	I		74	
280D2	Fayette	I	4	74	3
119D3	Elco	N	7	74	5
259D2	Assumption	I		74	
212C2	Thebes	I		74	
630C2	Navlys	I	3	74	2
630D2	Navlys	I		74	
630D3	Navlys	I		57	
131D2	Alvin	I		57	
8D	Hickory	I		50	
8D2	Hickory	I		50	
280D3	Fayette	I		44	
8D3	Hickory	I		44	
8F	Hickory	N		44	
549G	Marseilles	N		0	
533	Urban Land	N			
536	Dumps	N			
830	Orthents, Land	N			
862	Pits, Sand	N			
864	Pits, Quarries	N			
801C	Orthents, Silty	N			
W	Water				

Prime/Important Farmlands Designations:

P: Prime farmland

P2: Prime where drained

P3: Prime where protected from flooding or flooding is less often than once in two years during the growing season.

P5: Prime where drained and either protected from flooding or flooding is less often than once in two years during the growing season.

I: Important farmland

N: Not Prime/Important Farmland

AGRICULTURAL LAND EVALUATION TOTAL

77

GRAND TOTAL

167

Fewer than 150 points shall be deemed acceptable for non-agricultural development.

From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.

Greater than 175 points shall be considered suitable for agricultural use only.

**GRANTING A CONDITIONAL PERMITTED USE WITH A CONDITION AND
VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
11000 BLOCK OF PALM ROAD, GLENARM
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 Conditional Permitted Use and variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

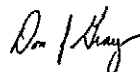
See Exhibit A

WHEREAS, the Petitioner, **W.J. Sallenger, LLC**, has petitioned the Sangamon County Board requesting for **Proposed Parcel 1: pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a banquet hall; pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 10 acres); a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat (for a period not to exceed four (4) years); 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 27 acres); and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **May 15, 2025** 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,

FILED

MAY 20 2025



Sangamon County Clerk

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 Conditional Permitted Use and 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 10th Day of June, 2025 that the following requests on the above described property are hereby approved:

For Proposed Parcel 1:

- Pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a banquet hall;
- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 10 acres);
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and,
- Pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat for a period not to exceed two (2) years; 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 27 acres).

Signed and passed by the Sangamon County Board in session on this 10th day of June, 2025.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

Exhibit A

PARCEL 2:

Part of the Southeast Quarter of Section 21 and Part of the Northeast Quarter of Section 28, all in Township 14 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Commencing at an iron pin found at the Southwest corner of the Southeast Quarter of said Section 21; thence North 88 degrees 20 minutes 32 seconds East on the South line of said Section 21, a distance of 1467.67 feet to a railroad spike found at the centerline of an unnamed creek being the point of beginning; From said point of beginning; thence North 00 degrees 23 minutes 41 seconds West, a distance of 509.36 feet to a pipe found; thence North 88 degrees 17 minutes 30 seconds East, a distance of 628.70 feet to an iron pin set; thence South 00 degrees 39 minutes 10 seconds East, a distance of 335.00 feet to iron pin set; thence North 88 degrees 17 minutes 30 seconds East, a distance of 520.00 feet to an iron pin set on the West right of way line of Palm Road; thence South 00 degrees 39 minutes 10 seconds East on said West right of way line, a distance of 175.28 feet to a pipe found; thence South 00 degrees 48 minutes 47 seconds East on said West right of way line of Palm Road, a distance of 737.95' to a point at the approximate centerline of an unnamed creek; thence South 26 degrees 46 minutes 29 seconds West, a distance of 59.76 feet to a point; thence South 38 degrees 21 minutes 26 seconds West, a distance of 41.09 feet to a point ; thence South 71 degrees 01 minutes 51 seconds West, a distance of 67.52 feet to a point; thence South 57 degrees 25 minutes 47 seconds West, a distance of 67.31 feet to a point; thence South 76 degrees 30 minutes 00 seconds West, a distance of 115.78 feet to a point; thence North 87 degrees 06 minutes 52 seconds West, a distance of 160.68 feet to a point; thence South 72 degrees 44 minutes 44 seconds West, a distance of 102.40 feet to a point; thence North 17 degrees 31 minutes 59 seconds West, a distance of 81.71 feet to a point; thence South 79 degrees 38 minutes 32 seconds West, a distance of 142.10 feet to a point; thence South 50 degrees 40 minutes 26 seconds West, a distance of 55.03 feet to a point; thence North 59 degrees 24 minutes 27 seconds West, a distance of 64.21 feet to a point; thence South 52 degrees 56 minutes 08 seconds West, a distance of 91.89 feet to a point; thence North 59 degrees 34 minutes 06 seconds West, a distance of 84.51 feet to a point; thence South 64 degrees 54 minutes 32 seconds West, a distance of 177.59 feet to a point; thence South 24 degrees 39 minutes 19 seconds West, a distance of 47.06 feet to a point; thence South 81 degrees 26 minutes 49 seconds West, a distance of 37.86 feet to a point; thence North 44 degrees 52 minutes 49 seconds West, a distance of 60.23 feet to a point; thence North 56 degrees 46 minutes 02 seconds West, a distance of 78.19 feet to a point; thence North 83 degrees 58 minutes 02 seconds West, a distance of 68.65 feet to a point; thence South 53 degrees 36 minutes 18 seconds West, a distance of 25.75 feet to a point; thence North 50 degrees 17 minutes 43 seconds West, a distance of 44.42 feet to a point; thence South 55 degrees 41 minutes 22 seconds West, a distance of 33.31 feet to a point; thence South 85 degrees 35 minutes 03 seconds West on said approximate centerline, a distance of 67.15 feet to a pipe found; thence North 72 degrees 51 minutes 25 seconds East, a distance of 30.21 feet to a pipe found; thence North 45 degrees 09 minutes 31 seconds East, a distance of 2.51 feet to an pipe found; thence continuing North 45 degrees 09 minutes 31 seconds East, a distance of 41.66 feet to a pipe found; thence North 02 degrees 37 minutes 33 seconds West, a distance of 65.39 feet to a pipe found; thence North 38 degrees 58 minutes 01 seconds East, a distance of 67.97 feet to a pipe found; thence North 04 degrees 24 minutes 29 seconds West, a distance of 43.15 feet to a pipe found; thence North 36 degrees 14 minutes 20 seconds East, a distance of 31.18 feet to a pipe found; thence North 16 degrees 55 minutes 05 seconds East, a distance of 24.30 feet to a pipe found; thence North 24 degrees 19 minutes 21 seconds East, a distance of 52.92 feet to a pipe found; thence North 01 degrees 21 minutes 24 seconds East, a distance of 97.64 feet to a pipe found; thence North 22 degrees 30 minutes 20 seconds East, a distance of 47.72 feet to a pipe found; thence North 03 degrees 41 minutes 02 seconds West, a distance of 91.07 feet to a pipe found; thence North 40 degrees 09 minutes 53 seconds West, a distance of 42.26 feet to a pipe found; thence North 11 degrees 58 minutes 42 seconds East, a distance of 111.58 feet to a pipe found; thence North 27 degrees 45 minutes 32 seconds East, a distance of 55.38 feet to a pipe found; thence North 68 degrees 06 minutes 53 seconds East, a distance of 73.61 feet to a pipe found; thence North 33 degrees 56

minutes 26 seconds East, a distance of 93.17 feet to a pipe found; thence North 24 degrees 06 minutes 13 seconds East, a distance of 83.47 feet to the point of beginning.

EXCEPT that part lying in Section 21.

Containing 27.12 acres, more or less.

PARCEL 1:

The West 90.00 feet of that Part of the Southeast Quarter of Section 21, Township 14 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Commencing at an iron pin found at the Southwest corner of the Southeast Quarter of said Section 21; thence North 88 degrees 20 minutes 32 seconds East on the South line of said Section 21, a distance of 1467.67 feet to a railroad spike found at the centerline of an unnamed creek; thence North 00 degrees 23 minutes 41 seconds West, a distance of 509.36 feet to a pipe found; thence North 88 degrees 17 minutes 30 seconds East, a distance of 628.70 feet to an iron pin set and the point of beginning.

From said point of beginning; thence continue North 88 degrees 17 minutes 30 seconds East, a distance of 520.00 feet to a pipe found on the West right of way line of Palm Road; thence South 00 degrees 39 minutes 10 seconds East on said West right of way line, a distance of 335.00 feet to an iron pin set; thence South 88 degrees 17 minutes 30 seconds west, a distance of 520.00 feet to an iron pin set; thence North 00 degrees 39 minutes 10 seconds West, a distance of 335.00 feet to the point of beginning.

AND:

Part of the Southeast Quarter of Section 21 and Part of the Northeast Quarter of Section 28, all in Township 14 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Commencing at an iron pin found at the Southwest corner of the Southeast Quarter of said Section 21; thence North 88 degrees 20 minutes 32 seconds East on the South line of said Section 21, a distance of 1467.67 feet to a railroad spike found at the centerline of an unnamed creek being the point of beginning:

From said point of beginning; thence North 00 degrees 23 minutes 41 seconds West, a distance of 509.36 feet to a pipe found; thence North 88 degrees 17 minutes 30 seconds East, a distance of 628.70 feet to an iron pin set; thence South 00 degrees 39 minutes 10 seconds East, a distance of 335.00 feet to iron pin set; thence North 88 degrees 17 minutes 30 seconds East, a distance of 520.00 feet to an iron pin set on the West right of way line of Palm Road; thence South 00 degrees 39 minutes 10 seconds East on said West right of way line, a distance of 175.28 feet to a pipe found; thence South 00 degrees 48 minutes 47 seconds East on said West right of way line of Palm Road, a distance of 737.95' to a point at the approximate centerline of an unnamed creek; thence South 26 degrees 46 minutes 29 seconds West, a distance of 59.76 feet to a point; thence South 38 degrees 21 minutes 26 seconds West, a distance of 41.09 feet to a point ; thence South 71 degrees 01 minutes 51 seconds West, a distance of 67.52 feet to a point; thence South 57 degrees 25 minutes 47 seconds West, a distance of 67.31 feet to a point; thence South 76 degrees 30 minutes 00 seconds West, a distance of 115.78 feet to a point; thence North 87 degrees 06 minutes 52 seconds West, a distance of 160.68 feet to a point; thence South 72 degrees 44 minutes 44 seconds West, a distance of 102.40 feet to a point; thence North 17 degrees 31 minutes 59 seconds West, a distance of 81.71 feet to a point; thence South 79 degrees 38 minutes 32 seconds West, a distance of 142.10 feet to a point; thence South 50 degrees 40 minutes 26 seconds West, a distance of 55.03 feet to a point; thence North 59 degrees 24 minutes 27 seconds West, a distance of 64.21 feet to a point; thence South 52 degrees 56 minutes 08 seconds West, a distance of 91.89 feet to a point; thence North 59 degrees 34 minutes 06 seconds

West, a distance of 84.51 feet to a point; thence South 64 degrees 54 minutes 32 seconds West, a distance of 177.59 feet to a point; thence South 24 degrees 39 minutes 19 seconds West, a distance of 47.06 feet to a point; thence South 81 degrees 26 minutes 49 seconds West, a distance of 37.86 feet to a point; thence North 44 degrees 52 minutes 49 seconds West, a distance of 60.23 feet to a point; thence North 56 degrees 46 minutes 02 seconds West, a distance of 78.19 feet to a point; thence North 83 degrees 58 minutes 02 seconds West, a distance of 68.65 feet to a point; thence South 53 degrees 36 minutes 18 seconds West, a distance of 25.75 feet to a point; thence North 50 degrees 17 minutes 43 seconds West, a distance of 44.42 feet to a point; thence South 55 degrees 41 minutes 22 seconds West, a distance of 33.31 feet to a point; thence South 85 degrees 35 minutes 03 seconds West on said approximate centerline, a distance of 67.15 feet to a pipe found; thence North 72 degrees 51 minutes 25 seconds East, a distance of 30.21 feet to a pipe found; thence North 45 degrees 09 minutes 31 seconds East, a distance of 2.51 feet to a pipe found; thence continuing North 45 degrees 09 minutes 31 seconds East, a distance of 41.66 feet to a pipe found; thence North 02 degrees 37 minutes 33 seconds West, a distance of 65.39 feet to a pipe found; thence North 38 degrees 58 minutes 01 seconds East, a distance of 67.97 feet to a pipe found; thence North 04 degrees 24 minutes 29 seconds West, a distance of 43.15 feet to a pipe found; thence North 36 degrees 14 minutes 20 seconds East, a distance of 31.18 feet to a pipe found; thence North 16 degrees 55 minutes 05 seconds East, a distance of 24.30 feet to a pipe found; thence North 24 degrees 19 minutes 21 seconds East, a distance of 52.92 feet to a pipe found; thence North 01 degrees 21 minutes 24 seconds East, a distance of 97.64 feet to a pipe found; thence North 22 degrees 30 minutes 20 seconds East, a distance of 47.72 feet to a pipe found; thence North 03 degrees 41 minutes 02 seconds West, a distance of 91.07 feet to a pipe found; thence North 40 degrees 09 minutes 53 seconds West, a distance of 42.26 feet to a pipe found; thence North 11 degrees 58 minutes 42 seconds East, a distance of 111.58 feet to a pipe found; thence North 27 degrees 45 minutes 32 seconds East, a distance of 55.38 feet to a pipe found; thence North 68 degrees 06 minutes 53 seconds East, a distance of 73.61 feet to a pipe found; thence North 33 degrees 56 minutes 26 seconds East, a distance of 93.17 feet to a pipe found; thence North 24 degrees 06 minutes 13 seconds East, a distance of 83.47 feet to the point of beginning.

EXCEPT that part lying in Section 28.

Containing 10.15 acres, more or less.

PARCEL 3:

Part of the Southeast Quarter of Section 21, Township 14 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Commencing at an iron pin found at the Southwest corner of the Southeast Quarter of said Section 21; thence North 88 degrees 20 minutes 32 seconds East on the South line of said Section 21, a distance of 1467.67 feet to a railroad spike found at the centerline of an unnamed creek; thence North 00 degrees 23 minutes 41 seconds West, a distance of 509.36 feet to a pipe found; thence North 88 degrees 17 minutes 30 seconds East, a distance of 628.70 feet to an iron pin set and the point of beginning.

From said point of beginning; thence continue North 88 degrees 17 minutes 30 seconds East, a distance of 520.00 feet to a pipe found on the West right of way line of Palm Road; thence South 00 degrees 39 minutes 10 seconds East on said West right of way line, a distance of 335.00 feet to an iron pin set; thence South 88 degrees 17 minutes 30 seconds West, a distance of 520.00 feet to an iron pin set; thence North 00 degrees 39 minutes 10 seconds West, a distance of 335.00 feet to the point of beginning.

EXCEPT the west 90.00 feet thereof.

Containing 3.31 acres, more or less.

PIN: 29-28.0-200-017 & pt. 29-21.0-400-011

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 4 NAME: Jeffrey Thomas

DOCKET NUMBER: 2025-007

ADDRESS: 11000 Block of Palm Road, Glenarm, IL 62536

PETITIONER: W.J. Sallenger, LLC

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: Proposed Parcel 1: Pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a banquet hall; pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 10 acres); a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat (for a period not to exceed two (2) years). 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 27 acres).

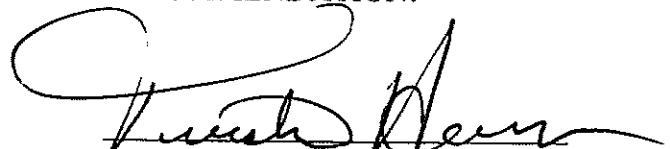
AREA: 40.58 Acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval of the requested Conditional Permitted Use for a banquet hall. The proposed banquet hall is located along Palm Road which has seen a trend of commercial development and is designated for commercial use in the future land use map of the Chatham Comprehensive Plan. Recommend approval of the paving variance for a period not to exceed two (2) years. Allowing a two-year paving variance will provide time to complete construction while also requiring pavement of the required parking spaces. Granting any more time for the pavement waiver would be inconsistent with other properties with similar uses. Recommend approval of the requested lot area and lot-width-depth variances which will facilitate the division to separate the proposed banquet hall use from the cropland. 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: **2025-007**
W.J. Sallenger, LLC)
)
) PROPERTY LOCATED AT:
) **11000 Block of Palm Road**
) **Glenarm, IL 62536**

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 **Conditional Permitted Use and 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 **May 15, 2025** 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: **11000 Block of Palm Road, Glenarm, IL 62536** 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 **Parcel -017: Cropland. Parcel -011: Excavating business.**
5. That the proposed land use of said property is **Proposed Parcel 1: Banquet hall. Proposed Parcel 2: Cropland. Proposed Parcel 3: Excavating business (Zoning Case #2009-043).**
6. That the request(s) for the subject property are **for Proposed Parcel 1: Pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a banquet hall; pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 10 acres); a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat (for a period not to exceed four (4) years). 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 27 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 **Conditional Permitted Use and 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 17.58 and Section 17.10.020, a Conditional Permitted Use for a banquet hall;
- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 10 acres);
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and,
- Pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat for a period not to exceed two (2) years; 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 27 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 **Anthony Mares**, 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 17.58 and Section 17.10.020, a Conditional Permitted Use for a banquet hall;
- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 10 acres);
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and,
- Pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat for a period not to exceed two (2) years; 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 27 acres).

The vote of the Board was as follows:

YES: **Don Wulf, Anthony Mares, Charlie Chimento, George Petrilli, JD Sudeth**

NO:

PRESENT:

ABSENT: **Richard Thompson**


RECORDING SECRETARY

**SANGAMON COUNTY - RECOMMENDED FINDINGS OF FACT
FOR CONDITIONAL PERMITTED USES**

Case #: **2025-007**

Address: **11000 Block of Palm Road, Glenarm**

No conditional permitted uses shall be granted by the County Board unless the conditional permitted use:

- (i) Is so proposed that the proposed location, design and method of operation of such use will minimize the adjacent effects on the character of the surrounding area.

Yes, the proposed banquet hall is located along Palm Road which has seen a trend of commercial development and is designated for commercial use in the future land use map in the Chatham Comprehensive Plan.

- (ii) Is so proposed to be operated, designed and located so that the public health, safety, and welfare will be protected.

Yes, the proposed banquet hall will provide sufficient parking and be located off of Palm Road which is a state-controlled road with a commercial development trend.

- (iii) Will not cause substantial injury to the value of other property in the vicinity in which it is located.

The proposed banquet hall is located along Palm Road which has seen a trend of commercial uses, so the proposed use is unlikely to cause substantial injury to property values in the vicinity.

- (iv) In addition to the above general standards for all conditional permitted uses that may be allowed, no conditional permitted use listed below shall be granted unless the proposed use can meet the standards as noted:

- (a) Fairgrounds, public or private outdoor recreation centers - that the principal vehicle access for such use is located on a major thoroughfare or a secondary thoroughfare or within one-quarter mile of a major thoroughfare, that such use is so located as to draw a minimum of vehicular traffic to and through minor and collector streets in residential areas.

N/A

- (b) Manufactured home parks - must meet the requirements of Chapter 17.48 Large Scale Development.

N/A

- (c) Tourist home, motels, hotels - that the proposed use must be located on or within 400 feet of a major thoroughfare.

N/A

- (d) Taverns and liquor stores - that the following distances be maintained: (1) schools - 100' from the property line of the school to the property line of the tavern or liquor store; (2) churches - 100' from the church building to the tavern or liquor store building; and (3) residences - 100' from the tavern or liquor store property line to the residential structure or institutional care facility.

N/A

- (e) Adult-use cannabis business establishments as defined in Chapter 17.04:
- 1) that the following distances be maintained from the principal structure of an adult-use cannabis business establishment to the property line of a use defined in Chapter 17.04 as a "sensitive area":
 - (A) Adult-use cannabis craft grower – 1,500 feet
 - (B) Adult-use cannabis cultivation center – 1,500 feet
 - (C) Adult-use cannabis dispensing organization (dispensary) – 250 feet
 - (D) Adult-use cannabis infuser organization (infuser) – 1,500 feet
 - (E) Adult-use cannabis processing organization (processor) – 1,500 feet
 - (F) Adult-use cannabis transporting organization (transporter) – 1,500 feet
 - 2) On-premise consumption of cannabis at cannabis dispensing organizations and smoking lounges in unincorporated Sangamon County is prohibited.

N/A

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2025-007**

Address: **11000 Block of Palm Road, Glenarm**

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.

Allowing a two-year paving variance will provide time to complete construction while also requiring pavement of the required parking spaces. Granting any more time for the pavement waiver would be inconsistent with other properties with similar uses. Granting the additional variances for the lot area and lot-width-depth will facilitate the division to separate the proposed banquet hall use from the cropland.

- (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 petitioner has requested four years to pave the lot; however, staff could not find circumstances unique to the property to provide any more than two years to pave the subject property than what has been granted for other property. Granting the additional variances for the lot area and lot-width-depth will facilitate the division to separate the proposed banquet hall use from the cropland.

- (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 over existing conditions in granting two years to pave.

**DENYING A REZONING AND A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
NORTHWEST CORNER OF SHERMAN ROAD AND FARRAND ROAD, SHERMAN
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 **deny a rezoning and a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

Lot 4 of Stanley Givens Estates. Parcel ID Number: 07-29.0-100-025

WHEREAS, the Petitioner, **Stephen Brent**, has petitioned the Sangamon County Board requesting pursuant to Chapters 17.68 and 17.26, a rezoning from “A” Agricultural District to “B-3” General Business District; and, pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **May 15, 2025** 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 **deny a rezoning and a variance**; and,

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

FILED

MAY 20 2025

Don J. Hays
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10th Day of June, 2025 that the following requests on the above described property are hereby denied:

- Pursuant to Chapters 17.68 and 17.26, a rezoning from “A” Agricultural District to “B-3” General Business District; and,
- Pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat.

Signed and passed by the Sangamon County Board in session on this 10th day of June, 2025.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 2 NAME: Casey Constant

DOCKET NUMBER: 2025-008

ADDRESS: Northwest Corner of Sherman Road and Farrand Road, Sherman IL 62684

PETITIONER: Stephen Brent

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: Pursuant to Chapters 17.68 and 17.26, a rezoning from "A" Agricultural District to "B-3" General Business District; and, pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat.

AREA: 5 Acres.

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend denial. The petitioner is proposing to have self-service storage facilities on the subject property. The LESA score of 190 indicates the subject property is suitable for agricultural use only. Additionally, the area has remained rural residential and agricultural, so an area of B-3 is inappropriate spot zoning and the list of uses permitted in B-3 is too intense for the area. As staff has recommended denial of the B-3 zoning and has not recommended approval of a Use Variance for the self-service storage facility, the requested paving variance is unnecessary.

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: **2025-008**
Stephen Brent)
)
) PROPERTY LOCATED AT:
) **Northwest Corner of Sherman Road**
) **and Farrand Road, Sherman IL 62684**

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 **rezoning and 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 15, 2025** 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: **Northwest Corner of Sherman Road and Farrand Road, Sherman, IL 62684** and more particularly described as:

Lot 4 of Stanley Givens Estates. Parcel ID Number: 07-29.0-100-025

3. That the present zoning of said property is **"A" Agricultural District.**
4. That the present land use of said property is **pasture.**
5. That the proposed land use of said property is **Self-service storage facilities (mini-warehouses).**
6. That the requests for the subject property are **Pursuant to Chapters 17.68 and 17.26, a rezoning from "A" Agricultural District to "B-3" General Business District; and, pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat.**
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 not** support the proposition that the adoption of the proposed **rezoning and 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 requests **are hereby denied:**

- **Pursuant to Chapters 17.68 and 17.26, a rezoning from "A" Agricultural District to "B-3" General Business District; and,**
- **Pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat.**


CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **George Petrilli**, which was duly seconded by **Anthony Mares**, 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 denied:

- Pursuant to Chapters 17.68 and 17.26, a rezoning from “A” Agricultural District to “B-3” General Business District; and,
- Pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat.

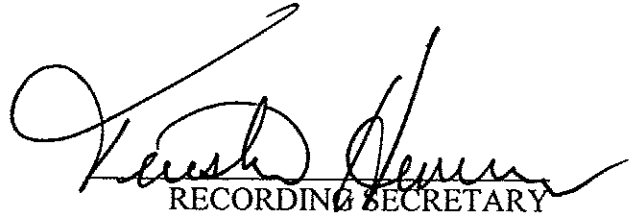
The vote of the Board was as follows:

YES: **George Petrilli, Don Wulf, JD Sudeth, Anthony Mares, Charlie Chimento**

NO:

PRESENT:

ABSENT: **Richard Thompson**


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

Case #: **2025-008**

Address: **Northwest Corner of Sherman Road & Farrand Road, Sherman**

- (i) Existing uses of property within the general area of the property in question.

North & West – Residence. East – Cropland. South – Residence and cropland.

- (ii) The zoning classification of property within the general area of the property in question.

North, East, South, & West – Agricultural.

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

The LESA score of 190 indicates the subject property is suitable for agricultural use only. Additionally, the area has remained rural residential and agricultural, so an area of B-3 is inappropriate spot zoning and the list of uses permitted in B-3 is too intense for the area.

- (iv) The trend of development, within the vicinity since the property was originally classified.

The trend of development in the area is rural residential and agricultural. In 1999, a variance was granted for the lot width to be met greater than 60 feet from the road north of the subject property.

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2025-008**

Address: **Northwest Corner of Sherman Road & Farrand Road, Sherman**

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.

As the variance depends on the requested B-3 zoning for the self-service storage facility that is recommended for denial, this standard does not apply.

- (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.

As the variance depends on the requested B-3 zoning for the self-service storage facility that is recommended for denial, this standard does not apply.

- (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.

As the variance depends on the requested B-3 zoning for the self-service storage facility that is recommended for denial, this standard does not apply.

LAND EVALUATION AND SITE ASSESSMENT**Part 1: Site Assessment**

Part 1: Site Assessment	Available Points	Points
<u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u>		
90% or more	20	20
75-89%	10	
50-74%	5	
Under 50%	0	
<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	0
75-89%	10	
50-74%	5	
Under 50%	0	
<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	10
50-74%	5	
Under 50%	0	
<u>COUNTY SECTOR</u>		
Rural	20	10
0.5 mile from incorporated area	10	
Incorporated area	0	
<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	20
50-74%	10	
25-49%	5	
Less than 25% or sewer available	0	
<u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u>		
Negative impact	15	0
Little or none with protective measures	5	
Little or none	0	
<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	0
No impact	0	

CONDITION OF ROAD

unpaved, <40' ROW, or < 16' pavement	20	10
16'-18' pavement, 40' ROW	15	
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

AVAILABILITY OF PUBLIC SEWER

Not available	15	15
Sewer over 600'-1200' away	8	
Private central sewage system	5	
Sewer 600' or less away and available	0	

AVAILABILITY OF PUBLIC WATER

Not available	20	20
1,000-1,500' away	15	
Less than 1,000' away	5	
Public water available at site	0	

DISTANCE FROM RESPONDING FIREHOUSE

Not in fire protection district	20	0
More than 5 miles or fire protection by assignment	10	
2.6-5 miles	5	
0-2.5 miles	0	

DRIVING TIME TO HIGH SCHOOL

Over 30 minutes	10	0
15-30 minutes	5	
Less than 15 minutes	0	

SITE ASSESSMENT TOTAL**105**

Part 2: Agricultural Land Evaluation (Based on Sangamon County Soil Survey)

<u>Soil</u>	<u>Name</u>	<u>Type</u>	<u>%</u>	<u>Relative Value</u>	<u>Points</u>
198A	Elburn	P		100	
199A	Plano	P		100	
43A	Ipava	P		100	
7148A	Proctor	P		100	
46A	Herrick	P		100	
7037A	Worthen	P		100	
705A	Buckhart	P		98	
199B	Plano	P		98	
36B	Tama	P		98	
244A	Hartsburg	P2		98	
257A	Clarksdale	P2		98	
68A	Sable	P2		87	
679B	Blackberry	P		87	
705B	Buckhart	P		87	
86B	Osco	P		87	
684B	Broadwell	P		87	
50A	Virden	P2		87	
712A	Spaulding	P2		87	
127B	Harrison	P		87	
3077A	Huntsville	P3		87	
138A	Shiloh	P2		87	
249A	Edinburg	P2		87	
242A	Kendall	P2		87	
7242A	Kendall	P2		87	
134A	Camden	P		87	
17A	Keomah	P2	87	87	76
3451A	Lawson	P3		75	
3107A	Sawmill	P5		75	
7075B	Drury	P		75	
8396A	Vesser	P2		75	
3074A	Radford	P3		75	
3073A	Ross	P3		75	
3284A	Tice	P3		75	
279B	Rozetta	P	12	75	9
45A	Denny	P2		75	
134B	Camden	P		75	
112A	Cowden	P2		75	
685B	Middletown	P		75	
3405A	Zook	P5		75	
131C2	Alvin	P		75	
86C2	Osco	I		74	
36C2	Tama	I		74	
684C2	Broadwell	I		74	
119C2	Elco	I		74	
119D	Elco	I		74	
127C2	Harrison	I		74	
119D2	Elco	I		74	
567C2	Elkhart	I		74	
134C2	Camden	I		74	
259C2	Assumption	I		74	

685C2	Middletown	I	74
280D2	Fayette	I	74
119D3	Elco	N	74
259D2	Assumption	I	74
212C2	Thebes	I	74
630C2	Navlys	I	74
630D2	Navlys	I	74
630D3	Navlys	I	57
131D2	Alvin	I	57
8D	Hickory	I	50
8D2	Hickory	I	50
280D3	Fayette	I	44
8D3	Hickory	I	44
8F	Hickory	N	44
549G	Marseilles	N	0
533	Urban Land	N	
536	Dumps	N	
830	Orthents, Land	N	
862	Pits, Sand	N	
864	Pits, Quarries	N	
801C	Orthents, Silty	N	
W	Water		

Prime/Important Farmlands Designations:

P: Prime farmland

P2: Prime where drained

P3: Prime where protected from flooding or flooding is less often than once in two years during the growing season.

P5: Prime where drained and either protected from flooding or flooding is less often than once in two years during the growing season.

I: Important farmland

N: Not Prime/Important Farmland

AGRICULTURAL LAND EVALUATION TOTAL

85

GRAND TOTAL

190

Fewer than 150 points shall be deemed acceptable for non-agricultural development.

From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.

Greater than 175 points shall be considered suitable for agricultural use only.