

CASE# 2011-054  
RESOLUTION NUMBER 11-1

**GRANTING A VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**4116 FARLEY ROAD, NEW BERLIN**  
SANGAMON COUNTY, ILLINOIS

WHEREAS, the Zoning Board of Appeals has presented to the Sangamon County Board, Sangamon County, Illinois, its Findings of Fact and Recommendation that the Sangamon County Board **grant a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioners, **Theodore & Lael Farley**, have petitioned the Sangamon County Board for **a variance to allow two (2) parcels less than forty (40) acres;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **November 17, 2011** after proper notice was posted on said property and given by news publication, as is required by said Ordinance, and all procedural and jurisdictional requirements of the Sangamon County Zoning Ordinance have been met; and

WHEREAS, the Sangamon County Zoning Board of Appeals has presented to the Sangamon County Board of Sangamon County its Findings of Fact and Recommendation that the Sangamon County Board **grant the variance;** and

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

**FILED**

NOV 29 2011


*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13<sup>th</sup> day of December, 2011 that the request for a variance to allow two (2) parcels less than forty (40) acres on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13<sup>th</sup> day of December, 2011.

Respectfully submitted,

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

  
\_\_\_\_\_  
TIM MOORE, CHAIRMAN

\_\_\_\_\_  
ABE FORSYTH, VICE CHAIRMAN

\_\_\_\_\_  
JOHN FULGENZI

\_\_\_\_\_  
DAVID MENDENHALL

\_\_\_\_\_  
SAM SNELL

\_\_\_\_\_  
DON STEPHENS

\_\_\_\_\_  
JASON RATTS

\_\_\_\_\_  
LINDA DOUGLAS WILLIAMS

**ATTEST:**

\_\_\_\_\_  
LINDA FULGENZI

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

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

**Exhibit A**

**Part of the East half of the Northeast Quarter of Section 24, Township 15 North, Range 7 West of the Third Principal meridian, Sangamon County, Illinois, described as follows: Beginning at a point on the North line of said Section 24, 446.10 feet West of the Northeast corner of said section; thence South at right angles to aforesaid section line 859.00 feet; thence deflecting to the right 90 degrees 00' 35" for a distance of 905.07 feet to the Quarter Quarter Section line; thence deflecting to the right 91 degrees 07' 10" for a distance of 859.00 feet to the North line of said Section; thence East 888.15 feet to the point of beginning.**

**Subject to easements, both in place and of record; covenants, restrictions, reservations, right-of way and roadways of record; all conveyances and reservations of coal, minerals and mining rights of record; building and use restrictions and applicable zoning laws; and taxes for 1996 and all subsequent years, which Grantees hereby assumes and agree to pay.**

**Situated in the County of Sangamon and State of Illinois, hereby releasing and waving all rights under and by virtue of the Homestead Exemption Laws of this State.**

1A-4

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: #7                      NAME: Craig Hall

DOCKET NUMBER: 2011-054

ADDRESS: 4116 Farley Road, New Berlin, IL 62670

PETITIONER: Theodore & Lael Farley

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow two (2) parcels less than forty (40) acres.

AREA: 17.68 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION:      **Recommend approval of the request to allow two (2) parcels less than forty (40) acres. The standards for variation are met. The parcel contains a single family residence and farmstead that is secluded by trees and naturally divided from the cropland, which will remain in agricultural production if this variance is granted. No negative impact is anticipated in the division of this parcel.**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

Approval

Cyndi Knowles  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2011-054</b>
<b>Theodore &amp; Lael Farley</b> )	
)	PROPERTY LOCATED AT:
)	<b>4116 Farley Road</b>
)	<b>New Berlin, IL 62670</b>

RECOMMENDATION OF THE BOARD OF APPEALS

THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for 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 **November 17, 2011** 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: **4116 Farley Road, New Berlin, IL.** 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 a single family residence and farmland.
- 5. That the proposed land use of said property is a single family residence and farmland.
- 6. That the requested variance of said property are a variance to allow two (2) parcels less than forty (40) acres.
- 7. That required findings and standards of the Sangamon County Board of Appeals are accurately stated on the attached exhibit (s).
- 8. The evidence adduced at the hearing does support the proposition that the adoption of the proposed 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 requested variance be approved.

Charles Chimento/cx  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Charles Chimento**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **approved**, which was duly seconded by **Charles Chimento**.

The vote of the Board was as follows:

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

NO:

ABSENT:

Cyndi Knowles  
RECORDING SECRETARY