

CASE# 2013-016
RESOLUTION NUMBER 11-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
6785 STATE ROUTE 97, PLEASANT PLAINS
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 Petitioner, **Stremsterfer Farms LLC**, has petitioned the Sangamon County Board for a **variance to allow one (1) parcel less than forty (40) acres**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **April 18, 2013** 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

APR 29 2013

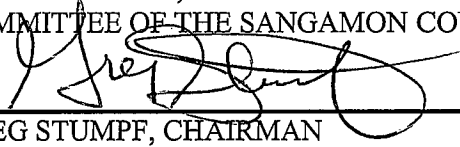
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14th day of May, 2013 that the request for a variance to allow one (1) parcel less than forty (40) acres on the above referenced property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14th day of May, 2013.

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

JOHN FULGENZI

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND PART OF THE EAST HALF OF THE NORTHWEST QUARTER AND PART OF THE WEST HALF OF THE NORTHEAST QUARTER, ALL IN SECTION .30, TOWNSHIP 17 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN. DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT A STONE MARKING THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE AFOREMENTIONED SECTION 30; THENCE NORTH 89 DEGREES 59 MINUTES 49 SECONDS EAST ALONG THE QUARTER, QUARTER SECTION LINE A DISTANCE OF 837.15 FEET TO AN IRON PIPE MARKING THE TRUE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 40 MINUTES 31 SECONDS EAST A DISTANCE OF 2193.96 FEET TO AN IRON PIPE; THENCE NORTH 89 DEGREES 02 MINUTES 00 SECONDS WEST A DISTANCE OF 881.91 FEET TO AN IRON PIPE ON THE QUARTER, QUARTER SECTION LINE; THENCE NORTH 00 DEGREES 29 MINUTES 13 SECONDS WEST ALONG THE QUARTER, QUARTER SECTION LINE A DISTANCE OF 623.12 FEET TO AN IRON PIPE; THENCE NORTH 89 DEGREES 25 MINUTES 27 SECONDS EAST A DISTANCE OF 1997.37 FEET TO AN IRON PIPE; THENCE NORTH 38 DEGREES 49 MINUTES 30 SECONDS EAST A DISTANCE OF 100.19 FEET TO AN IRON PIPE; THENCE SOUTH 89 DEGREES 56 MINUTES 59 SECONDS EAST A DISTANCE OF 550.64 FEET TO AN IRON PIPE ON THE WEST RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 97; THENCE SOUTH 00 DEGREES 08 MINUTES 05 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 430.00 FEET TO AN IRON PIPE MARKING THE BEGINNING OF A 2243.90 FOOT RADIUS, TANGENT CURVE TO THE LEFT; THENCE SOUTHEASTERLY 472.62 FEET ALONG SAID RIGHT-OF-WAY LINE WITH SAID CURVE, HAVING ALONG CHORD THAT BEARS SOUTH 06 DEGREES 10 MINUTES 07 SECONDS EAST FOR A DISTANCE OF 471.74 FEET TO AN IRON PIPE ON THE QUARTER, QUARTER SECTION LINE; THENCE SOUTH 00 DEGREES 25 MINUTES 20 SECONDS EAST ALONG THE QUARTER, QUARTER SECTION LINE A DISTANCE OF 692.15 FEET TO AN IRON PIN MARKING THE SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 30; THENCE SOUTH 89 DEGREES 53 MINUTES 34 SECONDS WEST ALONG THE QUARTER SECTION LINE A DISTANCE OF 1326.53 FEET TO AN IRON PIPE MARKING THE CENTER OF SECTION 30; THENCE SOUTH 00 DEGREES 28 MINUTES 24 SECONDS EAST ALONG THE QUARTER SECTION LINE A DISTANCE OF 1335.82 FEET TO AN IRON PIN MARKING THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION .30; THENCE SOUTH 89 DEGREES 59 MINUTES 49 SECONDS WEST ALONG THE QUARTER, QUARTER SECTION LINE A DISTANCE OF 490.81 FEET TO THE TRUE POINT OF BEGINNING. SAID PARCEL CONTAINS 89.546 ACRES, MORE OR LESS, OF WHICH 0.668 ACRE IS WITHIN THE EXISTING RIGHT-OF-WAY OF SANGAMON COUNTY HIGHWAY 21. ALL IN THE COUNTY OF SANGAMON, STATE OF ILLINOIS.

BASIS OF BEARING IS NORTH 89 DEGREES 59 MINUTES 49 SECONDS WEST ALONG THE QUARTER, QUARTER SECTION LINE.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 1 NAME: Harry "Tom" Fraase, Jr.

DOCKET NUMBER: 2013-016

ADDRESS: 6785 State Route 97, Pleasant Plains, IL. 62677

PETITIONER: Stremsterfer Farms LLC

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow one (1) parcel less than forty (40) acres.

AREA: 89.55 acres

COMMENTS: None

OBJECTORS: No

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The petitioner seeks to divide the single-family residence from the existing 89.55 acres for refinancing purposes. If the parcel is not separated, the owner will not be able to pursue the refinancing thus resulting in economic loss.**

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: 2013-016
Stremsterfer Farms LLC)	
)	PROPERTY LOCATED AT:
)	6785 State Route 97
)	Pleasant Plains, IL. 62677

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 **April 18, 2013** 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: **6785 State Route 97, Pleasant Plains, 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, 10 farm buildings and agricultural ground.**
- 5. That the proposed land use of said property is a **single-family residence, 10 farm buildings and agricultural ground.**
- 6. That the requested **variance** of said property is **to allow one (1) parcel 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/ck
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Judith Johnson**, 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 **Peggy Egizii**.

The vote of the Board was as follows:

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

NO:

PRESENT:

ABSENT:

Cyndi Knowles
RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2013-016

Address: 6785 State Route 97, Pleasant Plains

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of this ordinance be varied as authorized in F. (1) hereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the property in question cannot be economically used or yield a reasonable return, if permitted to be used only for the conditions allowed by the regulations.

The petitioner seeks to divide the single-family residence from the existing 89.55 acres for refinancing purposes. If the parcel is not separated, the owner will not be able to pursue the refinancing thus resulting in economic loss.

- (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 seeks to divide the single-family residence from the existing 89.55 acres for refinancing purposes. The parcel does not qualify for a one-time exemption under the Illinois Plat Act by tract survey.

- (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.

There will be no visible changes to the property if the property is divided by survey.