

CASE# 2019-013  
RESOLUTION NUMBER 11-1

**GRANTING A REZONING AND VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**7919 & 7971 FARMINGTON CEMETERY ROAD, 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 the amendment and variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **Farmingdale Presbyterian Church**, has petitioned the Sangamon County Board for **a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District; for Proposed Parcel 1: a variance to allow the side yard setback to be approximately one (1) foot instead of the required twenty (20) feet; and, for Proposed Parcel 2: a variance to allow the front yard setback to be approximately fifteen (15) feet instead of the required thirty (30) feet, and a variance 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 **April 18, 2019** 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 rezoning and variances; and,**

**FILED**

APR 30 2019

*Don J. Hayes*  
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 **14<sup>th</sup> Day of May, 2019** that the requests for a rezoning from **“A” Agricultural District to “R-1” Single-Family Residence District; for Proposed Parcel 1: a variance to allow the side yard setback to be approximately one (1) foot instead of the required twenty (20) feet; and, for Proposed Parcel 2: a variance to allow the front yard setback to be approximately fifteen (15) feet instead of the required thirty (30) feet, and a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width on the above described property are hereby approved.**

Signed and passed by the Sangamon County Board in session on this **14<sup>th</sup> day of May, 2019.**

Respectfully submitted,

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

  
\_\_\_\_\_  
GREG STUMPE, CHAIRMAN

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DAVID MENDENHALL, VICE CHAIRMAN

\_\_\_\_\_  
CRAIG HALL

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

\_\_\_\_\_  
ABE FORSYTH

\_\_\_\_\_  
JASON RATTTS

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

\_\_\_\_\_  
ANNETTE FULGENZI

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

\_\_\_\_\_  
LISA HILLS

\_\_\_\_\_  
MIKE SULLIVAN

\_\_\_\_\_  
ROSE RUZIC

**ATTEST:**

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

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

**EXHIBIT A**

Part of the Southwest Quarter of Section 17, Township 16 North, Range 6 West of the Third Principal Meridian, described as follows:

Beginning at a stone in the Southwest corner of said Section 17, thence North on the Section line, 4.20 chains, thence East parallel with the South line of the Section, 5.55-3/4 chains, thence South 4.25 chains, and thence West to the place of beginning. Containing 2.36 acres, more or less.

AND,

Beginning at a stone 8.48 chains East of the Southwest corner of said Section 17, thence North 19 chains and 58-1/2 links, thence West 8.40 chains to a stone 20.25 chains South from the Northwest corner of said Quarter Section, thence South 15 chains 33-1/2 links, to the Northwest corner of a tract of land conveyed by John Lyman to the Trustees of the Farmington Presbyterian Church, (in Book 7, Page 271), thence East 5 chains 55-3/4 links, thence South 4.25 chains, thence East 2 chains and 92-1/4 links to the place of beginning. Containing 14.26 acres, more or less.

**EXCEPTING THEREFROM** that part of land sold to Joseph Comiskey by deed recorded June 25, 1987, in Book 32, Page 134, described as follows: Beginning at a stone 20.25 chains South from the Northwest corner of said Quarter Section, thence South 8.19 chains to a stone, thence North 8.19 chains, and thence West 8.40 chains to the place of beginning. Containing in said exception 6.88 acres, more or less.

Except any interest in coal, oil, gas and other minerals underlying the land which have been heretofore conveyed or reserved in prior to conveyances, and all rights and easements in favor of the estate of said coal, oil, gas and other minerals, if any.

Situated in SANGAMON COUNTY, ILLINOIS.

Parcel Numbers: 13-17.0-301-012, -013

**RECAP**

(For County Board Use)

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

DOCKET NUMBER: 2019-013

ADDRESS: 7919 & 7971 Farmington Cemetery Road, Pleasant Plains, IL 62677

PETITIONER: Farmingdale Presbyterian Church

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: "R-1" Single-Family Residence District.  
**Proposed Parcel 1:** A variance to allow the side yard setback to be approximately one (1) foot instead of the required twenty (20) feet.

**Proposed Parcel 2:** A variance to allow the front yard setback to be approximately fifteen (15) feet instead of the required thirty (30) feet, and a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width.

AREA: 8.82 acres

COMMENTS: None

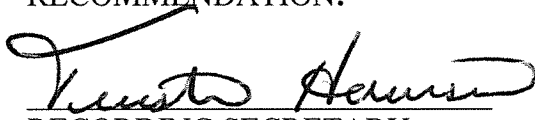
OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The purpose of the request is to allow the petitioner to divide off the former parsonage as the church is no longer utilizing the house. The LESA score of 172 indicates the property is marginal requiring mitigating factors for non-agricultural development. In this case, a church use and a residence have been located on the subject property for approximately 100 years, and the subject property is in an area of established rural residences. Strict application of the regulations in this case would reduce the reasonable**

return on the subject property, because it would require moving or demolishing a church that has been at its current location for over 30 years and a residence that has been at its current location for over 80 years. The requested variances are necessary to bring the parcels into compliance and yield a reasonable return after the division. The Standards for Variation are met.

SANGAMON COUNTY 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: <b>2019-013</b>
<b>Farmingdale Presbyterian Church</b> )	
)	PROPERTY LOCATED AT:
)	<b>7919 &amp; 7971 Farmington Cemetery Rd.</b>
)	<b>Pleasant Plains, IL 62677</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 **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 **April 18, 2019** 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: **7919 & 7971 Farmington Cemetery Road, Pleasant Plains, IL 62677** and more particularly described as:

**See Exhibit A**

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- 3. That the present zoning of said property is **“A” Agricultural District.**
- 4. That the present land use of said property is a **church and single-family residence.**
- 5. That the proposed land use of said property is a **church and single-family residence.**
- 6. That the requested **rezoning and variances** of said property is a **rezoning from “A” Agricultural District to “R-1” Single-Family Residence District; for Proposed Parcel 1: a variance to allow the side yard setback to be approximately one (1) foot instead of the required twenty (20) feet; and, for Proposed Parcel 2: a variance to allow the front yard setback to be approximately fifteen (15) feet instead of the required thirty (30) feet, and a variance 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 requested **rezoning and variances** be **approved.**

  
 CHAIRMAN



MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Larry Beaty**, 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 **Andrew Spiro**.

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Don Wulf, Andrew Spiro, Larry Beaty**

NO:

PRESENT:

ABSENT:

  
RECORDING SECRETARY

**SANGAMON COUNTY  
RECOMMENDED - FINDINGS OF FACT**

Case #: **2019-013**

Address: **7919 & 7971 Farmington Cemetery Road, Pleasant Plains**

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

**North, South, & West – Residence. East – 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 172 indicates the property is marginal requiring mitigating factors for non-agricultural development. In this case, a church use and a residence have been located on the subject property for approximately 100 years, and the subject property is in an area of established rural residences.**

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

**The area has a rural residential trend. In 2014, R-1 and variances to allow the lot depth to exceed 2.5 times the lot width were granted southwest of the subject property.**

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**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2019-013**

Address: **7919 & 7971 Farmington Cemetery Road, 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.

**Strict application of the regulations in this case would reduce the reasonable return on the subject property, because it would require moving or demolishing a church that has been at its current location for over 30 years and a residence that has been at its current location for over 80 years. The requested variances are necessary to bring the parcels into compliance and yield a reasonable return after the division.**

- (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 church has been at its current location for over 30 years and the residence has been at its current location for over 80 years, and the rezoning and potential division triggered the need for the requested variances to bring the parcels and structures into compliance.**

- (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.

**Granting the variances will bring the property into compliance with the current regulations and have no negative impact on the immediate area.**

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

	Available Points	Points
<b><u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u></b>		
<b>90% or more</b>	<b>20</b>	
75-89%	10	<b>20</b>
50-74%	5	
Under 50%	0	
<b><u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u></b>		
<b>90% or more</b>	<b>20</b>	
75-89%	10	<b>20</b>
50-74%	5	
Under 50%	0	
<b><u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u></b>		
75-100%	10	
<b>50-74%</b>	<b>5</b>	<b>5</b>
Under 50%	0	
<b><u>COUNTY SECTOR</u></b>		
<b>Rural</b>	<b>20</b>	
0.5 mile from incorporated area	10	<b>20</b>
Incorporated area	0	
<b><u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u></b>		
75% or more	20	
50-74%	10	<b>0</b>
25-49%	5	
<b>Less than 25% or sewer available</b>	<b>0</b>	
<b><u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u></b>		
Negative impact	15	
Little or none with protective measures	5	<b>0</b>
<b>Little or none</b>	<b>0</b>	
<b><u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u></b>		
Negative impact	10	
<b>No impact</b>	<b>0</b>	<b>0</b>
<b><u>CONDITION OF ROAD</u></b>		
unpaved, <40' ROW, or < 16' pavement	20	<b>15</b>

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

<u>AVAILABILITY OF PUBLIC SEWER</u>		
<b>Not available</b>	<b>15</b>	
Sewer over 600'-1200' away	8	<b>15</b>
Private central sewage system	5	
Sewer 600' or less away and available	0	

<u>AVAILABILITY OF PUBLIC WATER</u>		
Not available	20	
1,000-1,500' away	15	<b>0</b>
Less than 1,000' away	5	
<b>Public water available at site</b>	<b>0</b>	

<u>DISTANCE FROM RESPONDING FIREHOUSE</u>		
Not in fire protection district	20	
More than 5 miles or fire protection by assignment	10	<b>0</b>
2.6-5 miles	5	
<b>0-2.5 miles</b>	<b>0</b>	

<u>DRIVING TIME TO HIGH SCHOOL</u>		
Over 30 minutes	10	
15-30 minutes	5	<b>0</b>
<b>Less than 15 minutes</b>	<b>0</b>	

<b>SITE ASSESSMENT TOTAL</b>		<b>95</b>
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**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	

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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	<b>30</b>	87	<b>26</b>
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		75	
7075B	Drury	P		75	
8396A	Vesser	P2		75	
3074A	Radford	P3	<b>12</b>	75	<b>9</b>
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	Osco	I	<b>52</b>	74	<b>38</b>
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	<b>6</b>	74	<b>4</b>
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

<b>AGRICULTURAL LAND EVALUATION TOTAL</b>	<b>77</b>
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<b>GRAND TOTAL</b>	<b>172</b>
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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.