

CASE# 2014-019  
RESOLUTION NUMBER 2-1

**GRANTING A VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**12423 PLEASANT VALLEY ROAD, WAVERLY**  
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:

**Part of the East Half of the Northeast Quarter lying East of the Morgan County line in Section 35, Township 14 North, Range 8 West of the Third Principal Meridian, Sangamon County, Illinois, except that part dedicated for right-of-way.**

WHEREAS, the Petitioner, **Randall W. Segatto, Attorney for JPMorgan Chase Bank, N.A. as Trustee under Richard V. Henry, Jr. Trust dated August 8, 2008**, has 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 **May 15, 2014** 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.

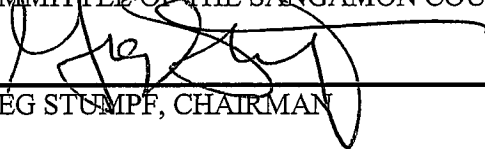
**FILED**  
MAY 30 2014  
*Joe Aiello*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 10<sup>th</sup> day of June, 2014 that 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 10<sup>th</sup> day of June, 2014.

Respectfully submitted,

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



\_\_\_\_\_  
GREG STUMPF, CHAIRMAN

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DAVID MENDENHALL, VICE CHAIRMAN

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JOHN FULGENZI

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

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

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

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

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

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

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

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

**ATTEST:**

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

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

**RECAP**

(For County Board Use)

COUNTY BOARD MEMBER: # 7                      NAME: **Craig Hall**

DOCKET NUMBER: **2014-019**

ADDRESS: **12423 Pleasant Valley Road, Waverly, IL 62692**

PETITIONER: **Randall W. Segatto, Attorney for JPMorgan Chase Bank, N.A. as Trustee under Richard V. Henry, Jr. Trust dated August 8, 2008**

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: **26.36 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION:                      **Recommend approval of the requested variance to allow two (2) parcels less than forty (40) acres. The standards for variation are met. Allowing the petitioner to divide the subject property to remain in cropland will have no negative effect on the immediate area as no land use changes are occurring.**

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION:                      **Approval.**

  
\_\_\_\_\_  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2014-019</b>
<b>Richard V. Henry, Jr. Trust</b> )	
<b>dated August 8, 2008</b> )	PROPERTY LOCATED AT:
)	<b>12423 Pleasant Valley Road</b>
)	<b>Waverly, IL 62692</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 **May 15, 2014** 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: **12423 Pleasant Valley Road, Waverly, IL 62692** and more particularly described as:

**Part of the East Half of the Northeast Quarter lying East of the Morgan County line in Section 35, Township 14 North, Range 8 West of the Third Principal Meridian, Sangamon County, Illinois, except that part dedicated for right-of-way.**

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is **cropland**.
- 5. That the proposed land use of said property is **cropland**.
- 6. That the requested **variance** of said property is 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 /ck  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **John Lucchesi**, 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 **Byron Deaner**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, John Lucchesi and Janet Dobrinsky**

NO:

PRESENT:

ABSENT: **Don Wulf**

Cyndi Knowles  
RECORDING SECRETARY

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2014-019

Address: 12432 Pleasant Valley Road, Waverly

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 request is being made to facilitate division of the property.**

- (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.

**Since the subject parcel is split between Sangamon County and additional cropland in Morgan County, the variance request is required.**

- (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.

**No negative impact is anticipated.**