

CASE# 2014-034
RESOLUTION NUMBER 21

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
IN THE 4200 BLOCK OF HOGAN ROAD, AUBURN
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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

The West 37.67 acres of the East Half of the Southeast Quarter of Section 23, Township 16 North, Range 6 West of the Third Principal Meridian

WHEREAS, the Petitioner, **Gary Hamilton**, has petitioned the Sangamon County Board for a **variance to allow two (2) parcels less than forty (40) acres and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for two (2) parcels;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **September 18, 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 variances;** and

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

FILED

SEP 26 2014

Joe Orsillo
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14th day of October, 2014 that the request for a variance to allow two (2) parcels less than forty (40) acres and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for two (2) parcels on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14th day of October, 2014.

Respectfully submitted,

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

[Signature]
GREG STUMPF, CHAIRMAN
[Signature]
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

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: # 6 NAME: Sam Snell

DOCKET NUMBER: 2014-034

ADDRESS: In the 4200 Block of Hogan Rd., Auburn, IL. 62615

PETITIONER: Gary Hamilton

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 and a variance to allow the lot depth to be greater than two and one-half (2 1/2) times the lot width for two (2) parcels.

AREA: 37.67 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variances. The standards for variation are met. The property owner is requesting to divide ten acres from the existing parcel to deed to the adjacent land owner and the land will continue to be farmed. The remaining acreage will also remain in agricultural production.**

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: 2014-034
 Gary Hamilton)
)
) PROPERTY LOCATED AT:
) **In the 4200 Block of Hogan Road**
) **Auburn, IL 62615**

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 **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 **September 18, 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: **In the 4200 Block of Hogan Road, Auburn, IL 62615** and more particularly described as:

The West 37.67 acres of the East Half of the Southeast Quarter of Section 23, Township 16 North, Range 6 West of the Third Principal Meridian.

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is farmland.
- 5. That the proposed land use of said property is farmland.
- 6. That the requested variances of said property are a variance to allow two (2) parcels less than forty (40) acres and a variance to allow the lot depth to be greater than two and one-half (2 1/2) times the lot width for two (2) parcels.
- 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 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 variances be approved.

Charles Chimento/ck
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Andrew Spiro**, 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 **John Lucchesi**.

The vote of the Board was as follows:

YES: **Charles Chimento, Marilyn Herbert, Andrew Spiro, John Lucchesi & Janet Dobrinsky**

NO:

PRESENT:

ABSENT: **Don Wulf**

Cyndi Knowles
RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2014-034

Address: In the 4200 Block of Hogan Road, Auburn

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 is requesting to divide 10 acres from the existing 37.67 acres to deed to the adjacent property owner. The new parcel will continue to be farmed.

- (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 subject property is less than 40 acres. Most of the other properties in the immediate area exceed 40 acres in size.

- (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.