

CASE# 2017-034
RESOLUTION NUMBER 2-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
9700 BLOCK OF BUCKHART ROAD, ROCHESTER
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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Marine Bank Trustee**, has petitioned the Sangamon County Board for a **variance to allow one (1) parcel 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**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **August 17, 2017** 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

AUG 23 2017

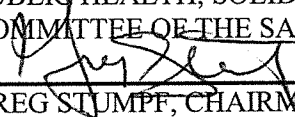
Don Hays
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **19th Day of September, 2017** that the requests for a **variance to allow one (1) parcel 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 on the above described property are hereby approved.**

Signed and passed by the Sangamon County Board in session on this **19th day of September, 2017.**

Respectfully submitted,

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



GREG STUMPF, CHAIRMAN

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

REMAINDER AREA TAX END -008 MARINE BANK TRUST

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18,
TOWNSHIP 15 NORTH, RANGE 3 WEST OF THE THIRD PRINCIPAL
MERIDIAN, SANGAMON COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND MAG SPIKE MARKING THE NORTHWEST CORNER
OF SAID EAST HALF; THENCE NORTH 88°44'12" EAST ON THE NORTH LINE
OF SAID EAST HALF, 670.24 FEET TO A FOUND MAG NAIL MARKING THE
POINT OF BEGINNING;

THENCE CONTINUING NORTH 88°44'12" EAST ON THE NORTH LINE OF SAID
EAST HALF, 660.67 FEET TO A FOUND MAG SPIKE; THENCE SOUTH
00°43'55" EAST ON THE EAST LINE OF SAID EAST HALF, 2670.27 FEET TO A
FOUND IRON PIN; THENCE SOUTH 89°05'48" WEST ON THE SOUTH LINE OF
SAID EAST HALF, 652.60 FEET TO AN IRON PIN; THENCE NORTH 00°54'17"
WEST PARALLEL WITH THE WEST LINE OF SAID EAST HALF, 2666.10 FEET
TO THE POINT OF BEGINNING, CONTAINING 40.22 ACRES MORE OR LESS,
WITH THE ABOVE DESCRIBED SUBJECT TO THAT PORTION NOW BEING
USED FOR PUBLIC ROAD PURPOSES (BUCKHART ROAD).

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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 3 NAME: **Dave Mendenhall**

DOCKET NUMBER: **2017-034**

ADDRESS: **9700 Block of Buckhart Road, Rochester, IL 62563**

PETITIONER: **Marine Bank Trustee**

PRESENT ZONING CLASSIFICATION: **“A” Agricultural District.**

REQUESTED ZONING CLASSIFICATION: **A variance to allow one (1) parcel less than forty (40) acres and a variance to allow the lot depth to exceed two and one-half (2.5) times the lot width.**

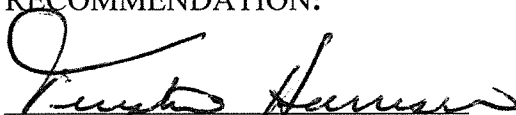
AREA: **39.36 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. No change in current land use is contemplated. The variances are required in order to divide the property to implement the provisions of the family limited partnership for estate planning purposes. 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: 2017-034
Marine Bank Trustee)	
)	PROPERTY LOCATED AT:
)	9700 Block of Buckhart Road
)	Rochester, IL 62563

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 **August 17, 2017** 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: **9700 Block of Buckhart Road, Rochester, IL 62563** 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 **cropland.**
- 5. That the proposed land use of said property is **cropland.**
- 6. That the requested **variances** of said property are **for a variance to allow one (1) parcel 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.**
- 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.**


 CHAIRMAN TD

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Don Wulf**, 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: **Charles Chimento, Tony Mares, Don Wulf, Andrew Spiro, Larry Beaty**

NO:

PRESENT:

ABSENT:


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2017-034**

Address: **9700 Block of Buckhart Rd., Rochester**

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.

No change in current land use is contemplated. The variances are required in order to divide the property to implement the provisions of the family limited partnership for estate planning purposes.

- (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.

In order to transfer portions of the subject property from the trust to the approximately 200 acre parcel owned by the family limited partnership, the variances are needed for the remainder in order to allow a parcel less than 40 acres in accord with the petitioner's estate planning. The petition states the subject property is farmland and will remain farmland.

- (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 impacts are anticipated in granting the requested variances.