

CASE# 2011-014
RESOLUTION NUMBER 3-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
6750 ACKERMAN 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 a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Steven Rakes**, has petitioned the Sangamon County Board for a **variance of the rear yard setback from the required thirty (30) feet to four (4) feet;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **April 21, 2011** 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 2011

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10th day of May, 2011 that the request for a variance of the rear yard setback from the required thirty (30) feet to four (4) feet on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 10th day of May, 2011.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING COMMITTEE OF THE SANGAMON COUNTY BOARD

Tim Moore /ck
TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

See Exhibit A

PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 13 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 21, RUNNING THENCE WEST 14 RODS, THENCE SOUTH $6\frac{3}{4}$ RODS, THENCE EAST 14 RODS, THENCE NORTH $6\frac{3}{4}$ RODS TO THE POINT OF BEGINNING, CONTAINING $\frac{1}{2}$ ACRE, MORE OR LESS.

ADDITIONAL PARCEL

PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 13 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN IN SANGAMON COUNTY ILLINOIS; DESCRIBED MORE PARTICULARLY AS FOLLOWS: COMMENCING AT A MAG NAIL MARKING THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE AFORMENTIONED SECTION 21, THENCE SOUTH 00 DEGREES 41 MINUTES 34 SECONDS EAST ALONG THE QUARTER QUARTER SECTION LINE A DISTANCE OF 111.38 FEET TO AN IRON PIPE MARKING THE TRUE POINT OF BEGINNING, THENCE CONTINUING SOUTH 00 DEGREES 41 MINUTES 34 SECONDS EAST ALONG THE QUARTER QUARTER SECTION LINE A DISTANCE OF 17.00 FEET TO AN IRON PIPE, THENCE SOUTH 88 DEGREES 54 MINUTES 37 SECONDS WEST 231.00 FEET TO AN IRON PIPE, THENCE NORTH 00 DEGREES 41 MINUTES 34 SECONDS WEST 17.00 FEET TO AN IRON PIPE, THENCE NORTH 88 DEGREES 54 MINUTES 37 SECONDS EAST 231.00 FEET TO THE TRUE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.090 ACRES, MORE OR LESS.

COMBINED PARCEL

PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 13 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN IN SANGAMON COUNTY

**ILLINOIS; DESCRIBED MORE PARTICULARLY AS FOLLOWS:
BEGINNING AT A MAG NAIL MARKING THE NORTHEAST
CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER
OF THE AFORMENTIONED SECTION 21, THENCE SOUTH 00
DEGREES 41 MINUTES 34 SECONDS EAST ALONG THE QUARTER
QUARTER SECTION LINE A DISTANCE OF 128.38 FEET TO AN
IRON PIPE, THENCE SOUTH 88 DEGREES 54 MINUTES 37
SECONDS WEST 231.00 FEET TO AN IRON PIPE, THENCE NORTH
00 DEGREES 41 MINUTES 34 SECONDS WEST 128.38 FEET TO A
MAG NAIL ON THE QUARTER SECTION LINE, THENCE NORTH
88 DEGREES 54 MINUTES 37 SECONDS EAST ALONG THE
QUARTER SECTION LINE A DISTANCE OF 231.00 FEET TO THE
POINT OF BEGINNING. SAID PARCEL CONTAINES 0.681 ACRE,
MORE OR LESS, ALL IN THE COUNTY OF SANGAMON STATE OF
ILLINOIS.**

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #6 NAME: Sam Snell

DOCKET NUMBER: 2011-014

ADDRESS: 6750 Ackerman Road, Auburn, IL. 62615

PETITIONER: Steven Rakes

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance of the rear yard setback from the required thirty (30) feet to four (4) feet.

AREA: .681 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The owner desires to construct a room addition to the existing house to provide additional living space and increase the economic value of the property. The requested variance is to reduce the rear yard setback, and the rear yard adjoins cropland. If the owner were required to adhere to the required rear yard setbacks, additional cropland would be taken out of production. There are no other residences in the immediate area. No negative impact is anticipated.**

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: 2011-014
Steven Rakes)	
)	PROPERTY LOCATED AT:
)	6750 Ackerman 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 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 21, 2011** 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: **6750 Ackerman Road, Auburn, 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.
- 5. That the proposed land use of said property is a single family residence.
- 6. That the requested variance of said property is a variance of the rear yard setback from the required thirty (30) feet to four (4) feet.
- 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/cx
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

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

NO:

ABSENT:

Cyndi Knowles
RECORDING SECRETARY