

CASE# 2017-035
RESOLUTION NUMBER 3-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
5025 KINSINGER LANE, 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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Joshua R. Schlicht**, has petitioned the Sangamon County Board for a **variance to allow two (2) parcels less than forty (40) acres (approx. 6 acres for Proposed Parcel 1 and approx. 28 acres for Proposed Parcel 2) and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for both parcels;** 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 J. King
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 two (2) parcels less than forty (40) acres (approx. 6 acres for Proposed Parcel 1 and approx. 28 acres for Proposed Parcel 2) and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for both parcels 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 RATTS

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 Southeast Quarter of Section 32, Township 17 North, Range 7 West of the Third Principal Meridian in Sangamon County, Illinois, being described as follows.

Beginning at iron pipe marking the Southeast corner of Section 32, thence North 89 degrees 49 minutes 42 seconds West 1917.58 feet to the center of Richland Creek, thence Northeasterly along the centerline of said creek to a point North 44 degrees 33 minutes 25 seconds East 1900.49 feet from the last described point, thence South 1 degree 53 minutes 18 seconds East 713.39 feet to an iron pin, thence North 89 degrees 35 minutes 45 seconds East 556.07 feet to an iron pin, thence South 0 degrees 24 minutes 15 seconds East 650.88 feet to the point of beginning, containing 34.58 acres, more or less, excluding the following described right-of-way parcel

Part of the Southeast Quarter of Section 32, Township 17 North, Range 7 West of the Third Principal Meridian in Sangamon County, Illinois, being described as follows. Beginning at an iron pipe marking the Southeast corner of Section 32, thence North 0 degrees 24 minutes 15 seconds West 650.88 feet to an iron pin, thence South 89 degrees 35 minutes 45 seconds West 57 feet, thence South 0 degrees 24 minutes 15 seconds East 205.72 feet, thence South 5 degrees 20 minutes 21 seconds East 197.62 feet, thence South 0 degrees 24 minutes 15 seconds East 248.28 feet, thence South 89 degrees 49 minutes 42 seconds East 40.00 feet to the point of beginning, containing 0.72 acres, more or less.

RECAP
(For County Board Use)

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

DOCKET NUMBER: **2017-035**

ADDRESS: **5025 Kinsinger Lane, Pleasant Plains, IL 62677**

PETITIONER: **Joshua R. Schlicht**

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

REQUESTED ZONING CLASSIFICATION: **A variance to allow two (2) parcels less than forty (40) acres (approximately 6 acres for Proposed Parcel 1 and approximately 28 acres for Proposed Parcel 2) and a variance to allow the lot depth to exceed two and one-half (2.5) times the lot width for both parcels.**

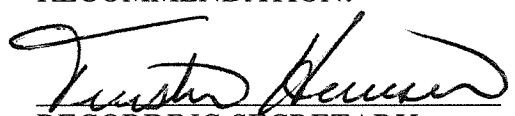
AREA: **33.86 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The petition states the local bank is requiring the petitioner to divide the residence from the farmland in order to refinance the residence. The petition indicates no change in current uses will occur. 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: 2017-035
Joshua R. Schlicht)	
)	PROPERTY LOCATED AT:
)	5025 Kinsinger Lane
)	Pleasant Plains, IL 62677

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: **5025 Kinsinger Lane, Pleasant Plains, IL 62677** 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 and cropland/timber.**
- 5. That the proposed land use of said property is **a single-family residence and cropland/timber.**
- 6. That the requested **variances** of said property are **for a variance to allow two (2) parcels less than forty (40) acres (approx. 6 acres for Proposed Parcel 1 and approx. 28 acres for Proposed Parcel 2) and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for both 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.**


 CHAIRMAN TC

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 **Don Wulf**.

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 #: **2017-035**

Address: **5025 Kinsinger Lane, 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.

The bank is requiring separation of the residence from the cropland for refinancing 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.

The petition states the local bank is requiring the petitioner to divide the residence from the farmland in order to refinance the residence. The petition indicates no change in current uses will occur.

- (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.