

CASE# 2017-059  
RESOLUTION NUMBER 3-1

**GRANTING A VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**1000 BLOCK OF FARMINGDALE ROAD, NEW BERLIN**  
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 Petitioners, **Eric Oswald & Sara Workman-Hodgson**, have petitioned the Sangamon County Board for **a variance to allow two (2) parcels less than forty (40) acres (approximately 25 acres for both parcels)**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **December 21, 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 variance**; and,

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

**FILED**

DEC 28 2017

*Don H. May*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this **9<sup>th</sup> Day of January, 2018** that the request for a variance to allow two (2) parcels less than forty (40) acres (approximately 25 acres for both parcels) on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this **9<sup>th</sup> day of January, 2018.**

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 NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 15 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 89 DEGREES 09 MINUTES 33 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1280.54 FEET TO A SET IRON PIN AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID NORTHWEST QUARTER; THENCE SOUTH 00 DEGREES 49 MINUTES 12 SECONDS EAST ALONG THE EAST LINE OF SAID QUARTER, QUARTER, A DISTANCE OF 1720.68 FEET TO THE SOUTHEAST CORNER OF SAID QUARTER, QUARTER; THENCE SOUTH 89 DEGREES 12 MINUTES 57 SECONDS WEST ALONG THE SOUTH LINE OF SAID QUARTER, QUARTER, A DISTANCE OF 1111.53 FEET; THENCE NORTH 00 DEGREES 35 MINUTES 00 SECONDS WEST, A DISTANCE OF 202.72 FEET; THENCE SOUTH 89 DEGREES 13 MINUTES 56 SECONDS WEST, A DISTANCE OF 178.32 FEET TO A POINT ON THE WEST LINE OF SAID QUARTER, QUARTER; THENCE NORTH 00 DEGREES 30 MINUTES 00 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 1516.66 FEET TO THE POINT OF BEGINNING, CONTAINING 49.923 ACRES MORE OR LESS, WITH THE ABOVE DESCRIBED EXCEPTING THAT PORTION NOW BEING USED FOR PUBLIC ROAD RIGHT-OF-WAY (FARMINGDALE ROAD AND OLD JACKSONVILLE ROAD). AFTER SAID EXCEPTION, TOTAL AREA IS 47.775 ACRES MORE OR LESS.

SITUATED IN SANGAMON COUNTY, ILLINOIS.

**RECAP**

(For County Board Use)

COUNTY BOARD  
MEMBER:

#1

NAME: **Tom Fraase, Jr.**

DOCKET NUMBER: **2017-059**

ADDRESS: **1000 Block of Farmingdale Road, New Berlin, IL 62670**

PETITIONER: **Eric Oswald & Sara Workman-Hodgson**

PRESENT ZONING  
CLASSIFICATION:

**"A" Agricultural District.**

REQUESTED ZONING  
CLASSIFICATION:

**A variance to allow two (2) parcels less than  
forty (40) acres (approximately 25 acres for  
both parcels).**

AREA: **50.63 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION  
RECOMMENDATION:

**Recommend approval. The  
petitioner is requesting the variance  
to split a tract into two (2)  
approximately 25-acre tracts to  
settle an estate. Both parcels will  
remain in cropland. 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: **2017-059**  
**Eric Oswald & Sara Workman-Hodgson** )  
) )  
) ) **PROPERTY LOCATED AT:**  
) ) **1000 Block of Farmingdale Road**  
) ) **New Berlin, IL 62670**

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 **December 21, 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: **1000 Block of Farmingdale Road, New Berlin, IL 62670** 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 **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 (approximately 25 acres 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 **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.**

  
 CHAIRMAN *120*

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 **Tony Mares**.

The vote of the Board was as follows:

YES: **Tony Mares, Don Wulf, Andrew Spiro, Gina Lathan, Larry Beaty**

NO:

PRESENT:

ABSENT: **Charles Chimento**

  
RECORDING SECRETARY

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2017-059**

Address: **1000 Block of Farmingdale Road, New Berlin**

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 the variance to split a tract into two (2) approximately 25-acre tracts to settle an estate. Both parcels will remain in cropland.**

- (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 split will help to settle an estate.**

- (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.**