

**GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
10000-11000 BLOCK OF WAVERLY ROAD, WAVERLY
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:

The South Half of the Southwest Quarter of Section 19, Township 14 North, Range 7 West of the Third Principal Meridian. Situated in Sangamon County, Illinois. Parcel Number: 27-19.0-300-002.

WHEREAS, the Petitioner, **Charles E. Robbins, LLC**, has petitioned the Sangamon County Board requesting for **Proposed Parcel 1: pursuant to Chapter 17.66, a variance of Section 17.38.030(1)(D) to allow one (1) parcel less than forty (40) acres (approximately 10 acres); and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **March 18, 2021** 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 a variance**; and,

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

FILED

MAR 25 2021

Don Hay
Sangamon County Clerk

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NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **12th Day of April, 2021** that the following request(s) on the above described property is hereby approved:

For Proposed Parcel 1:

- Pursuant to Chapter 17.66, a variance of Section 17.38.030(1)(D) to allow one (1) parcel less than forty (40) acres (approximately 10 acres).

Signed and passed by the Sangamon County Board in session on this **12th day of April, 2021**.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #7 NAME: **Craig Hall**

DOCKET NUMBER: **2021-011**

ADDRESS: **10000-11000 Block of Waverly Road, Waverly, IL 62692**

PETITIONER: **Charles E. Robbins, LLC**

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

REQUESTED ZONING CLASSIFICATION: **For Proposed Parcel 1: pursuant to Chapter 17.66, a variance of Section 17.38.030(1)(D) to allow one (1) parcel less than forty (40) acres (approximately 10 acres).**

AREA: **80 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval. Granting the requested variance will facilitate a division in order to sell the single-family residence with the outbuildings and pond while allowing the petitioners to keep the cropland. No change in land use is contemplated and negative impacts are not anticipated. The Standards for Variation are met.**

SANGAMON COUNTY ZONING BOARD OF APPEALS RECOMMENDATION:
Approval of Staff Recommendation.


RECORDING SECRETARY

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SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2021-011
Charles E. Robbins, LLC)	
)	PROPERTY LOCATED AT:
)	10000-11000 Block of Waverly Road
)	Waverly, IL 62692

RECOMMENDATION OF THE ZONING 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 **March 18, 2021** 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: **10000-11000 Block of Waverly, IL 62692** and more particularly described as:

**The South Half of the Southwest Quarter of Section 19, Township 14 North, Range 7 West of the Third Principal Meridian. Situated in Sangamon County, Illinois.
Parcel Number: 27-19.0-300-002.**

3. That the present zoning of said property is **“A” Agricultural District.**
4. That the present land use of said property is **Single-family residence and cropland.**
5. That the proposed land use of said property is **Proposed Parcel 1: Single-family residence. Proposed Parcel 2: Cropland.**
6. That the request(s) for the subject property is for **Proposed Parcel 1: pursuant to Chapter 17.66, a variance of Section 17.38.030(1)(D) to allow one (1) parcel less than forty (40) acres (approximately 10 acres).**
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 following request(s) is **hereby approved:**

For Proposed Parcel 1:

- **Pursuant to Chapter 17.66, a variance of Section 17.38.030(1)(D) to allow one (1) parcel less than forty (40) acres (approximately 10 acres).**


CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Andrew Spiro**, which was duly seconded by **Tony Mares**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the following request(s) **is hereby approved:**

For Proposed Parcel 1:

- Pursuant to Chapter 17.66, a variance of Section 17.38.030(1)(D) to allow one (1) parcel less than forty (40) acres (approximately 10 acres).

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Don Wulf, Andrew Spiro, Phil Sidles**

NO:

PRESENT:

ABSENT:



RECORDING SECRETARY

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**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2021-011**

Address: **10000-11000 Block of Waverly Rd, Waverly**

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.

Granting the requested variance will facilitate a division in order to sell the single-family residence with the outbuildings and pond while allowing the petitioners to keep the 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 non-tillable areas (single-family residence, outbuildings, and pond) provides a logical dividing line from the tillable cropland on the subject property.

- (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 change in land use is contemplated and negative impacts are not anticipated.