

CASE# 2011-046 4-1  
RESOLUTION NUMBER \_\_\_\_\_

**GRANTING VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**IN THE 8,500 BLOCK OF N. PAWNEE ROAD, PAWNEE**  
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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **Philemon Southwick**, has petitioned the Sangamon County Board for **a variance for tracts 1, 2, 3 & 4 to allow four (4) parcels to be less than forty (40) acres, a variance for tract 2 to allow the lot width to be met at a distance greater than sixty (60') feet from the road for one (1) parcel and a variance for tracts 3 and 4 to allow the lot depth to exceed two and one-half (2 ½) times the lot width for two (2) parcels; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **October 20, 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 variances; and**

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

**FILED**

OCT 28 2011

*Jae Aiello*  
Sangamon County Clerk

4-2

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 8<sup>th</sup> day of November, 2011 that the request for a variance for tracts 1, 2, 3 & 4 to allow four (4) parcels to be less than forty (40) acres, a variance for tract 2 to allow the lot width to be met at a distance greater than sixty (60') feet from the road for one (1) parcel and a variance for tracts 3 and 4 to allow the lot depth to exceed two and one-half (2 1/2) times the lot width for two (2) parcels on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 8<sup>th</sup> day of November, 2011.

Respectfully submitted,

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

Tim Moore  
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

**TRACT 1**

Part of the North 42 acres of the East Half of the Southeast Quarter of Section 12, Township 14 North, Range 5 West of the Third Principal Meridian, Sangamon County Illinois, described as follows:

Commencing from an iron pin at the northeast corner of said Southeast Quarter; thence South 00 degrees 54 minutes 07 seconds East, along the east line of said Southeast Quarter of Section 12, a distance of 1,401.14 feet; thence South 86 degrees 23 minutes 47 seconds West, a distance of 34.87 feet to the point of beginning, with said point being 50 feet Westerly at right angles from the centerline of County Highway 28; thence South 86 degrees 23 minutes 47 seconds West, along the south line of the said North 42 acres, a distance of 1,286.93 feet to a point on the west line of said East Half of the Southeast Quarter of Section 12; thence North 00 degrees 57 minutes 45 seconds West, along aforesaid west line of the East Half of the Southeast Quarter, a distance of 774.53 feet to a point; thence North 86 degrees 33 minutes 06 seconds East, parallel with the north line of the Southeast Quarter of said Section 12, a distance of 1,289.33 feet to a point, with said point being 50 feet Westerly at right angles from aforesaid centerline; thence south 00 degrees 46 minutes 23 seconds East, parallel with aforesaid centerline, a distance of 771.15 feet to the point of beginning, containing 22.83 acres, more or less.

**TRACT 2**

Part of the North 42 acres of the East Half of the Southeast Quarter of Section 12, Township 14 North, Range 5 West of the Third Principal Meridian, Sangamon County Illinois, described as follows:

Commencing from an iron pin at the northeast corner of said Southeast Quarter; thence South 86 degrees 33 minutes 06 seconds West, along the north line said Southeast Quarter of Section 12, a distance of 31.70 feet to the point of beginning, with said point being 50 feet westerly at right angles from the centerline of County Highway 28; thence South 00 degrees 46 minutes 23 seconds East, parallel with aforesaid centerline, a distance of 66.07 feet to a point; thence South 86 degrees 33 minutes 06 seconds West, a distance of 342.61 feet to a point; thence South 01 degrees 09 minutes 06 seconds East, a distance of 312.65 feet to a found iron pin; thence South 06 degrees 14 minutes 44 seconds East, a distance of 251.45 feet to a point; thence South 86 degrees 33 minutes 06 seconds West, parallel with the north line of the Southeast Quarter of said Section 12, a distance of 972.79 feet to a point on the west line of said East Half of the Southeast Quarter; thence North 00 degrees 57 minutes 45 seconds West, along the aforesaid west line, a distance of 630.14 feet to an iron pin at the northwest corner of the said East Half of the Southeast Quarter of Section 12; thence North 86 degrees 33 minutes 06 seconds East, along the aforesaid north line , a distance of 1,291.42 feet to the point of beginning, containing 14.31 acres, more or less.

**TRACT 3**

**Part of the Southeast Quarter of the Northeast Quarter of Section 12, Township 14 North, Range 5 West of the Third Principal Meridian, Sangamon County Illinois, described as follows:**

**Commencing from an iron pin at the southeast corner of said Northeast Quarter of Section 12; thence South 86 degrees 33 minutes 06 seconds West, along the south line of the said Northeast Quarter of Section 12, a distance of 31.70 feet to the point of beginning, with said point being 50 feet Westerly at right angles from the centerline of County Highway 28; thence North 00 degrees 46 minutes 23 seconds West, parallel with aforesaid centerline, a distance of 144.79 feet to a point; thence North 01 degrees 29 minutes 24 seconds West, parallel with aforesaid centerline, a distance of 382.22 feet to a point; thence South 86 degrees 06 minutes 19 seconds West, a distance of 294.79 feet to a point; thence North 01 degrees 29 minutes 24 seconds West, a distance of 239.17 feet to a point; thence South 86 degrees 06 minutes 19 seconds West, a distance of 991.85 feet to a point; thence South 00 degrees 57 minutes 43 seconds East, along the west line of the said Southeast Quarter of the Northeast quarter of Section 12, a distance of 756.34 feet to an iron pin at the southwest corner of the said Southeast Quarter of the Northeast Quarter of Section 12; thence North 86 degrees 33 minutes 06 seconds East, along the aforesaid south line of the Northeast Quarter of Section 12, a distance of 1,291.42 feet to the point of beginning, containing 20.90 acres, more or less.**

**TRACT 4**

**Part of the Southeast Quarter of the Northeast Quarter and the East 15 acres of the Southwest Quarter of the Northeast Quarter of Section 12, Sangamon County Illinois, described as follows:**

**Commencing from the northeast corner of the Southeast Quarter of the Northeast Quarter of Section 12, thence South 86 degrees 26 minutes 51 seconds West, along the north line of the said Southeast Quarter of the Northeast Quarter of Section 12, a distance of 48.60 feet to the point of beginning, with said point being on the west right of way line of County Highway 28 and is 55 feet Westerly at right angles from the centerline of aforesaid County Highway 28; thence South 01 degrees 29 minutes 24 seconds East, along the aforesaid west right of way line, a distance of 89.00 feet to a point; thence South 10 degrees 01 minutes 15 seconds East, along the aforesaid west right of way line, a distance of 33.71 feet to a point, with said point being 50 feet Westerly at right angles from the aforesaid centerline; thence South 01 degrees 29 minutes 24 seconds East, parallel with aforesaid centerline, a distance of 444.94 feet to a point; thence South 86 degrees 06 minutes 19 seconds West, a distance of 1,286.64 feet to a point on the west line said Southeast Quarter of the Northeast Quarter of Section 12; thence South 00 degrees 57 minutes 43 seconds East, along the west line of the said Southeast Quarter of the Northeast Quarter of Section 12, a distance of 756.34 feet to an iron pin at the southwest corner of the said Southeast Quarter of the Northeast Quarter of Section 12; thence South 86 degrees 33 minutes 06 seconds West, along the south line of the Northeast Quarter of Section 12, a distance of 504.58 feet to a point; thence North 01 degrees 05 minutes 13 seconds West, along the west line of the said East 15 acres of the Southwest Quarter of the Northeast Quarter, a distance of 1,331.89 feet to a point; thence North 86 degrees 35 minutes 03 seconds East, along the north line of the said Southwest Quarter of the Northeast Quarter of Section 12, a distance of 507.47 feet to a point at the northwest corner of the said Southwest Quarter of the Northeast Quarter of Section 12; thence North 86 degrees 26 minutes 51 seconds East, along the north line of the said Southeast Quarter of the Northeast Quarter of Section 12, a distance of 1,276.03 feet to the point of beginning, containing 32.27 acres, more or less.**

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: #5                      NAME: Don Stephens Jr.

DOCKET NUMBER: 2011-046

ADDRESS: In The 8,500 Block of N. Pawnee Road, Pawnee, IL 62558

PETITIONER: Philemon Southwick

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance for tracts 1, 2, 3 & 4 to allow four (4) parcels to be less than forty (40) acres, a variance for tract 2 to allow the lot width to be met at a distance greater than sixty (60') feet from the road for one (1) parcel and a variance for tracts 3 and 4 to allow the lot depth to exceed two and one-half (2 1/2) times the lot width for two (2) parcels.

AREA: 94.18 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variance to reconfigure the three existing parcels into five separate parcels to be divided among family members. The petition states the intended land use is to keep the properties in agricultural production. The standards for variation are met.**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

Approval

Cyndi Knowles  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:	)	DOCKET NO: 2011-046
<b>Philemon Southwick</b>	)	
	)	PROPERTY LOCATED AT:
	)	<b>In The 8,500 Block of N.</b>
	)	<b>Pawnee Road,</b>
	)	<b>Pawnee, IL 62558</b>

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 **October 20, 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: **In The 8,500 Block of N. Pawnee Road, Pawnee, 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 **Agricultural**.
5. That the proposed land use of said property is **Agricultural**.
6. That the requested **variances** of said property are a **variance for tracts 1, 2, 3 & 4 to allow four (4) parcels to be less than forty (40) acres, a variance for tract 2 to allow the lot width to be met at a distance greater than sixty (60') feet from the road for one (1) parcel and a variance for tracts 3 and 4 to allow the lot depth to exceed two and one-half (2 ½) times the lot width for two (2) 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**.

Charles Chimento /ck  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **John Lucchesi**, 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 **Peggy Egizii**.

The vote of the Board was as follows:

YES: **Charles Chimento, Don Wulf, Peggy Egizii, Judith Johnson, John Lucchesi**

NO:

ABSENT: **Byron Deaner, Marvin Traylor**

Cyndi Knowles  
RECORDING SECRETARY