

CASE# 2010-21 4-1
RESOLUTION NUMBER _____

GRANTING A REZONING AND VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
IN THE 4000 BLOCK OF ROCHESTER ROAD, ROCHESTER
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 an amendment and variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **John Martin**, has petitioned the Sangamon County Board for **rezoning from "A" Agricultural District to "R-1" Single Family Residence District and a variance of the lot depth to exceed two and one half (2 1/2) times the lot width for both parcels; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **May 20, 2010** 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 rezoning and variance; and**

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

FILED

MAY 26 2010

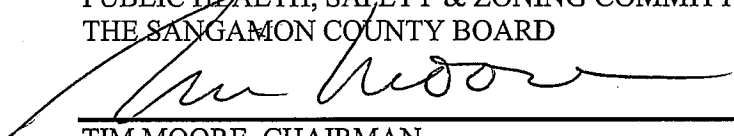
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 8th day of June, 2010 that the request for rezoning from "A" Agricultural District To "R-1" Single Family Residence District and a variance of the lot depth to exceed two and one half (2 1/2) times the lot width for both parcels on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 8th day of June, 2010.

Respectfully submitted,

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



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

Exhibit A

Right of Way Parcel Description

Part of the Northwest Quarter of Section 17 and Part of the Northeast Quarter of Section 18, All in Township 15 North, Range 4 West of the Third Principal Meridian, in Sangamon County, Illinois, More Particularly Described as Follows:

Commencing at the Southeast Corner of the Northeast Quarter of the Aforesaid Section 18, Thence South 89 Degrees 59 Minutes 54 Seconds West Along the Quarter Section Line 91.00 Feet; Thence North 00 Degrees 04 Minutes 59 Seconds East, 88.00 Feet; Thence 89 Degrees 59 Minutes 57 Seconds West, 150.00 Feet; Thence North 00 Degrees 04 Minutes 59 Seconds East, 600.00 Feet; Thence South 89 Degrees 59 Minutes 57 Seconds East, 85.61 Feet; Thence North 02 Degrees 44 Minutes 59 Seconds East, 221.01 Feet; Thence North 01 Degrees 55 Minutes 31 Seconds East, 658.54 Feet to a Point on the Existing Southerly Right of Way Line of County Highway 56, Rochester Road and the Point of Beginning; Thence Continuing North 01 Degrees 55 Minutes 31 Seconds East, 10.41 Feet to a Point on Said Existing Southerly Right of Way Line; Thence 71.79 Feet Along Said Southerly Right of Way Line on a Curve to the Right Having a Radius of 2232.00 Feet, Whose Cord Bears North 76 Degrees 49 Minutes 54 Seconds East, 71.79 Feet; Thence South 12 Degrees 15 Minutes 04 Seconds East, 5.00 Feet; 257.30 Feet Along a Curve to the Right Having a Radius of 2237.00 Feet, Whose Cord Bears North 81 Degrees 02 Minutes 39 Seconds East, 257.16 Feet; Thence South 05 Degrees 39 Minutes 39 Seconds East, 5.00 Feet (The Last 3 Calls Being Along Said Existing Southerly Right of Way Line) to a Point on the Proposed Southerly Right of Way Line; Thence 331.07 Feet Along Said Proposed Southerly Right of Way Line on a Curve to the Left, Having a Radius of 2232.00 Feet, Whose cord Bears South 80 degrees 05 Minutes 23 Seconds West , 330.77 Feet to the Point of Beginning.

Containing 0.046 Acres. More or Less.

Parcel 1

Part of the Northwest Quarter of Section 17 and Part of the Northeast Quarter of Section 18, All in Township 15 North, Range 4 West of the Third Principal Meridian, in Sangamon County, Illinois, More Particularly Described as Follows:

Commencing at the Southeast corner of the Northeast Quarter of the Aforesaid Section 18, Thence South 89 Degrees 59 Minutes 54 Seconds West Along the Quarter Section Line 91.00 Feet; thence North 00 Degrees 04 Minutes 59 Seconds East, 88.00 Feet; Thence South 89 Degrees 59 Minutes 57 Seconds West, 150.00 Feet; Thence North 00 Degrees 04 Minutes 59 Seconds East, 600.00 Feet; Thence North 89 degrees 59 Minutes 57 Seconds East, 85.61 Feet; Thence North 02 Degrees 44 Minutes 59 Seconds East, 221.01 Feet to the Point of Beginning; thence North 01 Degrees Minutes 31 Seconds east, 658.54 Feet to a Point on the Existing Southerly Right of the Way Line of County Highway 56. Rochester road; Thence 440.85 Feet Along Said Southerly Right of Way Line on a Curve to the Right Having a Radius of 2232.00 Feet, Whose Chord Bears North 81 Degrees 29 Minutes 56 Seconds East, 440.13 Feet; Thence South 02 Degrees 52 Minutes 38 Seconds east, 100.00 feet; Thence South 44 Degrees 03 Minutes 31 Seconds west, 183.63 Feet; thence South 00 Degrees 00 Minutes 00 Seconds West, 487.61 feet; Thence South 89 Degrees 21 Minutes 05 Seconds West, 334.70 Feet to the Point of Beginning. Containing 5.472 Acres, More or Less.

Parcel 2

Part of the Northwest Quarter of Section 17 and Part of the Northeast Quarter of Section 18, All In Township 15 North, Range 4 West of the Third Principal Meridian, in Sangamon County, Illinois, More Particularly Described as Follows:

Commencing at the Southeast Corner of the Northeast Quarter of the Aforesaid Section 18, Thence South 89 Degrees 59 Minutes 54 Seconds West Along the Quarter Section Line 91.00 Feet; Thence North 00 degrees 04 Minutes 59 Seconds East, 88.00 Feet; Thence South 89 Degrees 59 Minutes 57 Seconds West, 150.00 feet; Thence North 00 Degrees 04 Minutes 59 Seconds East, 600.00 Feet; Thence North 89 Degrees 59 Minutes 57 Seconds East, 85.61 Feet; Thence North 02 Degrees 44 Minutes 59 Seconds East, 221.01 Feet; Thence North 89 Degrees 21 Minutes 05 Seconds East, 334.77 Feet to the Point of Beginning; Thence North 00 Degrees 00 Minutes 00 Seconds East, 487.61 Feet; Thence North 44 Degrees 03 Minutes 31 Seconds East, 183.63 Feet; Thence North 02 Degrees 52 Minutes 38 Seconds West, 100.00 Feet to a Point On the Existing Southerly Right of Way Line of County highway 56, Rochester Road; Thence 197.91 Feet Along Said Southerly Right of way Line on a Curve to the Right Having a Radius of 2232.00 Feet, Whose Cord Bears North 89 Degrees 41 minutes 50 Seconds East, 197.84 Feet; Thence South 05 Degrees 29 Minutes 30 Seconds East, 412.40 feet; Thence South 09 Degrees 05 Minutes 00 Seconds West, 310.35 Feet; Thence South 89 Degrees 21 Minutes 05 Seconds West, 311.00 Feet to the Point of beginning.

Containing 5.100 Acres, More or Less.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #4 NAME: **Andy Goleman**

DOCKET NUMBER: **2010-21**

ADDRESS: **In the 4000 Block of Rochester Road, Rochester, IL. 62563**

PETITIONER: **John Martin**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District**

REQUESTED ZONING CLASSIFICATION: **"R-1" Single Family Residence District with a variance of the lot depth to exceed two and one half (2 1/2) times the lot width for both parcels**

AREA: **10.69 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested R-1 zoning. The LESA score of 90 indicates the property is acceptable for non-agricultural development. Recommend approval of the requested variance. The standards for variation are met.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval

Cyndi Knowles
RECORDING SECRETARY

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SANGAMON COUNTY ZONING BOARD OF APPEALS
SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: **2010-21**
John Martin)
)
) PROPERTY LOCATED AT:
) **In the 4000 Block of Rochester**
) **Road,**
) **Rochester, Il. 62563**

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 **amendment and 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 **May 20, 2010** 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 4000 Block of Rochester Rd., Rochester, 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 Farmland.
- 5. That the proposed land use of said property is "R-1" Single Family Residence District.
- 6. That the requested rezoning and variance of said property is to rezone from "A" Agricultural District to "R-1" Single Family Residence District with a variance of the lot depth to exceed two and one half (2 1/2) 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 rezoning and 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 rezoning and variance be approved.

Charles Chimento/ck
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Byron Deaner**, 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 **Marvin Traylor**.

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