

CASE# 2010-36 4-1
RESOLUTION NUMBER _____

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
2400 BRINOCAR RD., AUBURN, AND
IN THE 2400 BLOCK OF BRINOCAR RD., AUBURN
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's, **JoAnn Simkins & Myrna Kuehn**, has petitioned the Sangamon County Board for a **variance to allow for two (2) parcels less than forty (40) acres and a variance for the lot depth to be 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 **August 19, 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 variances**; and

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

FILED

SEP 02 2010

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14th day of September, 2010 that the request for a variance to allow for two (2) parcels less than forty (40) acres and a variance for the lot depth to be two and one-half (2½) 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 14th day of September, 2010.

Respectfully submitted,

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

For Tim Moore /ck

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

Lots 18, 19, and 20 Being Part of the East $\frac{1}{2}$ SE $\frac{1}{4}$ Section 31, (according to the Plat Record in Book "L" of the Chancery Records, Page 577 in the office of the Circuit Court of Sangamon County). Also East $\frac{1}{2}$ of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of said Section 31, all in Township 14 North, Range 5 West of the Third Principal Meridian, Containing in all 65.55 Acres, More or Less.

RECAP
(For County Board Use)

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

DOCKET NUMBER: 2010-36

ADDRESS: 2400 Brinocar Rd., and In the 2400 Block of Brinocar Rd., Auburn, IL. 62615

PETITIONERS: JoAnn Simkins & Myrna Kuehn

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow two (2) parcels less than forty (40) acres and a variance for the lot depth to be two and one-half (2 ½) times the lot width for two (2) parcels.

AREA: 65.06 acres

COMMENTS: Yes Petitioner does have a one (1) time exception to divide off between one (1) to five (5) acres with no variance because it was an existing homestead.

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval of the requested variances. The standards of variation are met. The petitioner has requested to divide the property among family members in order to settle an estate and the property will ultimately remain in agricultural production.

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: 2010-036
JoAnn Simkins & Myrna Kuehn)	
)	PROPERTY LOCATED AT:
)	2400 Brinocar Rd., and In the
)	2400 Block of Brinocar Rd.,
)	Auburn, IL 62615

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 19, 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: **2400 Brinocar Rd., and In the 2400 Block of Brinocar Rd., Auburn, 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 crop production.**
- 5. That the proposed land use of said property is **agricultural crop production.**
- 6. That the requested **variances** of said property are to allow for two (2) parcels less than forty (40) acres and a variance for the lot depth to be two and one-half (2½) 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, **Peggy Egizii**, 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 **John Luchessi**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Don Wulf, John Luchessi.**

NO:

ABSENT: **Judith Johnson, Marvin Traylor**

Cynedi Knowles
RECORDING SECRETARY