

CASE# 2016-001
RESOLUTION NUMBER 4-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
4227 BISSELL ROAD & 4236 E. STATE ROUTE 54, SPRINGFIELD
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 Petitioners, **Kevin Kent & Graham Ranch, LLC**, have petitioned the Sangamon County Board for **Proposed Parcel 1: A variance to allow one (1) parcel less than five (5) acres; and, for Proposed Parcel 2: A variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width and a variance to allow one (1) parcel less than forty (40) acres; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **January 21, 2016** 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

JAN 29 2016


Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 9th Day of February, 2016 that the request for Proposed Parcel 1: A variance to allow one (1) parcel less than five (5) acres; and, for Proposed Parcel 2: A variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width and a variance to allow one (1) parcel less than forty (40) acres on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 9th day of February, 2016.

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

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ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

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EXHIBIT A

The East 223.30 feet of the South 636 feet of the West Half of the Southwest Quarter of Section 8, Township 16 North, Range 4 West of the Third Principal Meridian. Except any interest in the coal, oil, gas and other minerals underlying the land which have been heretofore conveyed or reserved in prior conveyances, and all rights and easements in favor of the estate of said coal, oil, gas and other minerals, if any. Situated in the County of Sangamon, State of Illinois.

And

Lot 1 in Fox View Farm, a Minor Subdivision, according to the Final Plat thereof, recorded November 22, 1999 as doc. 1999R55538 in the Recorder's Office of Sangamon County, Illinois. Except any interest in the coal, oil, gas and other minerals underlying the land which have been heretofore conveyed or reserved in prior conveyances, and all rights and easements in favor of the estate of said coal, oil, gas and other minerals, if any. Situated in SANGAMON COUNTY, ILLINOIS.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #8 NAME: Vacant

DOCKET NUMBER: 2016-001

ADDRESS: 4227 Bissell Road & 4236 E. State Route 54, Springfield, IL 62707

PETITIONER: Kevin Kent & Graham Ranch, LLC

PRESENT ZONING CLASSIFICATION: **Agricultural District with a variance on parcel 15-08.0-351-008 for the west side setback to be 6' (1998-006)**

REQUESTED ZONING CLASSIFICATION: **Agricultural District with a variance on parcel 15-08.0-351-008 for the west side setback to be 6' (1998-006) and for Proposed Parcel 1: A variance to allow one (1) parcel less than five (5) acres; and, for Proposed Parcel 2: A variance to allow the lot depth to be greater than two and one-half (2 1/2) times the lot width and a variance to allow one (1) parcel less than forty (40) acres.**

AREA: 13.42 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION
RECOMMENDATION:

Recommend approval. The variance request will facilitate a land split. The owners of the residence are selling the horse pasture to the owners of the horse barn to the north. This would allow the pasture to be combined with the agribusiness and the residence to be sold separately, thereby yielding a more reasonable return for both properties. The Standards for Variation are met.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval as staff recommend.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2016-016
Kevin Kent & Graham Ranch, LLC)	
)	PROPERTY LOCATED AT:
)	4227 Bissell Road &
)	4236 E. State Route 54
)	Springfield, IL 62707

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 **January 21, 2016** 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: **4227 Bissell Road & 4236 E. State Route 54, Springfield, IL 62707** and more particularly described as:

See Exhibit A

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3. That the present zoning of said property is **Agricultural District with a variance on parcel 15-08.0-351-008 for the west side setback to be 6' (1998-006).**
4. That the present land use of said property is **on parcel ending 008 a single-family residence, barn, shed, and garage and on parcel ending 013 a horse barn and out buildings.**
5. That the proposed land use of said property is **on parcel ending 008 a single-family residence, barn, shed, and garage and on parcel ending 013 a horse barn and out buildings.**
6. That the requested **variances** of said property are **for Proposed Parcel 1: A variance to allow one (1) parcel less than five (5) acres; and, for Proposed Parcel 2: A variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width and a variance to allow one (1) parcel less than forty (40) 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 **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, **Merilyn Herbert**, 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 **Janet Dobrinsky**.

The vote of the Board was as follows:

YES: **Anthony Mares, Don Wulf, Andrew Spiro, Merilyn Herbert, & Janet Dobrinsky**

NO:

PRESENT:

ABSENT: **Charles Chimento**

Cyndi Knowles
RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2016-001**

Address: **4227 Bissell Rd & 4236 E. Route 54, Springfield**

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 variance request will facilitate a land split. The owners of the residence are selling the horse pasture to the owners of the horse barn to the north. This would allow the pasture to be combined with the agribusiness and the residence to be sold separately, thereby yielding a more reasonable return for both properties.

- (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 topography of the ground adjacent to the residence on Bissell Road slopes slightly toward the horse stable/barn fronting on Route 54. Combining the horse pasture with the horse barn/stable might help reduce run-off concerns from horses using the pasture as the waste might more easily run onto the horse barn/stable property for usage and/or disposal.

- (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 in granting the requested variance.