

CASE# 2014-021 4-1
RESOLUTION NUMBER

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
11751 CLINTON ROAD, 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, **Sam Snell, representative of the Clinton Farm Grantor Trust**, has petitioned the Sangamon County Board for a **variance to allow the lot width to be twenty-three (23) feet instead of the required one hundred fifty (150) feet, a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road, a variance of the lot depth to be greater than two and one-half (2.5) times the lot width, and a variance to allow one (1) parcel less than five (5) acres; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **May 15, 2014** 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

MAY 30 2014

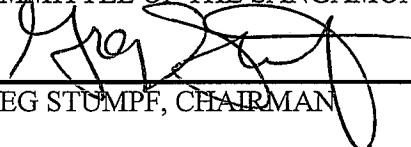
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10th day of June, 2014 that the request for a variance to allow the lot width to be twenty-three (23) feet instead of the required one hundred fifty (150) feet, a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road, a variance of the lot depth to be greater than two and one-half (2.5) times the lot width, and a variance to allow one (1) parcel less than five (5) acres on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 10th day of June, 2014.

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

JOHN FULGENZI

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

The West Half of the Northeast Quarter of the Southeast Quarter; and the Northwest Quarter of the Southeast Quarter; and the Northeast Quarter of the Southwest Quarter, Quarter, (except that portion of the said Northeast Quarter of the Southwest Quarter lying West of the Easterly right of way line of the Chicago Northwestern Railway), all in Section 28, Township 14, Range 6 West of the Third Principal Meridian situated in the County of Sangamon and the State of Illinois.

Together with all rights of the lessor in that certain Underground Coal Lease made by Sarah M. Clinton and spouse to Sangamon County Land Company dated February 19, 1973 and recorded August 27, 1974 as Document No. 559951 as said Lease was thereafter assigned and reassigned by mesne assignments to Nicor Exploration Company, as Lessee, by Document No. 913766 recorded December 29, 1982 in the office of Recorder of Deeds, Sangamon County, Illinois.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 7 NAME: Craig Hall

DOCKET NUMBER: 2014-021

ADDRESS: 11751 Clinton Road, Auburn IL 62615

PETITIONER: Sam Snell, representative of the Clinton Farm Grantor Trust

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow the lot width to be twenty-three (23) feet instead of the required one hundred fifty (150) feet, a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road, a variance of the lot depth to be greater than two and one-half (2.5) times the lot width, and a variance to allow one (1) parcel less than five (5) acres.

AREA: 100 acres

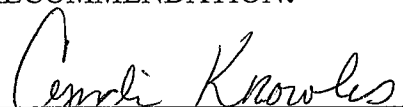
COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variances. The standards for variation are met. There is a natural division of the two acre homestead from the cropland and granting the variances would allow the tillable acreage to be preserved and the homestead to be sold. There will be no negative impact in allowing the proposed division.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval


RECORDING SECRETARY

4-6

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

| | |
|-------------------------------------|----------------------------|
| IN THE MATTER OF THE PETITION OF:) | DOCKET NO: 2014-021 |
| Clinton Farm Grantor Trust) | |
|) | PROPERTY LOCATED AT: |
|) | 11751 Clinton Road |
|) | 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 **May 15, 2014** 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: **11751 Clinton Road, Auburn IL 62615** 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 a **single-family residence, out buildings and farmland.**
- 5. That the proposed land use of said property is a **single-family residence, out buildings and farmland.**
- 6. That the requested **variances** of said property are a **variance to allow the lot width to be twenty-three (23) feet instead of the required one hundred fifty (150) feet, a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road, a variance of the lot depth to be greater than two and one-half (2.5) times the lot width, and a variance to allow one (1) parcel less than five (5) 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 for

 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Janet Dobrinsky**, 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 Lucchesi**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, John Lucchesi and Janet Dobrinsky**

NO:

PRESENT:

ABSENT: **Don Wulf**

Cyndi Knowles

 RECORDING SECRETARY

SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS

Case #: 2014-021

Address: 11751 Clinton Road, Auburn

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 request is being made to facilitate division of the property in order to sell the homestead. If the strict request of the code were to be applied, the proposed parcel would need to be enlarged thereby eliminating more 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 parcel is 100 acres and is split by Clinton Road with tillable farmland on both sides of the road. Two acres of the parcel is occupied by the homestead.

- (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 impact is anticipated in allowing the proposed division.