

**FILED**

SEP 26 2019

*Don J. Hays*  
SANGAMON COUNTY CLERK

CASE# 2019-031  
RESOLUTION NUMBER 4-1

**GRANTING A VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**2181 MCQUEEN ROAD, PLEASANT PLAINS**  
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 a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **Mary Caroline Hemberger Trust**, has petitioned the Sangamon County Board for **Proposed Parcel 1: a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 7 acres);** and,

WHEREAS, a public hearing was held at the Sangamon County Building on **September 19, 2019** 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 variance;** and,

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

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this **8<sup>th</sup> Day of October, 2019** that the following request on the above described property is hereby approved:

- **Proposed Parcel 1: a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 7 acres).**

Signed and passed by the Sangamon County Board in session on this **8<sup>th</sup> day of October, 2019.**

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

\_\_\_\_\_  
 ROSE RUZIC

**ATTEST:**

\_\_\_\_\_  
 SANGAMON COUNTY CLERK

\_\_\_\_\_  
 COUNTY BOARD CHAIRMAN

**Exhibit A**

The south twenty (20) acres of lot one (1), and the south sixty-four (64) acres of lots two (2), three (3), and four (4) of the partition of the west 3/4ths of the northwest ¼ of section 12, township 15 north, range 7 west of the 3<sup>rd</sup> principal meridian, situated in the County of Sangamon and State of Illinois.

Common address: 2181 McQueen Road, Pleasant Plains, Illinois

Parcel Number: 20-12.0-100-005

**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: # 7                      NAME: **Craig Hall**

DOCKET NUMBER: **2019-031**

ADDRESS: **2181 McQueen Road, Pleasant Plains, IL 62677**

PETITIONER: **Mary Caroline Hemberger Trust**

PRESENT ZONING CLASSIFICATION: **“A” Agricultural District.**

REQUESTED ZONING CLASSIFICATION: **Proposed Parcel 1: Variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 7 acres).**

AREA:     **83.47 acres**

COMMENTS:     **None**

OBJECTORS:     **None**

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval. Granting the variance would facilitate a division of the subject property to split the single-family residence from the cropland for estate planning purposes. The Standards for Variation are met.**

SANGAMON COUNTY ZONING BOARD OF APPEALS RECOMMENDATION:  
**Approval of Staff Recommendation.**

  
\_\_\_\_\_  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2019-031</b>
<b>Mary Caroline Hemberger Trust</b> )	)
)	PROPERTY LOCATED AT:
)	<b>2181 McQueen Road</b>
)	<b>Pleasant Plains, IL 62677</b>

RECOMMENDATION OF THE ZONING 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 **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 **September 19, 2019** 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:

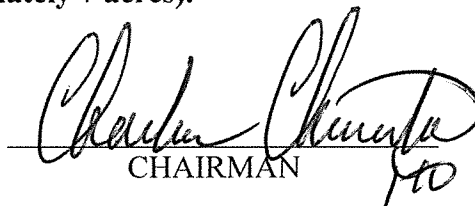
1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **2181 McQueen Road, Pleasant Plains, IL 62677** 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 and cropland**.
5. That the proposed land use of said property is a **single-family residence and cropland**.
6. That the request for said property is **for Proposed Parcel 1: a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 7 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 **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 request is hereby **approved** for:

- **Proposed Parcel 1: a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 7 acres)**.

  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **JD Sudeth**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition for

- **Proposed Parcel 1: a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 7 acres).**
- is hereby approved** which was duly seconded by **Tony Mares**.

The vote of the Board was as follows:

YES: **Charlie Chimento, Don Wulf, Tony Mares, Larry Beaty, JD Sudeth**

NO:

PRESENT:

ABSENT: **Andrew Spiro**



RECORDING SECRETARY

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2019-031**

Address: **2181 McQueen Road, Pleasant Plains**

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.

**Granting the variance would facilitate a division of the subject property to split the single-family residence from the cropland for estate planning purposes.**

- (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 division of land is for estate planning purposes.**

- (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.

**Negative impacts are not anticipated as no change in land use is contemplated.**