

CASE# 2010-42 51  
RESOLUTION NUMBER

**GRANTING VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**3975 LEACH 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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **Mark W. Walker**, has petitioned the Sangamon County Board for a **variance to create one (1) parcel less than five (5) acres under the one time exemption, a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road for one (1) parcel, and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for one (1) parcel; and**

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

OCT 28 2010

*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 9<sup>th</sup> day of November, 2010 that the request for a variance to create one (1) parcel less than five (5) acres under the one time exemption, a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road for one (1) parcel, and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for one (1) parcel on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 9<sup>th</sup> day of November, 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

**Part of the East half of the Southeast Quarter of Section 13, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, Being Described As Follows: Commencing At A Stone At the Northeast Corner of the Southeast Quarter of Section 13; Thence South 1370 Feet to the Point of Beginning; Thence South 1278.20 Feet to the Southeast Corner of the East Half of the Southeast Quarter of Section 13; Thence North 88 Degrees 14 Minutes 40 Seconds West 1311.75 Feet to an Iron Pin; Thence North along the West Line of the East Half of the Southeast Quarter of Section 13, 1293.20 Feet to an Iron Pin; Thence South 88 Degrees 14 Minutes 40 Seconds East 505.00 Feet to an Iron Pin; Thence South 87 Degrees 10 Minutes 50 Seconds East 807.35 Feet to the Point of Beginning, Containing 38.79 Acres, More or Less.**

**Situated in Sangamon County, Illinois.**

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RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 4                      NAME: Andy Goleman

DOCKET NUMBER: 2010-042

ADDRESS: 3975 Leach Road, Rochester, IL. 62563

PETITIONER: Mark W. Walker

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to create one (1) parcel less than five (5) acres under the one time exemption, a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road for one (1) parcel, and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for one (1) parcel.

AREA: 38.79 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval of the requested variances. The standards for variation are met. The existing driveway and home are completely surrounded by cropland and granting the variances will ensure that all available land will remain in crop production and the homestead will be preserved. The bank has requested the division of the single family residence from the cropland for refinancing reasons. Also, the resulting parcel will have individually owned, non-easement based access.

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

Approval

*Cynthia Knowles / gms*  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

|                                     |                             |
|-------------------------------------|-----------------------------|
| IN THE MATTER OF THE PETITION OF: ) | DOCKET NO: <b>2010-042</b>  |
| <b>Mark W. Walker</b> )             |                             |
| )                                   | PROPERTY LOCATED AT:        |
| )                                   | <b>3975 Leach Road</b>      |
| )                                   | <b>Rochester, IL. 62563</b> |

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 **October 21, 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: **3975 Leach Road, Rochester, IL.** and more particularly described as:

**See Exhibit A**

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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 farmland.
5. That the proposed land use of said property is a single family residence and farmland.
6. That the requested variances of said property are a variance to create one (1) parcel less than five (5) acres under the one time exemption, a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road for one (1) parcel, and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for one (1) parcel.
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 / [Signature]*  
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, John Luchessi, Peggy Egizii, Judith Johnson, Marvin Traylor**

NO:

ABSENT: **Byron Deaner**

*Cynthia Knowles / [Signature]*  
RECORDING SECRETARY