

CASE# 2013-038  
RESOLUTION NUMBER 5-1

**GRANTING VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**8286 OAK CREST RD., DAWSON**  
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, **F. Otto & Leigh Ann Rentschler**, have petitioned the Sangamon County Board for **a variance to allow two (2) parcels less than forty (40) acres & a variance to allow the lot depth to exceed two and one-half (2 ½) times the lot width for two (2) parcels to allow five (5) acres to be divided off for refinancing purposes;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **August 15, 2013** 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**


AUG 21 2013

*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 3<sup>rd</sup> day of September, 2013 that the request for a variance to allow two (2) parcels less than forty (40) acres & a variance to allow the lot depth to exceed two and one-half (2 ½) times the lot width for two (2) parcels to allow five (5) acres to be divided off for refinancing purposes on the above referenced property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 3<sup>rd</sup> day of September, 2013.

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

Parcel 1:

That part of the East Half of the West Half of Section 24, Township 16 North, Range 4 West of the Third Principal Meridian lying South of the center of a road known as Springfield and Mechanicsburg State Road and running in a Northeast-Southwest direction through said land.

Except all coal, minerals and mining rights heretofore conveyed of record.

Except the following described tracts of land:

Tract 1:

Part of the East Half of the West Half of Section 24, Township 16 North, Range 4 West of the Third Principal Meridian, lying South of the centerline of road known as Springfield-Mechanicsburg State Road and running in a Northeast-Southwest direction through said Section, more particularly described as follows:

From the Southeast corner of the Southwest Quarter of said Section 24, North on the Quarter Section line, 1,891.84 feet;

thence deflecting to the left 90 degrees, 00 minutes, 00 seconds, 200.00 feet to the point of beginning; thence continuing West 200.00 feet; thence deflecting to the right 90 degrees, 00 minutes, 00 seconds, 1,065.00 feet; thence deflecting to the right 76 degrees, 45 minutes, 17 seconds, 205.47 feet; thence deflecting to the right 103 degrees, 14 minutes, 43 seconds, 1112.58 feet to the point of beginning.

Tract 2:

Part of the East Half of the West Half of Section 24, Township 16 North, Range 4 West of the Third Principal Meridian lying South of the centerline of road known as Springfield-Mechanicsburg State Road and running in a Northeast-Southwest direction through said Section, more particularly described as follows:

From the Southeast corner of the Southwest Quarter of said Section 24, North on the Quarter Section line, 1,891.84 feet to the point of beginning; thence deflecting to the left 90 degrees, 00 minutes, 00 seconds, 200.00 feet; thence deflecting to the right 90 degrees, 00 minutes, 00 seconds, 1,112.58 feet; thence deflecting to the right 76 degrees, 45 minutes, 17 seconds, 205.47 feet; thence deflecting to the right 103 degrees, 14 minutes, 43 seconds, 1,159.65 feet to the point of beginning.

Tract 3:

Part of the East Half of the West Half of Section 24, Township 16 North, Range 4 West of the Third Principal Meridian lying South of the centerline of road known as Springfield-Mechanicsburg State Road and running in a Northeast-Southwest direction through said Section, more particularly described as follows:

**RECAP**

(For County Board Use)

COUNTY BOARD MEMBER: # 3                      NAME: David Mendenhall

DOCKET NUMBER: 2013-038

ADDRESS: 8286 Oak Crest Rd., Dawson, IL. 62520

PETITIONER: F. Otto & Leigh Ann Rentschler

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 & a variance to allow the lot depth to exceed two and one-half (2 ½) times the lot width for two (2) parcels to allow five (5) acres to be divided off for refinancing purposes.

AREA: 40.26 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Approval of the requested variances. The standards for variation have been met. The owner is seeking to divide the single-family residence from the remaining cropland for refinancing purposes. If the parcel is not separated, the owner will not be able to pursue the refinancing thus resulting in economic loss.

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: **2013-038**  
**F. Otto & Leigh Ann Rentschler** )  
) PROPERTY LOCATED AT:  
) **8286 Oak Crest Rd.**  
) **Dawson, IL. 62520**

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 15, 2013** 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: **8286 Oak Crest Rd., Dawson, 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 pasture.**
5. That the proposed land use of said property is a **single-family residence and pasture.**
6. That the requested **variances** of said property are to **allow two (2) parcels less than forty (40) acres & a variance to allow the lot depth to exceed two and one-half (2 ½) times the lot width for two (2) parcels to allow five (5) acres to be divided off for refinancing purposes.**
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** are 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/cx  
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 **Don Wulf**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, Don Wulf**

NO:

PRESENT:

ABSENT: **Janet Dobrinsky**

Cyndi Knowles  
RECORDING SECRETARY

SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS

Case #: 2013-038

Address: 8286 Oak Crest Road, Dawson

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 petitioner seeks to divide the single-family residence from the existing 40.26 acres for refinancing purposes. If the parcel is not separated, the owner will not be able to pursue the refinancing thus resulting in economic loss.**

- (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 petitioner is requesting to divide 5 acres from the existing 40 for refinancing 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.

**No negative impact is anticipated in allowing the division.**