

CASE# 2014-004 5-1  
RESOLUTION NUMBER

**GRANTING AN AMENDMENT AND VARIANCES**  
**FOR CERTAIN PROPERTY LOCATED AT**  
**8220 FARMINGTON CEMETERY ROAD & IN THE 8200 BLOCK OF FARMINGTON**  
**CEMETERY 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 **a rezoning and variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See **EXHIBIT A**

WHEREAS, the Petitioners, **Robert & Beth Kaufmann**, have petitioned the Sangamon County Board for: **Proposed A (consisting of Proposed Lots 1-19 and 1001), rezoning from "A" Agricultural District to "R-1" Single-Family Residence District and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for Proposed Lots 4, 5, 13, 14 and 1001; and, for Proposed B, a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **January 16, 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 rezoning and variances; and**

**FILED**

JAN 30 2014

*Joe Aiello*  
Sangamon County Clerk

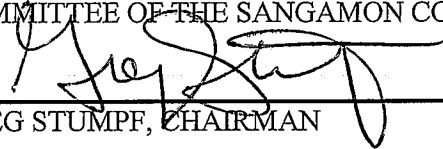
WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this **13<sup>th</sup> day of February, 2014** that the request for: **Proposed A (consisting of Proposed Lots 1-19 and 1001), rezoning from "A" Agricultural District to "R-1" Single-Family Residence District and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for Proposed Lots 4, 5, 13, 14 and 1001; and, for Proposed B, a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width on the above described property is hereby approved.**

Signed and passed by the Sangamon County Board in session on this 13<sup>th</sup> day of February, 2014.

Respectfully submitted,

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

  
\_\_\_\_\_  
GREG STUMPF, CHAIRMAN

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DAVID MENDENHALL, VICE CHAIRMAN

\_\_\_\_\_  
JOHN FULGENZI

\_\_\_\_\_  
CRAIG HALL

\_\_\_\_\_  
SAM SNELL

\_\_\_\_\_  
ABE FORSYTH

\_\_\_\_\_  
JASON RATT

\_\_\_\_\_  
LINDA DOUGLAS WILLIAMS

\_\_\_\_\_  
LINDA FULGENZI

\_\_\_\_\_  
LISA HILLS

\_\_\_\_\_  
MIKE SULLIVAN

**ATTEST:**

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

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

## EXHIBIT A

Part of the East Half of the Northeast Quarter of Section 19, Township 16 North, Range 6 West of the Third Principal Meridian in Sangamon County, Illinois, being described as follows: Commencing at the Northwest Corner of the East Half of the Northeast Quarter of said Section 19; thence South along the West Line thereof 1132 Feet to the Point of beginning; thence deflecting left 90 degrees 29 minutes 40 seconds, measure 369.60 Feet; thence deflecting left 90 degrees 00 minutes, measure 652.00 Feet; thence deflecting left 90 degrees 00 minutes, measure 364.00 Feet to said West Line; thence south 652.00 Feet to the point of beginning.

Also a strip of land 40 Feet in width, described as beginning 359.85 Feet East of the Northwest corner of the East Half of the Northeast Quarter of Section 19; thence deflecting right 90 degrees 00 minutes, measure 480.00 Feet; thence deflecting right 90 degrees 00 minutes measure 40.00 Feet; thence deflecting right 90 degrees 00 minutes measure 480.00 feet; thence deflecting right 90 degrees 00 minutes measure 40.00 Feet to the point of beginning.

Situated in Sangamon County, Illinois.

And

Lot 2 in Rice Paddy Subdivision, Final Plat, as shown by plat recorded April 23, 1987 as Document No. 63269.

Situated in Sangamon County, Illinois.

**RECAP**

(For County Board Use)

COUNTY BOARD MEMBER: # 1 NAME: Harry "Tom" Fraase, Jr.

DOCKET NUMBER: 2014-004

ADDRESS: 8220 Farmington Cemetery Road & In the 8200 Block of Farmington Cemetery Road, Pleasant Plains, IL 62677

PETITIONERS: Robert & Beth Kaufmann

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION:

For: Proposed A (consisting of Proposed Lots 1-19 and 1001), rezoning from "A" Agricultural District to "R-1" Single-Family Residence District and a variance to allow the lot depth to be greater than two and one-half (2 1/2) times the lot width for Proposed Lots 4, 5, 13, 14 and 1001; and, for Proposed B, a variance to allow the lot depth to be greater than two and one-half (2 1/2) times the lot width.

AREA: 60.11 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION:

Recommend approval of the requested R-1 zoning for proposed Portion A. The Land Evaluation and Site Assessment score of 146 indicates the property is deemed acceptable for non-agricultural development. There have been several single-family residences built in the immediate area and this appears to be the trend of development. Recommend approval of the requested variances for proposed Portion B. The standards for variation are met. Allowing the proposed subdivision will likely increase the traffic, however, the parcel is located on the corner of two major County roads and there will be access to the proposed residential lots from both roads. Public water is also available at the site.

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION:

Approve

Cyndi Knowles  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2014-004</b>
<b>Robert &amp; Beth Kaufmann</b> )	
)	PROPERTY LOCATED AT:
)	<b>8220 Farmington Cemetery Road &amp;</b>
)	<b>In the 8200 Block of Farmington Cemetery Rd</b>
)	<b>Pleasant Plains, IL 62677</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 an **amendment and 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 16, 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: **8220 Farmington Cemetery Road & In the 8200 Block of Farmington Cemetery 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 **one (1) single family residence, one (1) manufactured home, farm ground and timber.**
5. That the proposed land use of said property is **a subdivision on proposed portion A and one (1) single-family residence on proposed portion B.**
6. That the requested **rezoning and variances** of said property are **for: Proposed A (consisting of Proposed Lots 1-19 and 1001), rezoning from "A" Agricultural District to "R-1" Single-Family Residence District and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for Proposed Lots 4, 5, 13, 14 and 1001; and, for Proposed B, a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width.**
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 **rezoning and 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 **rezoning and variances** be **approved.**

Charles Chimento/ck  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Byron Deaner**, 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**.

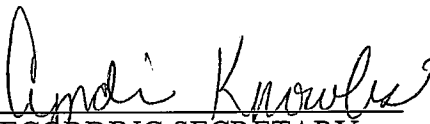
The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Judith Johnson, Don Wulf, and Janet Dobrinsky**

NO:

PRESENT:

ABSENT: **Peggy Egizzi**

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



**SANGAMON COUNTY  
RECOMMENDED - FINDINGS OF FACT**

Case #: 2014-004

Address: 8220 Farmington Cemetery Road & In the 8200 Block of  
Farmington Cemetery Road, Pleasant Plains

- (i) Existing uses of property within the general area of the property in question.

**The area is a mixture of single-family residences, cropland and timber.**

- (ii) The zoning classification of property within the general area of the property in question.

**There is Agricultural zoning to the north, south, east and west. To the southeast is R-1 zoning.**

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

**The Land Evaluation and Site Assessment score of 146 indicates the property is deemed acceptable for non-agricultural development.**

- (iv) The trend of development, within the vicinity since the property was originally classified.

**There have been several single-family residences built in the area. Property to the south was rezoned to R-1 in 2005.**

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2014-004

Address: 8220 Farmington Cemetery Road & In the 8200 Block of Farmington Cemetery 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.

**The property is vacant. Allowing the property to be divided and developed with single-family residences will likely increase the yield of return.**

- (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 configuration and topography of the parcel present unique circumstances. The property is zoned Agricultural with a Land Evaluation and Site Assessment score that indicates it is acceptable for non-agricultural development.**

- (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. Traffic will increase from the proposed lots, however, the parcel is located on the corner of two county highways and the lots will be accessible from both highways.**

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Parcel # 13-19-200-030  
13-19-200-035

Zoning Case # 2014-004

LAND EVALUATION AND SITE ASSESSMENT

Part 1: Site Assessment	Available Points	Points
<u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u>		
90% or more	20	<b>5</b>
75-89%	10	
50-74%	5	
Under 50%	0	
<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	<b>5</b>
75-89%	10	
50-74%	5	
Under 50%	0	
<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	<b>5</b>
50-74%	5	
Under 50%	0	
<u>COUNTY SECTOR</u>		
Rural	20	<b>20</b>
0.5 mile from incorporated area	10	
Incorporated area	0	
<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	<b>5</b>
50-74%	10	
25-49%	5	
Less than 25% or sewer available	0	
<u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u>		
Negative impact	15	<b>5</b>
Little or none with protective measures	5	
Little or none	0	
<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	<b>0</b>
No impact	0	
<u>CONDITION OF ROAD</u>		
unpaved, <40' ROW, or < 16' pavement	20	<b>10</b>
16'-18' pavement, 40' ROW	15	
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

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Parcel # 13-19-200-030  
13-19-200-035

Zoning Case # 2014-004

<u>AVAILABILITY OF PUBLIC SEWER</u>		
Not available	15	<b>15</b>
Sewer over 600'-1200' away	8	
Private central sewage system	5	
Sewer 600' or less away and available	0	

<u>AVAILABILITY OF PUBLIC WATER</u>		
Not available	20	<b>0</b>
1,000-1,500' away	15	
Less than 1,000' away	5	
Public water available at site	0	

<u>DISTANCE FROM RESPONDING FIREHOUSE</u>		
Not in fire protection district	20	<b>0</b>
More than 5 miles or fire protection by assignment	10	
2.6-5 miles	5	
0-2.5 miles	0	

<u>DRIVING TIME TO HIGH SCHOOL</u>		
Over 30 minutes	10	<b>0</b>
15-30 minutes	5	
Less than 15 minutes	0	

<b>SITE ASSESSMENT TOTAL</b>	<b>70</b>
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**Part 2: Agricultural Land Evaluation (Based on Sangamon County Soil Survey)**

<u>Soil</u>	<u>Name</u>	<u>Type</u>	<u>%</u>	<u>Relative Value</u>	<u>Points</u>
198A	Elburn	P		100	
199A	Plano	P		100	
43A	Ipava	P	10	100	10
7148A	Proctor	P		100	
46A	Herrick	P		100	
7037A	Worthen	P		100	
705A	Buckhart	P	10	98	10
199B	Plano	P		98	
36B	Tama	P		98	
244A	Hartsburg	P2		98	
257A	Clarksdale	P2		98	
68A	Sable	P2		87	
679B	Blackberry	P		87	
705B	Buckhart	P		87	
86B	Osco	P	30	87	26
684B	Broadwell	P		87	
50A	Virden	P2		87	
712A	Spaulding	P2		87	
127B	Harrison	P		87	

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Parcel # 13-19-200-030  
13-19-200-035

Zoning Case # 2014-004

3077A	Huntsville	P3		87
138A	Shiloh	P2		87
249A	Edinburg	P2		87
242A	Kendall	P2		87
7242A	Kendall	P2		87
134A	Camden	P		87
17A	Keomah	P2		87
3451A	Lawson	P3		75
3107A	Sawmill	P5		75
7075B	Drury	P		75
8396A	Vesser	P2		75
3074A	Radford	P3	10	75
3073A	Ross	P3		75
3284A	Tice	P3		75
279B	Rozetta	P		75
45A	Denny	P2		75
134B	Camden	P		75
112A	Cowden	P2		75
685B	Middletown	P		75
3405A	Zook	P5		75
131C2	Alvin	P		75
86C2	Osco	I	30	74
36C2	Tama	I		74
684C2	Broadwell	I		74
119C2	Elco	I		74
119D	Elco	I		74
127C2	Harrison	I		74
119D2	Elco	I		74
567C2	Elkhart	I		74
134C2	Camden	I		74
259C2	Assumption	I		74
685C2	Middletown	I		74
280D2	Fayette	I		74
119D3	Elco	N		74
259D2	Assumption	I		74
212C2	Thebes	I		74
630C2	Navlys	I		74
630D2	Navlys	I		74
630D3	Navlys	I		57
131D2	Alvin	I		57
8D	Hickory	I		50
8D2	Hickory	I		50
280D3	Fayette	I		44
8D3	Hickory	I		44
8F	Hickory	N		44
549G	Marseilles	N		0
533	Urban Land	N		
536	Dumps	N		
830	Orthents, Land	N		
862	Pits, Sand	N		
864	Pits, Quarries	N		
801C	Orthents, Silty	N		
W	Water		5	

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Parcel # 13-19-200-030  
13-19-200-035

Zoning Case # 2014-004

Prime/Important Farmlands Designations:

P: Prime farmland

P2: Prime where drained

P3: Prime where protected from flooding or flooding is less often than once in two years during the growing season.

P5: Prime where drained and either protected from flooding or flooding is less often than once in two years during the growing season.

I: Important farmland

N: Not Prime/Important Farmland

AGRICULTURAL LAND EVALUATION TOTAL	76
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GRAND TOTAL	146
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**Fewer than 150 points shall be deemed acceptable for non-agricultural development.**

From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.

Greater than 175 points shall be considered suitable for agricultural use only.