

CASE# 2014-011
RESOLUTION NUMBER 5-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
7398 BUNKER HILL RD, NEW BERLIN
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 Petitioners, **Jon & Susan Elmore**, have petitioned the Sangamon County Board for a **variance to allow one (1) parcel less than five (5) acres for proposed Parcel 1**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **March 20, 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 variance**; and

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

FILED

MAR 28 2014

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 7th day of April, 2014 that the request for a variance to allow one (1) parcel less than five (5) acres for proposed Parcel 1 on the above described property is hereby approved.


Signed and passed by the Sangamon County Board in session on this 7th day of April, 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

All that portion of the West One-Half of the Northeast Quarter of Section 17, Township 15 North, Range 6 West of the Third Principal Meridian lying north of the right-of-way of Federal-Aid Route 408, except part of the Northwest Quarter of the Northeast Quarter of Section 17, Township 15 North, Range 6 West of the Third Principal Meridian, described as follows: Beginning at a point on the North line of aforesaid Section 17, 428.32 feet West of the Northeast corner of the West Half of the Northeast Quarter of said Section; thence South at right angles 256.24 feet; thence West parallel to the aforesaid Section line 170.00 feet; thence North 256.24 feet to the Section line; thence East 170.00 feet to the point of beginning, containing 1.00 acres, more or Less.

Situated in Sangamon County, Illinois.

RECAP

(For County Board Use)

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

DOCKET NUMBER: 2014-011

ADDRESS: 7398 Bunker Hill Rd, New Berlin, IL 62670

PETITIONER: **Jon & Susan Elmore**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District**

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance to allow one (1) parcel less than five (5) acres for proposed Parcel 1.**

AREA: **43.8 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variance. The standards for variation are met. The petitioner is requesting to divide the home from the cropland and there do not appear any negative effects on the immediate area in granting the requested variance.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval as Staff recommends.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

| | |
|-------------------------------------|-----------------------------|
| IN THE MATTER OF THE PETITION OF:) | DOCKET NO: 2014-011 |
| Jon & Susan Elmore) | |
|) | PROPERTY LOCATED AT: |
|) | 7398 Bunker Hill Rd |
|) | New Berlin, IL 62670 |

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 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 **March 20, 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: **7398 Bunker Hill Rd, New Berlin, IL 62670** 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, garage, ag shed and farm ground.**
- 5. That the proposed land use of said property is **a single-family residence, garage, ag shed and farm ground.**
- 6. That the requested **variance** of said property is **to allow one (1) parcel less than five (5) acres for proposed Parcel 1.**
- 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 requested **variance** 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 **Janet Dobrinsky**.

The vote of the Board was as follows:

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

NO:

PRESENT:

ABSENT:

Aynali Knowles
RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2014-011

Address: 7398 Bunker Hill Road, New Berlin

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 cropland from the single-family residence so the cropland can continue to be farmed.

- (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 topography of the property is such that there is a natural division of the homestead from the cropland.

- (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.