

CASE# 2015-001 5-1  
RESOLUTION NUMBER

**GRANTING A VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**16300 OLD ROUTE 36, BUFFALO**  
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, **Robert Trapp Trust, etal**, has petitioned the Sangamon County Board for a **variance to allow one (1) parcel greater than five (5) acres**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **January 15, 2015** 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**

JAN 28 2015

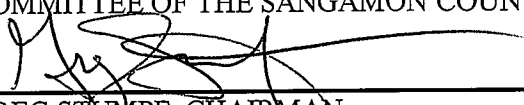
*Joe Aiello*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 10<sup>th</sup> Day of February, 2015 that the request for a variance to allow one (1) parcel greater than five (5) acres on the above described property is hereby granted.

Signed and passed by the Sangamon County Board in session on this 10<sup>th</sup> day of February, 2015.

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 RATTTS

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

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

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

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

**ATTEST:**

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

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

**EXHIBIT A**

THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 8 AND ALL THAT PART OF THE EAST HALF OF THE NORTHWEST OF SAID SECTION 8, TOWNSHIP 16 NORTH, RANGE 2 WEST OF THE THIRD PRINCIPAL MERIDIAN WHICH LIES SOUTH OF THE RIGHT-OF-WAY OF THE WABASH, ST. LOUIS AND PACIFIC RAILROAD COMPANY; EXCEPTING THEREFROM THAT PORTION TAKEN AND USED FOR OLD U.S. ROUTE 36. SITUATED IN SANGAMON COUNTY, ILLINOIS.

**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: #3                      NAME: David Mendenhall

DOCKET NUMBER: 2015-001

ADDRESS: 16300 Old Route 36, Buffalo, IL 62515

PETITIONER: Robert Trapp Trust ETAL

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow one (1) parcel greater than five (5) acres.

AREA: 79.75 Acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Approval. Granting the variance will facilitate selling the homestead to a family member in accordance with a trust. The low topography and the small amount of floodplain in a narrow strip near the western property line are unique circumstances limiting the practicality of reducing the proposed tract to a smaller size without additional zoning relief. The standards of variation are met.**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

**Approval as staff recommended.**

  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: ) DOCKET NO: **2015-001**  
**Robert Trapp Trust, ETAL** )  
) )  
) ) PROPERTY LOCATED AT:  
) ) **16300 Old Route 36**  
) ) **Buffalo, IL 62515**

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 **January 15, 2015** 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: **16300 Old Route 36, Buffalo, IL 62515** 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, grain bin, outbuildings and farm ground**.
- 5. That the proposed land use of said property is a **single-family residence, grain bin, outbuildings and farm ground**.
- 6. That the requested **variance** of said property is **to allow one (1) parcel greater than five (5) 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 requested **variance** be **granted**.

Charles Chimento/ck  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Don Wulf**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **granted**, which was duly seconded by **Merilyn Herbert**.

The vote of the Board was as follows:

YES: **Charles Chimento, Don Wulf, Andrew Spiro, Merilyn Herbert, & Anthony Mares**

NO:

PRESENT:

ABSENT:

Cyndi Knowles  
RECORDING SECRETARY

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2015-001

Address: 16300 Old Route 36, Buffalo

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 has remained in the family for many years. The purpose of the variance is to allow the family to separate the tillable portion of the property from the residence and the farm buildings. While the property can be economically used in its present state, separation of the tillable ground from the residence and the farm buildings will increase the yield on the property and will facilitate selling the homestead to a family member in accordance with a trust.**

- (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.

**Splitting the property into a parcel five acres or less would leave a narrow strip along the western part of the property near the Clear Creek bridge/culvert. The low topography and the small amount of floodplain in this strip are unique circumstances that limit the practicality of reducing the newly divided tract to five acres or less without additional zoning relief.**

- (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 granting the variance.**