

CASE# 2017-002 5-1
RESOLUTION NUMBER

GRANTING A REZONING
FOR CERTAIN PROPERTY LOCATED AT
10499 OLD RT. 54, 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 an amendment** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Peter & Terri Barnosky**, have petitioned the Sangamon County Board for a **rezoning from “B-3” General Business District to “R-1” Single-Family Residence District**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **January 19, 2017** 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,

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

FILED

JAN 25 2017

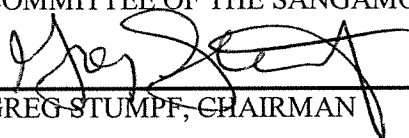
Don J. Hayes
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 7th Day of February, 2017 that the request for a rezoning from “B-3” General Business District to “R-1” Single-Family Residence District on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 7th day of February, 2017.

Respectfully submitted,

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



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTS

LINDA DOUGLAS WILLIAMS

ANNETTE FULGENZI

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

THAT PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 15 NORTH, RANGE 7 WEST OF THE 3RD P M BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIN IN THE INTERSECTION OF THE WEST LINE OF SAID QUARTER SECTION WITH THE NORTH LINE OF THE RIGHT-OF-WAY OF THE STATE BOND ISSUE ROAD BETWEEN SPRINGFIELD, ILLINOIS AND JACKSONVILLE, ILLINOIS, KNOWN AS ROUTE NO TEN (10), SAID POINT BEING 672.5 FEET SOUTH OF THE NORTHWEST CORNER OF SAID QUARTER SECTION, AND RUNNING THENCE NORTH ALONG THE WEST LINE OF SAID QUARTER SECTION 420 FEET TO AN IRON PIN; THENCE EAST AT A RIGHT ANGLE TO SAID QUARTER SECTION LINE 216 FEET TO AN IRON PIN; THENCE SOUTH AND PARALLEL TO WEST LINE OF SAID QUARTER SECTION 371 FEET TO AN IRON PIN IN THE NORTH LINE OF RIGHT-OF-WAY OF STATE BOND ISSUE ROAD NO TEN (10); AND THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID NORTH RIGHT-OF-WAY LINE 221.5 FEET TO THE PLACE OF BEGINNING, CONTAINING 2.0 ACRES, MORE OR LESS;

SUBJECT TO THE CONVEYANCE OR USE OF ANY PORTION OF THE PREMISES FOR HIGHWAY PURPOSES;

SUBJECT TO EASEMENTS OF RECORD OR IN PLACE IF ANY.

RECAP
(For County Board Use)

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

DOCKET NUMBER: **2017-002**

ADDRESS: **10499 Old Rt. 54, New Berlin, IL 62670**

PETITIONER: **Peter & Terri Barnosky**

PRESENT ZONING CLASSIFICATION: **“B-3” General Business District**

REQUESTED ZONING CLASSIFICATION: **“R-1” Single-Family Residence District**

AREA: **1.96 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The purpose of the request is to rezone the subject property to R-1, which will bring the current residence into compliance. A residence is not an allowable use in the B-3 district.**

SANGAMON COUNTY BOARD OF APPEALS

RECOMMENDATION:

Approval of staff recommendation


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2017-002
Peter & Terri Barnosky))
)	PROPERTY LOCATED AT:
)	10499 Old Rt. 54
)	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 an **amendment** 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 19, 2017** 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:

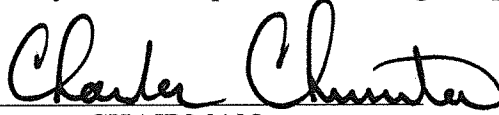
1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **10499 Old Rt. 54, New Berlin, IL 62670** and more particularly described as:

See Exhibit A

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- 3. That the present zoning of said property is **“B-3” General Business District.**
- 4. That the present land use of said property is **a single-family residence**
- 5. That the proposed land use of said property is **a single-family residence**
- 6. That the requested **rezoning** of said property is **a from “B-3” General Business District to “R-1” Single-Family Residence District.**
- 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** 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** be **approved.**


 CHAIRMAN ⁷⁸

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Merilyn Herbert**, 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 **Anthony Mares**.

The vote of the Board was as follows:

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

NO:

PRESENT:

ABSENT:


 RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

Case #: **2017-002**

Address: **10499 Old Route 54, New Berlin**

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

West and North – Cropland. East – Vacant commercial. South – Railroad and cropland.

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

North, South, & West – Agricultural. East – B-3.

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

A residence is not an allowable use in the B-3 district.

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

The area has remained agricultural with some single-family residences. In 2003, a variance was granted to allow the lot depth to exceed two and one-half (2.5) times the lot width east of the subject property.