

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
12600 BLOCK OF TEBBE ROAD, 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 the variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

The East Half of the Southwest Quarter of Section 16, Township 15 North, Range 7 West of the Third Principal Meridian, EXCEPT that part thereof conveyed for the roadway purposes. Parcel Number: 20-16.0-300-005.

WHEREAS, the Petitioners, **Kent Keeney Trustee and Dennis & Michael Keeney**, have petitioned the Sangamon County Board requesting **pursuant to Chapter 17.66, for Proposed Parcels 1, 2, and 3: a variance of Section 17.38.030 to allow three (3) parcels less than forty (40) acres (approximately 25 acres each); and, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width;** and,

WHEREAS, a public hearing was held at the Sangamon County Building on **November 21, 2019** 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

NOV 27 2019

Don J. Keeney

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **10th Day of December, 2019** that the following request(s) on the above described property are hereby approved pursuant to Chapter 17.66, for Proposed Parcels 1, 2, and 3:

- A variance of Section 17.38.030 to allow three (3) parcels less than forty (40) acres (approximately 25 acres each); and,
- A variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.

Signed and passed by the Sangamon County Board in session on this **10th day of December, 2019.**

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 RATTIS

LINDA DOUGLAS WILLIAMS

ANNETTE FULGENZI

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #7 NAME: Craig Hall

DOCKET NUMBER: 2019-041

ADDRESS: 12600 Block of Tebbe Road, New Berlin, IL 62670

PETITIONER: Kent Keeney Trustee and Dennis & Michael Keeney

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: Pursuant to Chapter 17.66, for Proposed
Parcels 1, 2, and 3: a variance of Section 17.38.030 to allow three (3) parcels less than forty
(40) acres (approximately 25 acres each); and, a variance of Chapter 17.04 (Lot depth) to
allow the lot depth to be greater than two and one-half (2.5) times the lot width.

AREA: 75.19 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION:

**Recommend approval. Granting the variances would facilitate a division of the subject
property to help settle an estate. The petition states it will remain in cropland. The
Standards for Variation are met.**

SANGAMON COUNTY ZONING 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: 2019-041
Kent Keeney Trustee & Dennis Keeney &)	
Michael Keeney)	PROPERTY LOCATED AT:
)	12600 Block of Tebbe Road
)	New Berlin, IL 62670

RECOMMENDATION OF THE ZONING 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 **November 21, 2019** 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: **12600 Block of Tebbe Road, New Berlin, IL 62670** and more particularly described as:

The East Half of the Southwest Quarter of Section 16, Township 15 North, Range 7 West of the Third Principal Meridian, EXCEPT that part thereof conveyed for the roadway purposes. Parcel Number: 20-16.0-300-005.

3. That the present zoning of said property is **“A” Agricultural District.**
4. That the present land use of said property is **cropland.**
5. That the proposed land use of said property is **cropland.**
6. That the request(s) for the subject property **are pursuant to Chapter 17.66, for Proposed Parcels 1, 2, and 3: a variance of Section 17.38.030 to allow three (3) parcels less than forty (40) acres (approximately 25 acres each); and, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) 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 **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 following request(s) **are hereby approved pursuant to Chapter 17.66, for Proposed Parcels 1, 2, and 3:**

- **A variance of Section 17.38.030 to allow three (3) parcels less than forty (40) acres (approximately 25 acres each); and,**
- **A variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.**

Charlie Chimento 

CHAIRMAN

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MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Andrew Spiro**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the following request(s) **are hereby approved pursuant to Chapter 17.66, for Proposed Parcels 1, 2, and 3:**

- **A variance of Section 17.38.030 to allow three (3) parcels less than forty (40) acres (approximately 25 acres each); and,**
- **A variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.**

which was duly seconded by **Tony Mares**.

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Don Wulf, Andrew Spiro, Larry Beaty**

NO:

PRESENT:

ABSENT:



 RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2019-041**

Address: **12600 Block of Tebbe 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.

Granting the variances would facilitate a division of the subject property to help settle an estate. The petition states it will remain in cropland.

- (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 division of land is for estate planning 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 change in land use is contemplated and negative impacts are not anticipated.