

**GRANTING VARIANCES  
FOR CERTAIN PROPERTY LOCATED AT  
1724 PARKES KINNER 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:

**See Exhibit A**

WHEREAS, the Petitioners, **James Kinner & Carol Pappas**, have petitioned the Sangamon County Board requesting **for Proposed Parcel 1: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 11 acres); 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 Bank of Springfield Center on **October 15, 2020** 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**

OCT 20 2020

*Don / Kinn*  
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 November, 2020** that the following request(s) on the above described property are hereby approved:

**For Proposed Parcel 1:**

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 11 acres); and,
- Pursuant to Chapter 17.66, 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 **10<sup>th</sup> day of November, 2020.**

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

**ATTEST:**

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

**EXHIBIT A**

Tract II: 100% Lucille Kinner

The West Half (W ½) of the Northwest Quarter (NW ¼) of Section 19, Township 16 North, Range 6 West of the 3rd P.M., Sangamon County, Illinois,

EXCEPTING THEREFROM, the following:

A. Beginning at the Southwest coner of the Northwest Quarter of said Section 19; thence North on the West line of said Section, 210 feet; thence East parallel to the quarter section line of said Section, 210 feet; thence South 210 feet to the quarter section line of said Section; thence West, 210 feet along said quarter section line of said Section to the point of beginning containing 1.01 acres more or less in such exception; said exception have been previously conveyed to James Robert Pappas and Carol J. Pappas, husband and wife, by deed January 14, 1970 and recorded January 26, 1970 in Deed record 629 page 277 Entry No. 332635 of the Sangamon County Illinois Recorder's Office.

B. Beginning at a point 339.54 feet East of the Northwest corner of said Section Nineteen (19) Township 16 North, Range 6 West of the 3rd P.M., Sangamon County, Illinois, thence East on the Section line 207.71 feet, thence South parallel to the West Section line 208.71 feet, thence West parallel to the North Section line 208.71 feet, thence North 208.71 feet to the point of beginning, containing 1.0 acre, more or less conveyed to William D. Kinner and Carolyn S. Kinner as joint tenants by Warranty Deed dated October 3, 1973 and recorded October 3, 1973 in Book 668 page 326 as Document No. 359090 of the Sangamon County, Illinois Recorder's Office.

C. The North 250.00 feet of the South 1747.42 feet of the West 350.00 feet of the West Half of the Northwest Quarter of Section 19, Township 16 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois, containing 2.00 acres, more or less, conveyed to James T. Kinner and Cynthia M. Kinner as joint tenants by warranty deed dated February 10, 1990, recorded March 13, 1990 as Document No. 90J006344 of the Sangamon County Illinois Recorder's Office.

D. From the Southwest corner of the Northwest Quarter of said Section 19, Township 16 North, Range 6 West of the 3rd P.M., Sangamon County, Illinois, North on the Section line 1747.42 feet to the point of beginning; thence containing North 50.00 feet; thence East parallel to the Quarter Section line 436.87 feet; thence South parallel to the Section line 300.00 feet; thence West parallel to the Quarter Section line 86.87 feet; thence North parallel to the Section line 250.00 feet; thence West parallel to the Quarter Section line 350.00 feet to the point of beginning, containing 1.00 acre, more or less, conveyed to James T. Kinner and Cynthia M. Kinner as joint tenants by Warranty Deed dated May 9, 1996 and recorded May 10, 1996 as Document No. 96-18775 of the Sangamon County Illinois Recorder's Office.

Parcel Number: 13-19.0-100-021.

**RECAP**  
(For County Board Use)

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

DOCKET NUMBER: 2020-031

ADDRESS: 1724 Parkes Kinner Road, New Berlin, IL 62670

PETITIONER: James Kinner & Carol Pappas

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: For Proposed Parcel 1: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 11 acres); 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: 74.77 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval. The purpose of the request is to divide approximately 10 acres of cropland from the subject property to be combined with parcel -007 to help settle an estate. No change in land use is contemplated. 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: <b>2020-031</b>
<b>James Kinner &amp; Carol Pappas</b> )	
)	PROPERTY LOCATED AT:
)	<b>1724 Parkes Kinner Road</b>
)	<b>New Berlin, IL 62670</b>

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 **October 15, 2020** 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: **1724 Parkes Kinner Road, New Berlin, IL 62670** 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 **Single-family residence and agricultural**.
5. That the proposed land use of said property is **Single-family residence and agricultural**.
6. That the request(s) for the subject property **are for Proposed Parcel 1: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 11 acres); 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:**

**For Proposed Parcel 1:**

- **Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 11 acres); and,**
- **Pursuant to Chapter 17.66, 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.**

  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Andrew Spiro**, which was duly seconded by **Don Wulf**, 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:**

**For Proposed Parcel 1:**

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 11 acres); and,
- Pursuant to Chapter 17.66, 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.

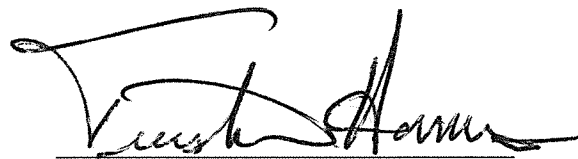
The vote of the Board was as follows:

YES:           **Charlie Chimento, Tony Mares, Don Wulf, Andrew Spiro, Phil Sidles**

NO:

PRESENT:

ABSENT:



RECORDING SECRETARY

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2020-031**

Address: **1724 Parkes Kinner 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 requested variances would facilitate a division of approximately 10 acres of cropland from the subject property to be combined with parcel -007 to help settle an estate.**

- (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 will help to settle an estate.**

- (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.**