

**GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
5800 BLOCK OF HARMS ROAD, CHATHAM
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, **U.S. Bank, N.A., as Trustee**, has petitioned the Sangamon County Board requesting **for Proposed Parcel 2: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 28 acres);** and,

WHEREAS, a public hearing was held via Zoom on **February 18, 2021** 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 a variance**; and,

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

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **9th Day of March, 2021** that the following request(s) on the above described property is hereby approved:

FILED

FEB 26 2021

Don J. Hayes
Sangamon County Clerk

For Proposed Parcel 2:

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 28 acres).

Signed and passed by the Sangamon County Board in session on this 9th day of March, 2021.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

EXHIBIT A

The South Half of the Southwest Quarter of Section 22 all in Township 14 North, Range 6 West of the Third Principal Meridian, Chatham Township, Sangamon County, Illinois: Excepting therefrom a tract of real estate situated in the Southwest Quarter of the Southwest Quarter of Section Twenty-two (22), Township Fourteen (14) North, Range Six (6) West of the Third Principal Meridian, legally described as follows: Beginning at a point in the Northeast corner of the Southwest Quarter of the Southwest Quarter of Section Twenty-two (22), Township Fourteen (14) North, Range Six (6) West of the Third Principal Meridian, and thence running in a Westerly direction 275 feet to a point; thence running South 164 feet to a point; thence running in an Easterly direction 275 feet to a point and thence running in a Northerly direction 164 feet to the point of beginning, containing one (1) acre, more or less, situated in Chatham Township, Sangamon County, Illinois.

Parcel Number: 28-22.0-300-005.

RECAP
(For County Board Use)

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

DOCKET NUMBER: **2021-006**

ADDRESS: **5800 Block of Harms Road, Chatham, IL 62629**

PETITIONER: **U.S. Bank, N.A., as Trustee**

PRESENT ZONING CLASSIFICATION: **“A” Agricultural District.**

REQUESTED ZONING CLASSIFICATION: **For Proposed Parcel 2: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 28 acres).**

AREA: **79 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval. The purpose of the request is to divide approximately 28 acres from an approximately 79 acre piece of cropland 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: 2021-006
U.S. Bank, N.A., as Trustee))
)	PROPERTY LOCATED AT:
)	5800 Block of Harms Road
)	Chatham, IL 62629

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 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 **February 18, 2021** 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: **5800 Block of Harms Road, Chatham, IL 62629** and more particularly described as:

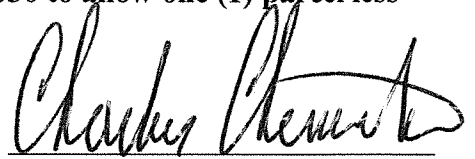
See Exhibit A

- 3. That the present zoning of said property is **“A” Agricultural District.**
- 4. That the present land use of said property is **Cropland.**
- 5. That the proposed land use of said property is **Cropland.**
- 6. That the request(s) for the subject property **is for Proposed Parcel 2: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 28 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 following request(s) **is hereby approved:**

For Proposed Parcel 2:

- **Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 28 acres).**


 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Don Wulf**, which was duly seconded by **Tony Mares**, 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) is hereby approved:

For Proposed Parcel 2:

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 28 acres).

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Don Wulf, JD Sudeth**

NO:

PRESENT:

ABSENT: **Andrew Spiro**



RECORDING SECRETARY

58

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2021-006**

Address: **5800 Block of Harms Road, Chatham**

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 proposed variance allows the petitioner to divide approximately 28 acres from an approximately 79 acre piece of cropland 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 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. The variance will further not alter the essential character of the locality or cause any other negative impacts to the locality.