

CASE # 2010-007

RESOLUTION NUMBER 10-1

GRANTING A REZONING AND VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
11660 BUCKHART RD., MECHANICSBURG
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 and variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See **EXHIBIT A**

WHEREAS, the Petitioners, **Jim & Tammy Etherton**, have petitioned the Sangamon County Board for a **rezoning from "A" Agricultural District to "R-1" Single Family Residence District with a variance to allow one (1) parcel less than forty (40) acres and a variance of the lot width to be met at a distance greater than sixty (60) feet from a public road;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **February 18, 2010**, 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 amendment and variances;** and

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

FILED

FEB 25 2010

Joe Aiello
Sangamon County Clerk

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NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 9th day of March, 2010 that the request for a rezoning from "A" Agricultural District to "R-1" Single Family Residence District with a variance to allow one (1) parcel less than forty (40) acres and a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 9th day of March, 2010.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING COMMITTEE
OF THE SANGAMON COUNTY BOARD

TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN



JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

Exhibit A

Parcel 1

Part of the West Half of the Southeast Quarter of Section 16, Township 15 North, Range 3 West of the Third Principal Meridian, described more particularly as follows: Beginning at an Iron Pipe Marking the Northeast corner of the West Half of the Southeast Quarter of the aforementioned Section 16, Thence South 01 Degrees 07 Minutes 28 Seconds East along the Quarter Quarter Section line a Distance of 2159.16 Feet to an Iron Pipe, Thence South 88 Degrees 35 Minutes 16 Seconds West a Distance of 1336.95 Feet to an Iron pipe on the Quarter Section Line, Thence North 01 Degrees 12 Minutes 11 Seconds West along the Quarter Section Line, a Distance of 1494.59 Feet, Thence North 81 Degrees 32 Minutes 54 Seconds East a Distance of 333.39 Feet (332.52 Feet Deed) to an Iron Pipe, Thence North 02 Degrees 31 Minutes 24 Seconds West a Distance of 192.17 Feet to an Iron Pipe, Thence North 82 Degrees 18 Minutes 15 Seconds East a Distance of 189.16 Feet to an Iron Pipe, Thence North 01 Degrees 42 Minutes 24 Seconds West a Distance of 411.27 feet to a point on the Quarter Section Line, Thence North 88 Degrees 36 Minutes 23 Seconds East along the Quarter Section Line a Distance of 829.25 feet to the Point of Beginning.

Except

Part of the West Half of the Southeast Quarter of Section 16, Township 15 North, Range 3 West of the Third Principal Meridian in Sangamon County, Illinois, Being Described As Follows: Commencing at an Iron Pipe at the Northeast Corner of the West Half of the Southeast Quarter of Section 16; Thence South 00 Degrees 11 Minutes 12 Seconds West 81.23 Feet to an Iron Pin at the Point of Beginning; Thence Along a Curve to the Left Having a Radius of 1832.7 Feet, an Arc Distance of 292.27 Feet and its Chord bearing North 85 Degrees 15 Minutes 55 Seconds West 291.96 Feet to an Iron Pin; Thence North 89 Degrees 50 Minutes 02 Seconds West 93.96 Feet to an Iron Pin; Thence South 00 Degrees 11 Minutes 12 Seconds West 572.48 Feet to an Iron Pin; Thence North 89 Degrees 53 Minutes 40 Seconds East 385.00 Feet to an Iron Pin; Thence North 00 Degrees 11 Minutes 12 Seconds East 547.40 Feet to the Point of Beginning, Containing 5.00 acres, More or Less. Part of the West Half of the Southeast Quarter of Section 16, Township 15 North, Range 3 West of the Third Principal Meridian in Sangamon County, Illinois, Being Described as Follows: Beginning at an Iron Pipe at the Northeast Corner of the West Half of the Southeast Quarter of Section 16; Thence South 00 Degrees 11 Minutes 12 Seconds West 81.23 Feet to an Iron Pin; Thence along a Curve to the Left Having a Radius of 1832.7 Feet, an Arc Distance of 292.27 Feet and its Chord Bearing North 85 Degrees 15 Minutes 55 Seconds West 291.96 Feet to an Iron Pin; Thence North 89 Degrees 50 Minutes 02 Seconds West 93.96 Feet to an Iron Pin; Thence North 00 Degrees 11 Minutes 12 Seconds East 56.15 Feet; Thence North 89 Degrees 53 Minutes 40 Seconds East 385.00 Feet to the Point of Beginning, Containing 0.556 Acres more or less.

Situated in Sangamon County, Illinois.

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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 3 NAME: **David Mendenhall**

DOCKET NUMBER: **2010-007**

ADDRESS: **11660 Buckhart Rd., Mechanicsburg, IL. 62545**

PETITIONER: **Jim & Tammy Etherton**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District**

REQUESTED ZONING CLASSIFICATION: **"R-1" Single Family Residence District with a variance to allow one (1) parcel less than forty (40) acres and a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road.**

AREA: **57.8 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION:

Approval of the requested R-1 zoning for the site that the existing single family residence is located. The request for R-1 zoning is appropriate since it is unlikely the residential site will be returned to cropland. Recommend approval of requested variances. The petitioner seeks to divide off the existing residence for purposes related to a mortgage. The standards for variation are met.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval

Cindi Knowles
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2010-007
Jim & Tammy Etherton)	
)	PROPERTY LOCATED AT:
)	11660 Buckhart Rd.
)	Mechanicsburg, IL. 62545

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 and 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 **February 18, 2010** 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: **11660 Buckhart Rd., Mechanicsburg, IL.** and more particularly described as:

See **EXHIBIT A**

- 3. That the present zoning of said property is "A" Agricultural.
- 4. That the present land use of said property 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 from "A" Agricultural District to "R-1" Single Family Residence District with a variance to allow one (1) parcel less than forty (40) acres and a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road.
- 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 and 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 requested rezoning and variances be approved.

Marvin Traylor
 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 **approved**, which was duly seconded by **Byron Deaner**.

The vote of the Board was as follows:

YES: Byron Deaner, Peggy Egizii, Judith Johnson, Marvin Traylor & Don Wulf

NO:

ABSENT: Charles Chimento

Cyndi Knowles
 RECORDING SECRETARY