

CASE# 2010-23  
RESOLUTION NUMBER 6-1

**GRANTING A REZONING AND VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**9095 BRIAR RIDGE LANE, ROCHESTER**  
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 variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **Kirk A. Mendenhall**, has petitioned the Sangamon County Board for a **rezoning from "A" Agricultural District to "R-1" Single Family Residence District and a variance to create two (2) parcels less than forty (40) acres; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **May 20, 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 rezoning and variance; and**

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

**FILED**

MAY 26 2010

*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 8th day of June, 2010 that the request for a rezoning from "A" Agricultural District to "R-1" Single Family Residence District and a variance to create two (2) parcels less than forty (40) acres on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 8th day of June, 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

6-3

**Exhibit A**

**Part of the Southwest Fractional Quarter of Section 7, Township 15 North, Range 3 West of the Third Principal Meridian, Described as Follows: Beginning at a Point on the South Line of Said Southwest Fractional Quarter of Section 7, Said Point Being 308.00 Feet East of the Southwest Corner of Said Section 7, Thence East on Said South Line 818.70 Feet, Thence North on a Line Forming a 90Degrees 28 Minutes 40 Seconds Angle With Said South Line (As Measured from West to North) 850.00 Feet, Thence West on a Line Parallel with Said South Line 826.52 Feet, Thence South on a Line 850.00 Feet to the Point of Beginning.**

**Situated in Sangamon County, Illinois.**

6-4

RECAP  
(For County Board Use)

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

DOCKET NUMBER: **2010-23**

ADDRESS: **9095 Briar Ridge Lane, Rochester, IL 62563**

PETITIONER: **Kirk A. Mendenhall**

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

REQUESTED ZONING CLASSIFICATION: **"R-1" Single Family Residence District with  
a variance to create two (2) parcels less than  
forty (40) acres.**

AREA: **16.05 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **See Exhibit B**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION: **See Exhibit B**

  

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RECORDING SECRETARY

**Exhibit B**

**Recommend approval of the R-1 zoning. Although the LESA score of 181 indicates the property shall be considered for non-agricultural development, this is a small parcel at 16 acres and the prime cropland is on approximately 7 acres that also includes a timber barrier on the west side of the proposed division. this recommendation to approve the petition is with the condition that road improvements occur and this particular LESA score is higher given the current road conditions, but the score would lower once the road is in place. This mitigating factor deems the property suitable for non-agricultural development. Also, the petitioner states that, excluding the area where the single family residence will be constructed, they plan to maintain the cropland resulting in approximately two (2) acres being removed from crop production. Recommend approval of the requested variance with the condition that a written agreement to extend Briar Ridge Lane is agreed upon between the road commissioner, the petitioner, and any other necessary party.**

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

|                                     |                               |
|-------------------------------------|-------------------------------|
| IN THE MATTER OF THE PETITION OF: ) | DOCKET NO: <b>2010-023</b>    |
| <b>Kirk A. Mendenhall</b> )         |                               |
| )                                   | PROPERTY LOCATED AT:          |
| )                                   | <b>9095 Briar Ridge Lane,</b> |
| )                                   | <b>Rochester, IL. 62563</b>   |

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 a **amendment and 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 **May 20, 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: **9095 Briar Ridge Lane, Rochester, IL.** 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, timber, and single family residence.**
- 5. That the proposed land use of said property is "R-1" Single Family Residence District **with a variance to create two (2) parcels less than forty (40) acres.**
- 6. That the requested **rezoning and variance** of said property is **to rezone from "A" Agricultural District to "R-1" Single Family Residence District with a variance to create two (2) parcels less than forty (40) 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 **rezoning and variance** 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 variance** be approved.

Charles Chimento/ck  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Judith Johnson**, 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 with the condition that a written agreement to extend Briar Ridge Lane is agreed upon between the road commissioner, the petitioner, and any other necessary party**, which was duly seconded by **Marvin Traylor**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, Marvin Traylor**

NO:

ABSENT:

Cyndi Knowles  
RECORDING SECRETARY