

CASE# 2010-33
RESOLUTION NUMBER 6-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
5751 SWEENEY DRIVE, 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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Dennis M. McEvoy**, has petitioned the Sangamon County Board for a **variance of the lot area requirement to allow the lot area to exceed the 5 acre maximum allowed under the one time exception to the bulk regulations provision of the zoning ordinance, and to allow the lot depth to exceed two and one half (2 ½) times the lot width for one parcel; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **July 15, 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 variances; and**

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

FILED

JUL 28 2010

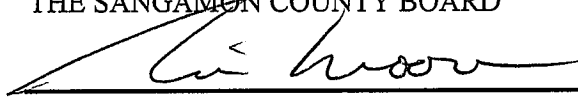
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10th day of August, 2010 that the request for a variance of the lot area requirement to allow the lot area to exceed the 5 acre maximum allowed under the one time exception to the bulk regulations provision of the zoning ordinance, and to allow the lot depth to exceed two and one half (2 ½) times the lot width for one parcel on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 10th day of August, 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

The South Half of the Southeast Quarter of Section Twenty Eight (28), Excepting so much Thereof as is Used for Cemetery Purposes, Situated in Township Fifteen (15) North, Range Four (4) West of the Third Principal Meridian in Sangamon County, Illinois;

Said Exception Used For Cemetery Purposes Is Described As Follows;

Beginning at a Point One Hundred Ninety Three (193) Feet North and Twenty Five (25) Feet West, From a Stone in the Southeast Corner of said Section Twenty Eight (28), Thence West Parallel With the South Line of Said Section Twenty Eight (28) four Hundred Ninety Three (493) Nine (9) Inches, Thence North Forty four (44) Feet, Eight (8) Inches, Thence East Four Hundred Ninety Three (493) Feet, Nine (9) Inches to a Point Twenty Five (25) Feet West from the East Line of said Section Twenty Eight (28), Thence South Forty Four (44) Feet, Eight (8) Inches to the Place of Beginning and Containing One Half (1/2) Acres, More or Less, Recorded in the Recorder's Office of Sangamon County, Illinois on May 31, 1913 In Book 155 of Deeds, Page 212, Document Number 104283.

6-4

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #4 NAME: Andy Goleman

DOCKET NUMBER: 2010-33

ADDRESS: 5751 Sweeney Drive, Rochester, IL. 62563

PETITIONER: Dennis M. McEvoy

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance of the lot area requirement to allow the lot area to exceed the 5 acre maximum allowed under the one time exception to the bulk regulations provision of the zoning ordinance, and to allow the lot depth to exceed two and one half (2 1/2) times the lot width for one parcel.

AREA: 76.16 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The request is being made to divide the property as allowed under the one time exception of the bulk regulations provision of the zoning ordinance. The width and depth of the existing parcel and the topography and location of the timber creates difficulties for the owner to comply with regulations while exercising the one-time exception. No negative impact is anticipated.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Cyndi Knowles
RECORDING SECRETARY

Recommend approval.

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: 2010-033
Dennis M. McEvoy

)
) PROPERTY LOCATED AT:
) 5751 Sweeney Drive,
) Rochester, IL. 62563

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 **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 **July 15, 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: **5751 Sweeney Drive, 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 **farmland, timber and a single family residence.**
5. That the proposed land use of said property is **to divide off a 7.5 acre parcel for a single family residence.**
6. That the requested **variances** of said property are **for the lot area requirement to allow the lot area to exceed the 5 acre maximum allowed under the one time exception to the bulk regulations provision of the zoning ordinance, and to allow the lot depth to exceed two and one half (2 ½) times the lot width for one parcel.**
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** 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 requested **variances** be **approved**.

Charles Chimento/cx
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Byron Deaner**, 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 **Don Wulf**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, Don Wulf**

NO:

ABSENT: **Marvin Traylor**

Cyndi Knowles
RECORDING SECRETARY