

CASE# 2012-053
RESOLUTION NUMBER 6-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
1011 & 1205 S. FARMINGDALE, 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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See **EXHIBIT A**

WHEREAS, the Petitioners, **Leonard & Elaine Sunley, Maebeth Nicholson, POA, John D. & Kimberly S. Branson** has petitioned the Sangamon County Board for request a **variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for one (1) parcel and a variance to allow one (1) parcel less than forty (40) acres to allow property to be divided and joined with adjacent property;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **November 15, 2012** 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

NOV 20 2012

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 11th day of December, 2012 that the request for a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for one (1) parcel and a variance to allow one (1) parcel less than forty (40) acres to allow property to be divided and joined with adjacent property on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 11th day of December, 2012.

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

GREG STUMPF

JASON RATTS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

10-3

EXHIBIT A

Lot 3 of Sunley Estates, Part of the Northeast Quarter of Section 6, Township 15 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois;

AND

Part of Lot 5 of Sunley Estates, Being a Subdivision of Part of the Northeast Quarter of Section 6, Township 15 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois;

EXCEPT

Part of Lot 5 of Sunley Estates, Being a Subdivision of Part of the Northeast Quarter of Section 6, Township 15 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois, Described as Follows:

Beginning at the Southwest Corner of Lot 1 in Sunley Estates; thence S89°-03'-02"W on the South Line of Said Lot 1 as Extended, 290.40 feet; thence S1°-03'-19"E, 150.00 feet; thence N89° 03'-02"E, 290.40 feet; thence N1° -03'-19"W, 150.00 feet to the Point of Beginning, Containing 1.00 Acres, more or less.

AND EXCEPT

Part of Lot 5 of Sunley Estates, Being a Subdivision of Part of the Northeast Quarter of Section 6, Township 15 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois, Described as Follows:

Beginning at the Southwest Corner of Lot 2 in Sunley Estates; thence S89°-04'-28"W on the South Line of Lot 2 as Extended, 290.40 feet; thence N0°-44'-38"W, 150.00 feet; thence N89° -04'-13"E, 290.40 feet to the Northwest Corner of Said Lot 2; thence S0°-44'-38"E, 150.02 feet to the Point of Beginning, Containing 1.00 Acres, more or less.

6-4

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 1 NAME: Harry "Tom" Fraase, Jr

DOCKET NUMBER: 2012-053

ADDRESS: 1011 & 1205 S. Farmingdale, New Berlin, IL. 62670

PETITIONER: Leonard & Elaine Sunley, Maebeth Nicholson, POA, John D. & Kimberly S. Branson

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: A variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for one (1) parcel and a variance to allow one (1) parcel less than forty (40) acres to allow property to be divided and joined with adjacent property.

AREA: 27.5 acres

COMMENTS: None

OBJECTORS: No

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variances. The standards for variation are met. The petitioners are requesting to divide the larger subject parcel and combining the land with smaller existing parcels that are adjacent to the subject property. No negative impact is anticipated in allowing this request.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION: **Approval**

RECORDING SECRETARY

6-5

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2012-053
Leonard & Elaine Sunley,)
Maebeth Nicholson, POA,)
John D. & Kimberly S. Branson)
)	PROPERTY LOCATED AT:
)	1011 & 1205 S. Farmingdale
)	New Berlin, IL. 62670

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 **November 15, 2012** 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: **1011 & 1205 S. Farmingdale, New Berlin, IL. 62670** and more particularly described as:

See **EXHIBIT A**

6-6

Page 2

3. That the present zoning of said property is "A" Agricultural District.
4. That the present land use of said property is **1 single-family residence and one (1) out building on one parcel and 1 single-family residence and 2 out buildings on the other parcel.**
5. That the proposed land use of said property is **one (1) single-family residence and one (1) out building on one (1) parcel and one (1) single-family residence and two (2) out buildings on the other parcel.**
6. That the requested **variances** of said property is **a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width for one (1) parcel and a variance to allow one (1) parcel less than forty (40) acres to allow property to be divided and joined with adjacent property.**
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**.

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 **Judith Johnson**.

The vote of the Board was as follows:

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

NO:

ABSENT:

RECORDING SECRETARY