

CASE# 2014-012
RESOLUTION NUMBER 6-1

GRANT A REZONING
FOR CERTAIN PROPERTY LOCATED AT
IN THE 2200 BLOCK OF JOSTES RD, 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** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See **EXHIBIT A**

WHEREAS, the Petitioner, **John Vandenberg**, has petitioned the Sangamon County Board for a **rezoning from "A" Agricultural District to "R-1" Single-Family Residence District to allow the property to be divided to allow four (4) single-family residences;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **March 20, 2014** 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

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

FILED

MAR 28 2014

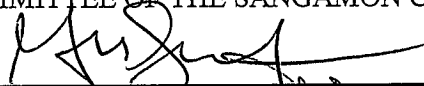
Joe Diello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 7th day of April, 2014 that the request for a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District to allow the property to be divided to allow four (4) single-family residences on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 7th day of April, 2014.

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



GREG STUMPF, CHAIRMAN



DAVID MENDENHALL, VICE CHAIRMAN

JOHN FULGENZI

CRAIG HALL


SAM SNELL

ABE FORSYTH

JASON RATTS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

63

EXHIBIT A

Part of the Southeast Quarter of the Northeast Quarter of Section 11, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

From the Northwest corner of the Southeast Quarter of the Northeast Quarter of said Section 11, East on the Quarter Quarter Section line, 40.05 feet to the point of beginning; thence continuing West on the Quarter Quarter Section line, 927.31 feet; thence deflecting to the right 105 35' 29", 1315.82 feet, thence deflecting to the right 74 22' 42", 509.43 feet; thence deflecting to the right 57 07' 47", 1269.30 feet to the point of beginning, containing 20.903 acres, more or less.

Except right of way description:

The West 40 feet and the south 40 feet of the Southeast Quarter of the Northeast Quarter of Section 11, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, containing 2.4 acres, more or less.

6-4

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: # 9 NAME: Sarah Musgrave

DOCKET NUMBER: 2014-012

ADDRESS: In the 2200 Block of Jostes Rd, Rochester, IL 62563

PETITIONER: John Vandenberg

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "R-1" Single-Family Residence District

AREA: 20.9 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: **Recommend denial of the requested R-1 zoning. The LESA score for the proposed parcel is 177. LESA guidelines indicate that a score greater than 175 shall be considered suitable for agricultural use only. It does not appear that there are factors that can be mitigated to make it suitable for non-agricultural development.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval as requested in petition.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITON OF:)	DOCKET NO: 2014-012
John Vandenberg)	
)	PROPERTY LOCATED AT:
)	In the 2200 Block of Jostes Rd
)	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 an **amendment** 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 **March 20, 2014** 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: **In the 2200 Block of Jostes Rd, Rochester, IL 62563** 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 **a vacant parcel.**
- 5. That the proposed land use of said property is **four (4) single-family residences.**
- 6. That the requested **rezoning** of said property is **from “A” Agricultural District to “R-1” Single-Family Residence District to allow the property to be divided to allow four (4) single-family residences.**
- 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** 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 **rezoning** be **approved.**

Charles Chimento/ck
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Charles Chimento**, not 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: **Charles Chimento, Byron Deaner, Don Wulf, John Lucchesi and Janet Dobrinsky**

NO:

PRESENT:

ABSENT:

Cyndi Knowled
RECORDING SECRETARY

**ZONING BOARD OF APPEALS
RECOMMENDED- FINDINGS OF FACT
March 20, 2014**

Case #: 2014-012

Address: In the 2200 Block of Jostes Road, Rochester

- (i) Existing uses of property within the general area of the property in question.

To the west is a mobile home and cropland. To the north and west are single-family residences and cropland. To the south is cropland.

- (ii) The zoning classification of property within the general area of the property in question.

The subject property is surrounded by Agricultural zoning.

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

The property is twenty (20) acres with approximately four (4) acres being in timber. The remainder is currently farmed but with much difficulty due to the layout of the land. Although, the Land Evaluation and Site Assessment score is 177, it is only two (2) points off from being considered suitable for residential use. With soil testing that can change the 2 points easily. The idea that he would bring water to the property brings it down to around 157 making it more suitable for residential.

- (iv) The trend of development, within the vicinity since the property was originally classified.

The area is agricultural in character with some residences built in the immediate area.

6-8

Parcel # 23-11-200-017

Zoning Case # 2014-012

LAND EVALUATION AND SITE ASSESSMENT

Part 1: Site Assessment

Available
Points Points

<u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u>		
90% or more	20	20
75-89%	10	
50-74%	5	
Under 50%	0	

<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	5
75-89%	10	
50-74%	5	
Under 50%	0	

<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	10
50-74%	5	
Under 50%	0	

<u>COUNTY SECTOR</u>		
Rural	20	20
0.5 mile from incorporated area	10	
Incorporated area	0	

<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	5
50-74%	10	
25-49%	5	
Less than 25% or sewer available	0	

<u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u>		
Negative impact	15	0
Little or none with protective measures	5	
Little or none	0	

<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	0
No impact	0	

<u>CONDITION OF ROAD</u>		
unpaved, <40' ROW, or < 16' pavement	20	0
16'-18' pavement, 40' ROW	15	
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

6-9

Parcel # 23-11-200-017

Zoning Case # 2014-012

<u>AVAILABILITY OF PUBLIC SEWER</u>		
Not available	15	15
Sewer over 600'-1200' away	8	
Private central sewage system	5	
Sewer 600' or less away and available	0	

<u>AVAILABILITY OF PUBLIC WATER</u>		
Not available	20	20
1,000-1,500' away	15	
Less than 1,000' away	5	
Public water available at site	0	

<u>DISTANCE FROM RESPONDING FIREHOUSE</u>		
Not in fire protection district	20	0
More than 5 miles or fire protection by assignment	10	
2.6-5 miles	5	
0-2.5 miles	0	

<u>DRIVING TIME TO HIGH SCHOOL</u>		
Over 30 minutes	10	0
15-30 minutes	5	
Less than 15 minutes	0	

SITE ASSESSMENT TOTAL	95
------------------------------	-----------

Part 2: Agricultural Land Evaluation (Based on Sangamon County Soil Survey)

<u>Soil</u>	<u>Name</u>	<u>Type</u>	<u>%</u>	<u>Relative Value</u>	<u>Points</u>
198A	Elburn	P		100	
199A	Plano	P		100	
43A	Ipava	P	21	100	21
7148A	Proctor	P		100	
46A	Herrick	P		100	
7037A	Worthen	P		100	
705A	Buckhart	P		98	
199B	Plano	P		98	
36B	Tama	P		98	
244A	Hartsburg	P2		98	
257A	Clarksdale	P2		98	
68A	Sable	P2		87	
679B	Blackberry	P		87	
705B	Buckhart	P		87	
86B	Osc	P	32	87	28
684B	Broadwell	P		87	
50A	Virden	P2		87	
712A	Spaulding	P2		87	
127B	Harrison	P		87	

6-10

Parcel # 23-11-200-017

Zoning Case # 2014-012

3077A	Huntsville	P3		87	
138A	Shiloh	P2		87	
249A	Edinburg	P2		87	
242A	Kendall	P2		87	
7242A	Kendall	P2		87	
134A	Camden	P		87	
17A	Keomah	P2		87	
3451A	Lawson	P3		75	
3107A	Sawmill	P5		75	
7075B	Drury	P		75	
8396A	Vesser	P2		75	
3074A	Radford	P3		75	
3073A	Ross	P3		75	
3284A	Tice	P3	12	75	9
279B	Rozetta	P		75	
45A	Denny	P2		75	
134B	Camden	P		75	
112A	Cowden	P2		75	
685B	Middletown	P		75	
3405A	Zook	P5		75	
131C2	Alvin	P		75	
86C2	Osco	I	26	74	19
36C2	Tama	I		74	
684C2	Broadwell	I		74	
119C2	Elco	I		74	
119D	Elco	I		74	
127C2	Harrison	I		74	
119D2	Elco	I		74	
567C2	Elkhart	I		74	
134C2	Camden	I		74	
259C2	Assumption	I		74	
685C2	Middletown	I		74	
280D2	Fayette	I		74	
119D3	Elco	N		74	
259D2	Assumption	I		74	
212C2	Thebes	I		74	
630C2	Navlys	I		74	
630D2	Navlys	I		74	
630D3	Navlys	I		57	
131D2	Alvin	I	8	57	5
8D	Hickory	I		50	
8D2	Hickory	I		50	
280D3	Fayette	I		44	
8D3	Hickory	I		44	
8F	Hickory	N		44	
549G	Marseilles	N		0	
533	Urban Land	N			
536	Dumps	N			
830	Orthents, Land	N			
862	Pits, Sand	N			
864	Pits, Quarries	N			
801C	Orthents, Silty	N			
W	Water				

Parcel # 23-11-200-017

Zoning Case # 2014-012

6-11

Prime/Important Farmlands Designations:

P: Prime farmland

P2: Prime where drained

P3: Prime where protected from flooding or flooding is less often than once in two years during the growing season.

P5: Prime where drained and either protected from flooding or flooding is less often than once in two years during the growing season.

I: Important farmland

N: Not Prime/Important Farmland

AGRICULTURAL LAND EVALUATION TOTAL

82

GRAND TOTAL

177

Fewer than 150 points shall be deemed acceptable for non-agricultural development.

From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.

Greater than 175 points shall be considered suitable for agricultural use only.