

CASE# 2015-006 6-1
RESOLUTION NUMBER

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
11595 LYNN ROAD, BUFFALO HART
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 a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Bobby & Lenee Kresse**, have petitioned the Sangamon County Board for a **variance to allow an accessory structure to be built twenty-seven (27) feet high instead of the maximum height of eighteen (18) feet allowed in the "R-1" Single-Family Residence District;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **April 16, 2015** 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 variance;** and

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

FILED

APR 29 2015

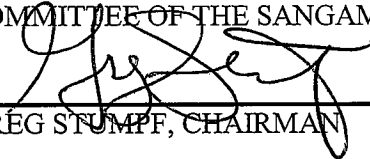

Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12th Day of May, 2015 that the request for a variance to allow an accessory structure to be built twenty-seven (27) feet high instead of the maximum height of eighteen (18) feet allowed in the "R-1" Single-Family Residence District on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 12th day of May, 2015.

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 RATTI

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

A tract a land lying in and being a part of the Southwest Quarter of the Southeast Quarter of Section 16, Township 17 North, Range 3 West of the Third Principal Meridian, Sangamon County, Illinois described as follows:

Commencing at a found iron pipe marking the southwest corner of said Quarter, Quarter Section; thence South 89 degrees 27 minutes 48 seconds East on the South line of said Quarter, Quarter, a distance of 157.17 feet to the point of beginning, from said point of beginning; thence North 02 degrees 13 minutes 30 seconds East, a distance of 410.18 feet to a set iron pin; thence South 89 degrees 27 minutes 48 seconds East, 426.90 feet to a set iron pin; thence South 02 degrees 45 minutes 58 seconds West, 410.31 feet to set iron pin; thence North 89 degrees 27 minutes 48 seconds West on said South line, 423.03 feet to the point of beginning, containing 4.00 acres more or less.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: 3 NAME: David Mendenhall

DOCKET NUMBER: 2015-006

ADDRESS: 11595 Lynn Road, Buffalo Hart, IL 62515

PETITIONER: Bobby & Lenee Kresse

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

REQUESTED ZONING CLASSIFICATION: "R-1" Single-Family Residence District with a variance to allow an accessory structure to be built twenty-seven (27) feet high instead of the maximum height of eighteen (18) feet allowed in the "R-1" Single-Family Residence District.

AREA: 4 acres

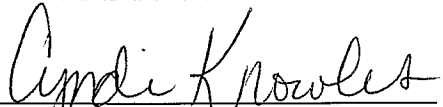
COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the variance. Given the R-1 zoning, there are few uses to which the new building could legally be used other than for personal vehicular storage. The standards of variation are met.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval as staff recommended.



RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2015-006
Bobby & Lenee Kresse)	
)	PROPERTY LOCATED AT:
)	11595 Lynn Road
)	Buffalo Hart, IL 62515

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 **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 **April 16, 2015** 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: **11595 Lynn Road, Buffalo Hart, IL 62515** and more particularly described as:

See Exhibit A

- 3. That the present zoning of said property is **“R-1” Single-Family Residence District.**
- 4. That the present land use of said property is **a house and farmland.**
- 5. That the proposed land use of said property is **a house, farmland and a pole barn.**
- 6. That the requested **variance** of said property is **to allow an accessory structure to be built twenty-seven (27) feet high instead of the maximum height of eighteen (18) feet allowed in the “R-1” Single-Family Residence District.**
- 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 **variance** 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 **variance** be **approved.**

Charles Chimento /ck
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Andrew Spiro**, 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 **Anthony Mares.**

The vote of the Board was as follows:

YES: **Charles Chimento, Anthony Mares, Don Wulf, Andrew Spiro & Marilyn Herbert**

NO:

PRESENT:

ABSENT:

Cyndie Knowles
RECORDING SECRETARY

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**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2015-006

Address: 11595 Lynn Rd., Buffalo Hart

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of this ordinance be varied as authorized in F. (1) hereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the property in question cannot be economically used or yield a reasonable return, if permitted to be used only for the conditions allowed by the regulations.

The property can continue to be economically used as a single-family residence with or without the pole barn. However, the property is located in a rural area, which contemplates structures such as pole barns to be utilized as accessory structures.

- (ii) that the plight of the owner is due to circumstances unique to the property and not generally applicable to other property in the area.

The property is not located on a subdivision lot, nor does it appear to be the case that the pole barn will be used for a commercial purpose. Given the R-1 zoning, there are relatively few uses to which the newly constructed building could legally be used other than for personal vehicular storage.

- (iii) that the variation, if granted, will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality.

No negative impact is anticipated.