

CASE# 2017-003  
RESOLUTION NUMBER 6-1

**GRANTING A REZONING**  
FOR CERTAIN PROPERTY LOCATED AT  
**IN THE 5000 BLOCK OF WILLIAMSVILLE RD, SHERMAN**  
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 Wilson**, has petitioned the Sangamon County Board for **Proposed Parcel 1: a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District (approximately 10.4 acres);** and,

WHEREAS, a public hearing was held at the Sangamon County Building on **January 19, 2017** 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**

JAN 25 2017


*Don H. King*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 7<sup>th</sup> Day of February, 2017 that the request for Proposed Parcel 1: a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District (approximately 10.4 acres) on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 7<sup>th</sup> day of February, 2017.

Respectfully submitted,

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

  
\_\_\_\_\_  
GREG STUMPF, CHAIRMAN

\_\_\_\_\_  
DAVID MENDENHALL, VICE CHAIRMAN

\_\_\_\_\_  
CRAIG HALL

\_\_\_\_\_  
SAM SNELL

\_\_\_\_\_  
ABE FORSYTH

\_\_\_\_\_  
JASON RATTS

\_\_\_\_\_  
LINDA DOUGLAS WILLIAMS

\_\_\_\_\_  
ANNETTE FULGENZI

\_\_\_\_\_  
LINDA FULGENZI

\_\_\_\_\_  
LISA HILLS

\_\_\_\_\_  
MIKE SULLIVAN

\_\_\_\_\_  
ROSE RUZIC

**ATTEST:**

\_\_\_\_\_  
SANGAMON COUNTY CLERK

\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

**EXHIBIT A**

A TRACT OF LAND LYING IN AND BEING A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 17 NORTH, RANGE 4 WEST OF THE 3rd P.M., SANGAMON COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND ALUMINUM PLATE MARKING THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89° 02' 35" EAST ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER, 65.00 FEET TO A SET IRON ROD MARKING THE POINT OF BEGINNING; FROM SAID POINT OF BEGINNING; THENCE NORTH 00° 41' 58" WEST ON THE EAST RIGHT OF WAY LINE OF COUNTY HIGHWAY 31 (WILLIAMSVILLE ROAD), 95.65 FEET TO A SET IRON ROD; THENCE NORTH 03° 33' 43" WEST, 100.12 FEET TO A SET IRON ROD; THENCE NORTH 00° 41' 58" WEST ON SAID EAST RIGHT OF WAY LINE, 1109.89 FEET TO A SET IRON ROD; THENCE LEAVING SAID EAST RIGHT OF WAY LINE NORTH 88° 51' 55" EAST ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER, 1265.04 FEET TO A FOUND AXLE MARKING THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00° 49' 43" WEST ON THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER, 288.75 FEET TO A SET IRON ROD; THENCE NORTH 88° 55' 48" EAST, 555.86 FEET TO A POINT IN THE CENTERLINE OF WOLF CREEK; THENCE SOUTHWESTERLY ON THE CENTERLINE OF SAID WOLF CREEK, A MEANDERING DISTANCE OF 2228.87 FEET TO A POINT MARKING THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER, SAID POINT HAVING A WITNESS IRON ROD SET 30.0 FEET SOUTH; THENCE FROM SAID POINT SOUTH 89° 02' 35" WEST ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER, 1261.46 FEET TO THE POINT OF BEGINNING, CONTAINING 50.650 ACRES, MORE OR LESS; ALL AS PER SURVEY IN AUGUST OF 2016 OF HANS 8. DISTLEHORST, ILLINOIS PROFESSIONAL LAND SURVEYOR #35-3271.

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**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: # 8                      NAME: Lori Williams

DOCKET NUMBER: 2017-003

ADDRESS: In the 5000 Block of Williamsville Rd, Sherman, IL 62684

PETITIONER: John Wilson

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

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

AREA: 50.65 acres

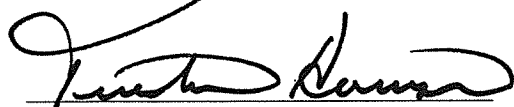
COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested rezoning to R-1. The purpose of the requested zoning relief is to allow the petitioner to split off approximately 10.4 acres to obtain financing to construct a residence. The LESA score of 154 indicates the subject property is marginal requiring mitigating factors for non-agricultural development. In this case, Proposed Parcel 1 is splitting off approximately 10.4 acres of pond and timber, which is unlikely to be economically converted to cropland. Of the remaining 40.25 acres, Proposed Parcel 2 contains approximately 11.5 acres of cropland to remain in production with the remainder being timber and floodplain.**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

**Approval of staff recommendation**



RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2017-003</b>
<b>John Wilson</b> )	)
)	PROPERTY LOCATED AT:
)	<b>In the 5000 Block of Williamsville Rd,</b>
)	<b>Sherman, IL 62684</b>

RECOMMENDATION OF THE BOARD OF APPEALS

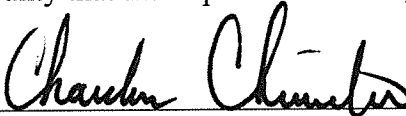
THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for an **amendment** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner (s); that legal publication has been made pursuant to law; and that a public hearing was held on **January 19, 2017** 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 5000 Block of Williamsville Rd, Sherman, IL 62684** 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 **agricultural.**
- 5. That the proposed land use of said property is **for Proposed Parcel 1: (approximately 10.4 acres) a new single-family residence; and, for Proposed Parcel 2: (approximately 40.25 acres) agricultural.**
- 6. That the requested **rezoning** of said property is **for Proposed Parcel 1: a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District (approximately 10.4 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** 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.**

  
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 **Anthony Mares.**


The vote of the Board was as follows:

YES: **Charles Chimento, Anthony Mares, Don Wulf, Merilyn Herbert and Andrew Spiro**

NO:

PRESENT:

ABSENT:

  
RECORDING SECRETARY

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**SANGAMON COUNTY  
RECOMMENDED - FINDINGS OF FACT**

Case #: **2017-003**

Address: **5000 Block of Williamsville Rd., Sherman**

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

**West & North – Single-family residential. East & South – Single-family residential, cropland, and timber.**

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

**North, East, & South – Agricultural. West – R-1.**

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

**The LESA score of 154 indicates the subject property is marginal requiring mitigating factors for non-agricultural development. In this case, Proposed Parcel 1 is splitting off approximately 10.4 acres of pond and timber, which is unlikely to be economically converted to cropland. Of the remaining 40.25 acres, Proposed Parcel 2 contains approximately 11.5 acres of cropland to remain in production with the remainder being timber and floodplain. The petition indicates the land must be split in order to obtain financing.**

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

**The area appears to have a trend towards rural residential development, especially north of the subject property. In 2015, 2002, 1984, 1980, and 1971, rezonings from A to R-1 were granted southwest of the subject property. In 1988, B-3 was denied for a parcel north of the subject property. In 1973, I-1 was granted for a parcel south of the subject property.**

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Parcel # 07-34-300-029

Zoning Case # 2017-003

**LAND EVALUATION AND SITE ASSESSMENT**

**Part 1: Site Assessment**

**Available  
Points                  Points**

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

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

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

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

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

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

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



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

<u>AVAILABILITY OF PUBLIC SEWER</u>		
<b>Not available</b>	<b>15</b>	<b>15</b>
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>		
<b>Not available</b>	<b>20</b>	<b>20</b>
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	<b>0</b>
More than 5 miles or fire protection by assignment	10	
2.6-5 miles	5	
<b>0-2.5 miles</b>	<b>0</b>	

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

<b>SITE ASSESSMENT TOTAL</b>	<b>90</b>
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**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		100	
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	

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257A	Clarksdale	P2		98	
68A	Sable	P2		87	
679B	Blackberry	P		87	
705B	Buckhart	P		87	
86B	Oscos	P		87	
684B	Broadwell	P		87	
50A	Virden	P2		87	
712A	Spaulding	P2		87	
127B	Harrison	P		87	
3077A	Huntsville	P3		87	
138A	Shiloh	P2		87	
249A	Edinburg	P2		87	
242A	Kendall	P2		87	
7242A	Kendall	P2	5	87	4
134A	Camden	P		87	
17A	Keomah	P2		87	
3451A	Lawson	P3	30	75	23
3107A	Sawmill	P5		75	
7075B	Drury	P	14	75	11
8396A	Vesser	P2		75	
3074A	Radford	P3		75	
3073A	Ross	P3		75	
3284A	Tice	P3		75	
279B	Rozetta	P	0	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	Oscos	I		74	
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	4	74	3
119D3	Elco	N	29	74	21
259D2	Assumption	I		74	
212C2	Thebes	I		74	
630C2	Navlys	I		74	
630D2	Navlys	I		74	
630D3	Navlys	I	1	57	1
131D2	Alvin	I		57	
8D	Hickory	I		50	
8D2	Hickory	I	2	50	1
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		8

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

<b>AGRICULTURAL LAND EVALUATION TOTAL</b>	<b>64</b>
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<b>GRAND TOTAL</b>	<b>154</b>
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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.