

CASE# 2017-012
RESOLUTION NUMBER 6-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
5222 TURKEY RUN ROAD, 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 a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Adam & Cari Claussen**, have petitioned the Sangamon County Board for a **variance to allow an accessory structure to be approximately twenty-seven (27) feet 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 20, 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 variance**; and,

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

FILED

APR 27 2017

Don J. May
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 9th Day of May, 2017 that the request for a variance to allow an accessory structure to be approximately twenty-seven (27) feet 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 9th day of May, 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

PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 17 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:
FROM THE NORTHEAST CORNER OF THE WEST HALF OF SAID SOUTHWEST QUARTER, THENCE SOUTH 0 DEGREES 40 MINUTES 30 SECONDS EAST ON THE QUARTER QUARTER SECTION LINE, 40.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0 DEGREES 40 MINUTES 30 SECONDS EAST ON THE QUARTER QUARTER LINE OF 1478.02 FEET; THENCE NORTH 62 DEGREES 26 MINUTES 58 SECONDS WEST, 428.22 FEET; THENCE SOUTH 89 DEGREES 10 MINUTES 30 SECONDS WEST, 549.96 FEET; THENCE NORTH 2 DEGREES 01 MINUTES 51 SECONDS EAST, 242.57 FEET; THENCE NORTH 7 DEGREES 16 MINUTES 54 SECONDS EAST, 51.22 FEET; THENCE NORTH 21 DEGREES 08 MINUTES 26 SECONDS EAST, 55.85 FEET; THENCE NORTH 34 DEGREES 40 MINUTES 17 SECONDS EAST, 330.16 FEET; THENCE NORTH 43 DEGREES 25 MINUTES 30 SECONDS EAST, 169.71 FEET; THENCE NORTH 69 DEGREES 19 MINUTES 49 SECONDS EAST, 252.11 FEET; THENCE NORTH 6 DEGREES 22 MINUTES 31 SECONDS WEST, 164.21 FEET; THENCE NORTH 19 DEGREES 19 MINUTES 06 SECONDS EAST, 176.85 FEET; THENCE NORTH 44 DEGREES 11 MINUTES 17 SECONDS EAST, 177.38 FEET; THENCE NORTH 89 DEGREES 32 MINUTES 26 SECONDS EAST, 172.51 TO THE POINT OF BEGINNING, CONTAINING 18.974 ACRES, MORE OR LESS.

SITUATED IN SANGAMON COUNTY, ILLINOIS.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #8 NAME: Lori Williams

DOCKET NUMBER: 2017-012

ADDRESS: 5222 Turkey Run Road, Sherman, IL 62684

PETITIONER: Adam & Cari Claussen

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

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


AREA: 18.95 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The purpose of this case is to allow an accessory structure to exceed the maximum height requirements of eighteen (18) feet and be allowed to be built to approximately twenty-seven (27) feet. In 2013, the rezoning to R-1 was necessary in order to construct the single-family residence on this property in accordance with county policy. The subject property is consistent with the character of the Agricultural District. The Agricultural District is located in the immediate area and allows buildings to be constructed to a height higher than requested in the petition. The Standards for Variation are met.**

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: 2017-012
Adam & Cari Claussen)	
)	PROPERTY LOCATED AT:
)	5222 Turkey Run Road
)	Sherman, IL 62684

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 20, 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: **5222 Turkey Run Road, Sherman, IL 62684** and more particularly described as:

See Exhibit A

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- 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 single-family residence.**
- 5. That the proposed land use of said property is **a single-family residence with a pole barn.**
- 6. That the requested **variance** of said property is **to allow an accessory structure to be approximately twenty-seven (27) feet 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.**


 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 **Tony Mares**.

The vote of the Board was as follows:

YES: **Charles Chimento, Tony Mares, Don Wulf, Andrew Spiro, Larry Beaty**

NO:

PRESENT:

ABSENT:


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2017-012**

Address: **5222 Turkey Run Road, Sherman**

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 could continue to be used economically without the requested variance. However in 2013, the rezoning to R-1 was necessary in order to construct the single-family residence on this property in accordance with county policy. The subject property is consistent with the character of the Agricultural District. The Agricultural District is located in the immediate area and allows buildings to be constructed to a height higher than requested in the petition.

- (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 subject property's lot area is 18.95 acres which is larger than what could be considered the lot area for a typical R-1 parcel and is surrounded by other parcels smaller than the subject property but are zoned Agricultural which has no height restrictions. In 2013, the rezoning to R-1 was necessary in order to construct the single-family residence on this property in accordance with county policy.

- (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 impacts are anticipated in granting the requested variance.