

CASE# 2018-020
RESOLUTION NUMBER 6-1

GRANTING A REZONING
FOR CERTAIN PROPERTY LOCATED AT
1205 S. FARMINGDALE ROAD, 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 an amendment** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Kelsey & Anita Schwab**, have petitioned the Sangamon County Board for a **rezoning from "A" Agricultural District to "R-1" Single-Family Residence District**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **May 17, 2018** 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

MAY 23 2018


Don J. Hagan
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **12th Day of June, 2018** that the request for a rezoning from **“A” Agricultural District to “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 June, 2018**.

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

PROPOSED LEGAL:

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 15 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE N 00°37'34" W ALONG THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 60.00 FEET; THENCE S 89°35'16" W, 48.14 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF FARMINGDALE ROAD AND THE NORTH RIGHT-OF-WAY LINE OF OLD JACKSONVILLE ROAD, SAID POINT BEING THE POINT OF BEGINNING.

THENCE S 89°35'16" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF OLD JACKSONVILLE ROAD, A DISTANCE OF 591.86 FEET; THENCE N 00°24'44" W, 21.10 FEET; THENCE N 89°35'16" E, 53.00 FEET; THENCE N 08°30'09" W, 201.51 FEET; THENCE N 57°26'36" W, 205.26 FEET; THENCE N 68°13'29" W, 311.54 FEET; THENCE N 00°38'18" W, 1204.89 FEET; THENCE N 88°57'51" E, 284.69 FEET; THENCE S 00°59'11" E, 756.46 FEET; THENCE N 89°01'44" E, 391.22 FEET; THENCE S 00°52'40" E, 590.04 FEET; THENCE N 88°57'38" E, 126.45 FEET; THENCE S 01°13'04" E, 50.07 FEET; THENCE N 88°58'12" E, 212.47 FEET; THENCE S 01°26'03" E, 268.97 FEET TO THE POINT OF BEGINNING.

CONTAINING 17.620 ACRES, MORE OR LESS.

PARCEL NUMBER: 21-06.0-200-064.

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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #7 NAME: **Craig Hall**

DOCKET NUMBER: **2018-020**

ADDRESS: **1205 S. Farmingdale Road, New Berlin, IL 62670**

PETITIONER: **Kelsey & Anita Schwab**

PRESENT ZONING CLASSIFICATION: **“A” Agricultural District.**

REQUESTED ZONING CLASSIFICATION: **“R-1” Single-Family Residence District.**

AREA: **18 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The LESA score of 150 indicates the subject property is marginal requiring mitigating factors for non-agricultural development. However, staff recognizes the LESA score of 150 is the lowest possible score requiring mitigating factors, and in this case the subject property has a history of two previous divisions being granted by the County Board making the current R-1 request for the two proposed parcels acceptable.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval of Staff Recommendation.


RECORDING SECRETARY

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SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2018-020
Kelsey & Anita Schwab)	
)	PROPERTY LOCATED AT:
)	1205 S. Farmingdale Road
)	New Berlin, IL 62670

RECOMMENDATION OF THE BOARD OF APPEALS

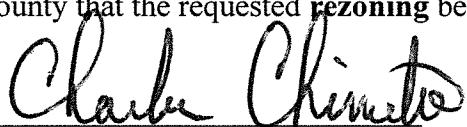
THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for an **amendment** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner (s); that legal publication has been made pursuant to law; and that a public hearing was held on **May 17, 2018** 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: **1205 S. Farmingdale Road, New Berlin, IL 62670** 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 **single-family residence and cropland.**
- 5. That the proposed land use of said property is a **single-family residence and cropland.**
- 6. That the requested **rezoning** of said property is **for a rezoning from “A” Agricultural District to “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 **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 *TC*

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 **Tony Mares**.

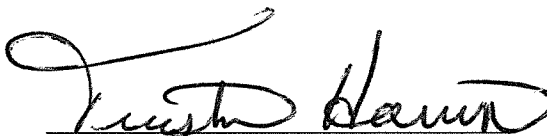
The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Don Wulf, Andrew Spiro, Gina Lathan**

NO:

PRESENT:

ABSENT:


RECORDING SECRETARY

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**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

Case #: **2018-020**

Address: **1205 S. Farmingdale Road, New Berlin**

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

North – Cropland. East – Residences, substation, and cropland. South – Residences, water tower, and cropland. West – Residences and cropland.

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

North, East, South, & West – Agricultural.

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

The LESA score of 150 indicates the subject property is marginal requiring mitigating factors for non-agricultural development. However, staff recognizes the LESA score of 150 is the lowest possible score requiring mitigating factors, and in this case the subject property has a history of two previous divisions being granted by the County Board making the current R-1 request for the two proposed parcels acceptable.

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

The area has a rural residential trend with single-family residences fronting both Old Jacksonville Road and Farmingdale Road surrounding the subject property. In 2012 and 2011, the subject property was granted variances to allow the lot depth to exceed 2.5 times the lot width and to allow one parcel to be less than 40 acres.

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Parcel # 21-06-200-064

Zoning Case # 2018-020

LAND EVALUATION AND SITE ASSESSMENT

Part 1: Site Assessment

	Available Points	Points
<u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u>		
90% or more	20	
75-89%	10	20
50-74%	5	
Under 50%	0	
<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	
75-89%	10	0
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	
50-74%	10	5
25-49%	5	
Less than 25% or sewer available	0	
<u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u>		
Negative impact	15	
Little or none with protective measures	5	0
Little or none	0	
<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	0
No impact	0	

CONDITION OF ROAD

unpaved, <40' ROW, or < 16' pavement	20	
16'-18' pavement, 40' ROW	15	0
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

AVAILABILITY OF PUBLIC SEWER

Not available	15	
Sewer over 600'-1200' away	8	15
Private central sewage system	5	
Sewer 600' or less away and available	0	

AVAILABILITY OF PUBLIC WATER

Not available	20	
1,000-1,500' away	15	0
Less than 1,000' away	5	
Public water available at site	0	

DISTANCE FROM RESPONDING FIREHOUSE

Not in fire protection district	20	
More than 5 miles or fire protection by assignment	10	5
2.6-5 miles	5	
0-2.5 miles	0	

DRIVING TIME TO HIGH SCHOOL

Over 30 minutes	10	
15-30 minutes	5	0
Less than 15 minutes	0	

SITE ASSESSMENT TOTAL**75**

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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	32	100	32
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	0	98	
68A	Sable	P2		87	
679B	Blackberry	P		87	
705B	Buckhart	P		87	
86B	Oscos	P	25	87	22
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		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		75	
279B	Rozetta	P		75	
45A	Denny	P2		75	

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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	23	74	17
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		57	
8D	Hickory	I		50	
8D2	Hickory	I		50	
280D3	Fayette	I		44	
8D3	Hickory	I	10	44	4
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				

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

75

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GRAND TOTAL	150
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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.