

CASE# 2011-013 4-1
RESOLUTION NUMBER _____

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
6362 SALISBURY CEMETERY RD., PLEASANT PLAINS
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 Petitioner, **Timothy Smith**, has petitioned the Sangamon County Board for a **variance to allow for two (2) parcels less than forty (40) acres; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **March 17, 2011** 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

MAR 24 2011

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 5th day of April, 2011 that the request for a variance to allow for two (2) parcels less than forty (40) acres on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 5th day of April, 2011.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING COMMITTEE OF
THE SANGAMON COUNTY BOARD



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

**BEGINNING IN THE CENTER OF SECTION TWENTY-NINE (29),
TOWNSHIP SEVENTEEN (17) NORTH, RANGE SIX (6) WEST OF
THE THIRD PRINCIPAL MERIDIAN, AND RUNNING THENCE
SOUTH FORTY-EIGHT (48) RODS, THENCE EAST FORTY (40)
RODS, THENCE NORTH FORTY-EIGHT (48) RODS, AND
THENCE WEST FORTY (40) RODS TO THE PLACE OF
BEGINNING, CONTAINING TWELVE (12) ACRES, MORE OR
LESS;**

**EXCEPT ALL COAL AND MINERALS UNDERLYING SAID
LAND.**

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #1 NAME: Harry "Tom" Fraase

DOCKET NUMBER: 2011-013

ADDRESS: 6362 Salisbury Cemetery Rd., Pleasant Plains, IL. 62677

PETITIONER: Timothy Smith

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with
a variance to allow for two (2) parcels less
than forty (40) acres.

AREA: 12 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The 12 acre parcel contains two structures being used as single family residences. As such, the property is legal, but non-conforming to the regulations. The frame structure is uninhabitable and will be removed. Dividing the parcel will allow the property owner to continue to use each parcel for single family residences and there will be no negative impact on the immediate area.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2011-013
Timothy Smith)	
)	PROPERTY LOCATED AT:
)	6362 Salisbury Cemetery Rd.,
)	Pleasant Plains, IL. 62677

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 **March 17, 2011** 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: **6362 Salisbury Cemetery Rd., Pleasant Plains, IL.** and more particularly described as:

See Exhibit A

He

3. That the present zoning of said property is "A" Agricultural District.
4. That the present land use of said property is a uninhabitable single family residence and a modular home.
5. That the proposed land use of said property is a double wide manufactured home after the division of one (1) acre more or less.
6. That the requested variance of said property is to allow for two (2) parcels less than forty (40) 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 **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, **Charles Chimento**, 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 **Charles Chimento**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, Marvin Traylor**

NO:

ABSENT:


 RECORDING SECRETARY