

CASE# 2014-041  
RESOLUTION NUMBER 7-1

**GRANTING VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**IN THE 11,750-12,250 BLOCKS OF OLD JACKSONVILLE 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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **Congita W. Farquhar**, has petitioned the Sangamon County Board for **Parcels One (1) and Two (2): a variance to allow one (1) parcel less than forty (40) acres; and, for Parcel Three (3): a variance to allow one (1) parcel less than forty (40) acres and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **September 18, 2014** 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 variances; and**

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

**FILED**

SEP 23 2014

*Joe O'Neil*  
Sangamon County Clerk


NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14<sup>th</sup> day of October, 2014 that the request for Parcels One (1) and Two (2): a variance to allow one (1) parcel less than forty (40) acres; and, for Parcel Three (3): a variance to allow one (1) parcel less than forty (40) acres and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14<sup>th</sup> day of October, 2014.

Respectfully submitted,

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

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



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DAVID MENDENHALL, VICE CHAIRMAN

\_\_\_\_\_  
JOHN FULGENZI

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

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

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

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

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

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

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

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

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ATTEST:

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

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

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**RECAP**

(For County Board Use)

COUNTY BOARD MEMBER: #7                      NAME: Craig Hall

DOCKET NUMBER: 2014-041

ADDRESS: In the 11,750-12,250 Blocks of Old Jacksonville Road, New Berlin, IL 62670

PETITIONER: Congita W. Farquhar

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: **Parcels One (1) and Two (2): a variance to allow one (1) parcel less than forty (40) acres; and, for Parcel Three (3): a variance to allow one (1) parcel less than forty (40) acres and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width.**

AREA: 102.02 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The standards for variation are met. The petitioner is requesting to divide the properties to fulfill a Will and the property will remain in agricultural production.**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

**Approval**

*Cyndi Knowles*  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: 2014-041
Congita W. Farquhar )	
)	PROPERTY LOCATED AT:
)	<b>In the 11,750-12,250 Blocks of</b>
)	<b>Old Jacksonville Road</b>
)	<b>New Berlin, IL 62670</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 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 **September 18, 2014** 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 11,750-12,250 Blocks of Old Jacksonville Road, New Berlin, IL 62670** and more particularly described as:

**All that part of the East Half of the Northeast Quarter of Section Nine (9) that lies South of the State Road; Also that part of the West Half of the Northwest Quarter of Section Ten (10), that lies South of the State Road; all in Township Fifteen (15) North of Range (7) West of the Third Principal Meridian, Sangamon County, Illinois.**

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is farm ground.
- 5. That the proposed land use of said property is farm ground.
- 6. That the requested variances of said property are for Parcels One (1) and Two (2): a variance to allow one (1) parcel less than forty (40) acres; and, for Parcel Three (3): a variance to allow one (1) parcel less than forty (40) acres and a variance to allow the lot depth to be greater than two and one-half (2 1/2) times the lot width.
- 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 variances 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 variances be approved.

*Charles Chimento*  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Janet Dobrinsky**, 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 **Merilyn Herbert**.

The vote of the Board was as follows:

YES: **Charles Chimento, Merilyn Herbert, Andrew Spiro, John Lucchesi & Janet Dobrinsky**

NO:

PRESENT:

ABSENT: **Don Wulf**

*Cyneti Knowles*  
RECORDING SECRETARY

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**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2014-041

Address: In the 11,750-12,250 Blocks of Old Jacksonville Road, New Berlin

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 request is being made to facilitate division of the property in accordance with a Will and the property is to remain in agricultural production.**

- (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 petition states that the division is being made to fulfill the requirements of a Will.**

- (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.**