

CASE# 2015-037
RESOLUTION NUMBER 7-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
IN THE 5,600 BLOCK OF BOARMAN ROAD, PAWNEE
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 Petitioners, **Thomas & Cindy Boarman and Stephen Boarman**, have petitioned the Sangamon County Board for a **variance to allow two (2) parcels 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 for both parcels;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **September 17, 2015** 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 25 2015

Don [Signature]
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **6th Day of October, 2015** that the request for a variance to allow two (2) parcels 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 for both parcels on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this **6th day of October, 2015**.

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

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of the East Half of the Northwest Quarter of Section 33, Township 13 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, being more particularly described as: Commencing at the Northeast corner of the East Half of the Northwest Quarter of said Section 33; thence South 89 degrees 27 minutes 20 seconds West (Assumed Bearings), 331.96 feet on the North line of the East Half of the Northwest Quarter of said Section 33 to the Point of Beginning; thence South 01 degrees 02 minutes 26 seconds East, 2,635.48 feet to the South line of the East Half of the Northwest Quarter of said Section 33; thence South 89 degrees 31 minutes 16 seconds West, 664.07 feet on said South line; thence North 01 degrees 02 minutes 26 seconds West, 2,634.72 feet to the North line of the East Half of the Northwest Quarter of said Section 33; thence North 89 degrees 27 minutes 20 seconds East, 664.07 feet on said North line to the Point of Beginning, containing 40.18 acres, more or less. Except all coal, minerals and mining rights heretofore conveyed or reserved of record. Situated in Sangamon County, Illinois.

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: 4 NAME: Jeff Thomas

DOCKET NUMBER: 2015-037

ADDRESS: In the 5,600 Block of Boarman Road, Pawnee, IL 62558

PETITIONER: Thomas & Cindy Boarman and Stephen Boarman

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow two (2) parcels 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 for both parcels.

AREA: 40.18

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The requested variance will allow a division into two (2) equal halves, east and west. The property is and will continue to remain farmland. The division is requested to settle an estate. The Standards of Variation are met.**

SANGAMON COUNTY BOARD OF APPEALS

RECOMMENDATION: **Approval as staff recommended.**

Cyndi Knowles
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2015-037
Thomas & Cindy Boarman and)	
Stephen Boarman)	PROPERTY LOCATED AT:
)	In the 5,600 Block of Boarman Road
)	Pawnee, IL 62558

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 **variances** 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 17, 2015** 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 5,600 Block of Boarman Road, Pawnee, IL 62558** 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 **farmland**.
- 5. That the proposed land use of said property is **farmland**.
- 6. That the requested **variances** of said property are **a variance to allow two (2) parcels 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 for both parcels**.
- 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 **granted**.

Charles Chimento/cx
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, Andrew Spiro, & Merilyn Herbert.**

NO:

PRESENT:

ABSENT:

Ayni Knowles
RECORDING SECRETARY

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**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2015-037**

Address: **5600 Block of Boarman Road, Pawnee**

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 requested variance will allow a division into two (2) equal halves of approximately twenty (20) acres each. The property is and will continue to remain farmland. Granting the variance will facilitate settlement of an estate.

- (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 division is requested to settle an estate.

- (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.