

CASE# 2016-008
RESOLUTION NUMBER 7-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
6547 JOHNSON ROAD, ROCHESTER
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:

The West Half of the Southeast Quarter of Section 27, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois.

WHEREAS, the Petitioner, **Henry Patterson**, has petitioned the Sangamon County Board for a **variance to allow Proposed Tract 2 to be less than forty (40) acres**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **February 18, 2016** 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

FEB 25 2016

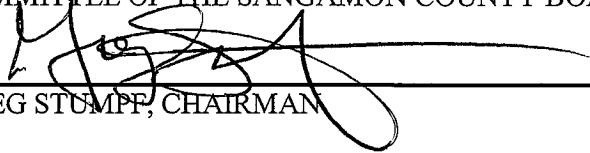
Don May
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **8th Day of March, 2016** that the request for a variance to allow Proposed Tract 2 to be 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 **8th day of March, 2016**.

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

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #9 NAME: Tom Madonia, Jr.

DOCKET NUMBER: 2016-008

ADDRESS: 6547 Johnson Road, Rochester IL 62563

PETITIONER: Henry Patterson

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow Proposed Tract 2 to be less than forty (40) acres.

AREA: 80 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The property can continue to be economically used without the variance. However, the petitioner seeks to divide the property to help settle an estate. The petitioner wishes to divide off fifteen (15) acres for farmland purposes in conjunction with the division of five (5) acres via a one-time exception to separate the residence from the farmland. The Standards for Variation are met.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION: **Approval of staff recommendation.**

Cyndi Knowles
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2016-008
Henry Patterson)	
)	PROPERTY LOCATED AT:
)	6547 Johnson Road
)	Rochester IL 62563

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 **February 18, 2016** 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: **6547 Johnson Road, Rochester IL 62563** and more particularly described as:

The West Half of the Southeast Quarter of Section 27, Township 15 North, Range 4 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 **a single-family residence, outbuildings, and farm ground.**
- 6. That the requested **variance** of said property is **to allow Proposed Tract 2 to be 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.**

Charles Chimento/ck
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Merilyn Herbert**, 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, Andrew Spiro, Merilyn Herbert, and John Lucchesi**

NO:

PRESENT:

ABSENT: **Don Wulf**

Cyndi Knowles
RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2016-008**

Address: **6547 Johnson Road, Rochester**

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 can continue to be economically used without the variance. However, the petitioner seeks to divide the property to help settle an estate. The petitioner wishes to divide off fifteen (15) acres for farmland purposes in conjunction with the division of five (5) acres via a one-time exception to separate the residence from the farmland. There is some benefit to the public from this request, as this particular property owner is precluded from splitting more than twenty (20) acres during her lifetime. In essence, this means the public could benefit by keeping approximately sixty (60) acres in crop production in the near future.

- (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 will help 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.