

CASE# 2016-013
RESOLUTION NUMBER 7-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
5505 BUFFALO HART ROAD, RIVERTON
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, **Jason Jarrett and Lori & Richard Jarrett**, have petitioned the Sangamon County Board for **proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres (approximately nine acres); a variance to allow forty (40) feet of road frontage instead of the required one hundred fifty (150) feet; a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road; a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width; and, for proposed Parcel 2: a variance to allow one (1) parcel less than forty (40) acres (approximately 2.15 acres); and**

WHEREAS, a public hearing was held at the Sangamon County Building on **April 21, 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 variances**; and

FILED

APR 28 2016

Don J. King
Sangamon County Clerk

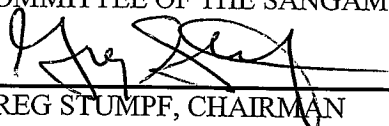
WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10th Day of May, 2016 that the request for proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres (approximately nine acres); a variance to allow forty (40) feet of road frontage instead of the required one hundred fifty (150) feet; a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road; a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width; and, for proposed Parcel 2: a variance to allow one (1) parcel less than forty (40) acres (approximately 2.15 acres) on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 10th day of May, 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 RATTTS

LINDA DOUGLAS WILLIAMS

ANNETTE FULGENZI

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

A tract of land lying in and being a part of Lot 2 and Lot 3 in the Estate of Joseph A. Berry, also being a part of the Northeast Quarter of Section 31 and a part of the West Half of the Northwest Quarter of Section 32, all in Township 17 North, Range 3 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

Beginning at a found stone monument marking the Southeast corner of said Northeast Quarter; thence South $89^{\circ}30'26''$ West on the South line of said Northwest Quarter, 583.00 feet to a set iron pin; thence North $00^{\circ}25'55''$ East, 607.00 feet to a set iron pin; thence South $88^{\circ}54'02''$ East, 573.00 feet to a set iron pin on the East line of said Quarter; thence South $00^{\circ}32'03''$ East on said East line, 186.00 feet to a set iron pin; thence North $72^{\circ}31'54''$ East, 225.38 feet to a set iron pin; thence North $89^{\circ}58'07''$ East, 105.52 feet to a set iron pin; thence South $74^{\circ}15'23''$ East, 102.83 feet to a set iron pin; thence South $66^{\circ}38'45''$ East, 356.85 feet to a set iron pin; thence South $82^{\circ}12'25''$ East, 350.33 feet to a set iron pin; thence South $72^{\circ}33'21''$ East, 80.07 feet to a set iron pin; thence South $00^{\circ}24'31''$ East, 231.40 feet to a set spike; thence South $89^{\circ}58'43''$ West on the South line of the West Half of the Northwest Quarter of said Section 32, 1168.43 feet to the point of beginning, containing 17.749 acres m/l, all as per survey in December of 2013 of Hans B. Distlehorst, Illinois Professional Land Surveyor #035-3271.

And

The North Forty (40) feet of the Southeast quarter of Section 31; and the East Twenty (20) feet of that portion of the Southeast Quarter of Section 31 located North of the right of way of County Highway 16; All in Township 17 North Range 3 West of the Third Principal Meridian, Sangamon County Illinois.

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: #3 NAME: David Mendenhall

DOCKET NUMBER: 2016-013

ADDRESS: 5505 Buffalo Hart Road, Riverton, IL 62561

PETITIONER: Jason Jarrett and Lori & Richard Jarrett

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: For proposed Parcel 1: "A" Agricultural District with a variance to allow one (1) parcel less than forty (40) acres (approximately nine acres); a variance to allow forty (40) feet of road frontage instead of the required one hundred fifty (150) feet; a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road; a variance to allow the lot depth to be greater than two and one-half (2 1/2) times the lot width; and, for proposed Parcel 2: "A" Agricultural District with a variance to allow one (1) parcel less than forty (40) acres (approximately 2.15 acres).

AREA: 20.6 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval. The purpose of the case is to allow the farmstead owner to purchase the driveway leading to Buffalo Hart Road to the south, ensuring the house is not landlocked. This will also give the house a non-easement based access, which is considered a sound planning principle. The width of the driveway will be approximately forty (40) feet at its narrowest point and it appears the driveway will be wider at the road. The split would also allow approximately 9.8 acres of

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tillable ground to be recombined to make an approximately 80-acre farmland tract. This split will help the owner yield a reasonable return on the property, as it will allow the tillable parcels to be combined into one and the house to be combined with the driveway. The Standards for Variation are met.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval as staff recommended.


RECORDING SECRETARY

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SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: **2016-013**
Jason Jarrett and Lori & Richard Jarrett)
) PROPERTY LOCATED AT:
) **5505 Buffalo Hart Road**
) **Riverton, IL 62561**

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 **April 21, 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: **5505 Buffalo Hart Road, Riverton, IL 62561** and more particularly described as:

See Exhibit A

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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 agricultural outbuildings.**
5. That the proposed land use of said property is a **single-family residence and agricultural outbuildings.**
6. That the requested **variances** of said property are **for proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres (approximately nine acres); a variance to allow forty (40) feet of road frontage instead of the required one hundred fifty (150) feet; a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road; a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width; and, for proposed Parcel 2: a variance to allow one (1) parcel less than forty (40) acres (approximately 2.15 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 **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**.


 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Anthony Mares**, 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 **Don Wulf**.

The vote of the Board was as follows:

YES: **Charles Chimento, Anthony Mares, Don Wulf, Andrew Spiro, and John Lucchesi**

NO:

PRESENT:

ABSENT:


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2016-013**

Address: **5505 Buffalo Hart Road, Riverton**

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 petitioners want to reconfigure two (2) existing parcels via tract survey to combine an existing driveway with the farmstead in order to have a non-easement based access to Buffalo Hart Road to the south. The width of the driveway will be approximately forty (40) feet at its narrowest point and it appears it will be wider at the road. The split would also allow approximately 9.8 acres of tillable ground to be recombined to make an approximately 80-acre farmland tract. This split will help the owner yield a reasonable return on the property as it will allow the tillable parcels to be combined into one and the house to be combined with the driveway.

- (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 driveway is long-standing, having been created when the curve on Buffalo Hart Road was constructed sometime prior to the late 1930s.

- (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 in granting the requested variance.