

CASE# 2015-018 7-1
RESOLUTION NUMBER

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
10143 N. PAWNEE 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, **Jean Brickey, Christine Cary & Barbara Hart**, have petitioned the Sangamon County Board for **Proposed Parcel 1: a variance to allow one (1) parcel less than five (5) acres; and for Proposed Parcel 2: a variance to allow one (1) parcel less than forty (40) acres, a variance to allow the lot depth to be met a distance greater than sixty (60) feet from a public road, a variance to allow thirty (30) feet of road frontage instead of the required one hundred-fifty (150) feet, and a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and**

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

FILED

JUN 28 2015

Don J. Blaney
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 14th Day of July, 2015 that the request for Proposed Parcel 1: a variance to allow one (1) parcel less than five (5) acres; and for Proposed Parcel 2: a variance to allow one (1) parcel less than forty (40) acres, a variance to allow the lot depth to be met a distance greater than sixty (60) feet from a public road, a variance to allow thirty (30) feet of road frontage instead of the required one hundred-fifty (150) feet, and a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14th day of July, 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

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of the East half of the Northeast quarter of Section 24, Township 14 North, Range 5 West of the Third Principal Meridian in Sangamon County, Illinois, described as:

The North 30 Acres of the East half of the Northeast Quart of Section 24, except the following described properties;

The North 300.00 feet of the West 700.00 feet of the East half of the Northeast quarter of Section 24, containing 4.82 acres, more or less, and except;

Commencing at the Northeast corner of Section 24; thence South 579.15 feet along the East line of said Section 24 to the Point of Beginning; thence continuing South along said East line 150.00 feet; thence South 88 degrees 31 minutes 15 seconds West 337.00 feet; thence North parallel with the East line of Said Section 24, 150.00 feet; thence North 88 degree 31 minutes 15 seconds East 337.00 feet to the said East line of Section 24 and the Point of Beginning, containing 1.16 acres more or less. The remaining area being 24.03 acres, more or less including 0.80 acres in Public Roadway.

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: 4 NAME: Vacant

DOCKET NUMBER: 2015-018

ADDRESS: 10143 N. Pawnee Road, Pawnee, IL 62556

PETITIONERS: Jean Brickey, Christine Cary & Barbara Hart

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with for Proposed Parcel 1: a variance to allow one (1) parcel less than five (5) acres; and for Proposed Parcel 2: a variance to allow one (1) parcel less than forty (40) acres, a variance to allow the lot depth to be met a distance greater than sixty (60) feet from a public road, a variance to allow thirty (30) feet of road frontage instead of the required one hundred-fifty (150) feet and a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width.

AREA: 22.58 acres

COMMENTS: None

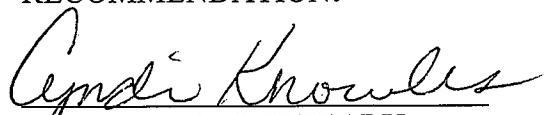
OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval. The owners are seeking to divide the cropland from the homestead in order to settle an estate. However, the existence of a right of way strip [ROW] owned by the City of Springfield limits the ways the subject property can be divided. The owners proposed to divide an approximately thirty (30) foot strip from Pawnee Road along with the tillable acreage from the existing residence. This strip will grant the owners a non-easement based access to the cropland from the County highway. The standards of

variation are met.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval as staff recommended.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2015-018
Jean Brickey, Christine Cary &)	
Barbara Hart)	PROPERTY LOCATED AT:
)	10143 N. Pawnee Road
)	Pawnee, IL 62556

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 **June 18, 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: **10143 N. Pawnee Road, Pawnee, IL 62556** 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 a single-family residence and farmland.
- 5. That the proposed land use of said property is a single-family residence and farmland.
- 6. That the requested variances of said property are for Proposed Parcel 1: a variance to allow one (1) parcel less than five (5) acres; and for Proposed Parcel 2: a variance to allow one (1) parcel less than forty (40) acres, a variance to allow the lot depth to be met a distance greater than sixty (60) feet from a public road, a variance to allow thirty (30) feet of road frontage instead of the required one hundred-fifty (150) feet, and a variance to allow the lot depth to be greater than two and one-half (2.5) 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, **Andrew Spiro**, 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 & Janet Dobrinsky**

NO:

PRESENT:

ABSENT: **Merilyn Herbert**

Cyndi Knowles
RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2015-018

Address: 10143 North Pawnee 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 owners are seeking to divide the cropland from the homestead in order to settle an estate. However, the existence of a right of way strip [ROW] owned by the City of Springfield limits the ways the subject property can be divided. The owners propose to divide an approximately thirty (30) foot strip from Pawnee Road along with the tillable acreage from the existing residence. This strip will grant the owners a non-easement based access to the cropland from the County highway.

- (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.

Adjacent to the north half of the subject property, there is a large ROW strip owned by the City of Springfield, in preparation for a proposed future curve on Pawnee Road in conjunction with Hunter Lake. The existence of the ROW blocking access to Pawnee Road is a unique circumstance.

- (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.