

CASE# 2015-038
RESOLUTION NUMBER 8-1

GRANTING A REZONING AND VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
IN THE 600 BLOCK OF COVERED BRIDGE ROAD, GLENARM
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 an amendment and variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Stephen J. & Deborah L. Copp**, have petitioned the Sangamon County Board for **Proposed Lot 1: a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width and a variance to allow one (1) parcel less than five (5) acres; and, for Proposed Lot 2: a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District; 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 amendment and 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 J. King
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 Proposed Lot 1: a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width and a variance to allow one (1) parcel less than five (5) acres; and, for Proposed Lot 2: a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District 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

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EXHIBIT A

ALL THAT PART OF THE FOLLOWING DESCRIBED PARCEL LYING WITHIN THE NORTHWEST QUARTER OF SECTION 28, TO-WIT:

PART OF SECTION 21 AND 28 IN TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, IN THE COUNTY OF SANGAMON AND STATE OF ILLINOIS, BOUNDED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 28 AND RUNNING THENCE SOUTH 11 CHAINS AND 21 LINKS TO THE FIRST BRANCH; THENCE FOLLOWING THE MEANDERINGS OF SAID BRANCH TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION AT A POINT 12 CHAINS AND 97 LINKS SOUTH OF THE NORTH LINE OF SAID SECTION; THENCE CONTINUING ALONG SAID BRANCH TO THE MOUTH OF THE SAME AT SUGAR CREEK AT A POINT 9 CHAINS AND 82 LINKS SOUTH OF THE NORTH LINE OF SAID SECTION THENCE WEST 4 CHAINS TO THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 28; THENCE NORTH 9 CHAINS AND 82 LINKS TO THE SOUTH LINE OF SECTION 21 IN TOWNSHIP AND RANGE AFORESAID; THENCE WEST TO A POINT 6 CHAINS AND 50 LINKS EAST OF THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE NORTH 7 CHAINS AND 82 LINKS; THENCE EAST TO A POINT 7 CHAINS AND 73 2/3 LINKS NORTH OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 21; THENCE EAST TO A POINT IN THE EAST LINE OF SAID SECTION 21, 7 CHAINS AND 73 2/3 LINKS NORTH OF THE PLACE OF BEGINNING; AND THENCE SOUTH TO THE PLACE OF BEGINNING

EXCEPT,

THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 14 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT A STONE AT THE NORTHWEST CORNER OF SAID SECTION 28; THENCE NORTH 88 DEGREES 31 MINUTES 41 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 28, 1331.76 FEET; THENCE SOUTH 1 DEGREE 47 MINUTES 06 SECONDS EAST 20.0 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF TOWNSHIP ROAD 353 AND ON THE WEST PROPERTY LINE, SAID POINT BEING THE POINT OF BEGINNING; FROM SAID POINT OF BEGINNING NORTH 88 DEGREES 31 MINUTES 41 SECONDS EAST 1282.32 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE SOUTH 83 DEGREES 20 MINUTES 44 SECONDS WEST, 223.41 FEET; THENCE SOUTH 73 DEGREES 58 MINUTES 07 SECONDS WEST 297.60 FEET; THENCE SOUTH 76 DEGREES 28 MINUTES 55 SECONDS WEST 402.78 FEET; THENCE SOUTH 78 DEGREES 15 MINUTES 08 SECONDS WEST 79.17 FEET TO THE WEST PROPERTY LINE; THENCE NORTH 1 DEGREE 47 MINUTES 06 SECONDS WEST 220.35 FEET ALONG THE WEST PROPERTY LINE TO THE POINT OF BEGINNING, CONTAINING 2.172 ACRES, MORE OR LESS.

SAID DESCRIBED PARCEL IS IDENTIFIED AS PARCEL NO. 29-28.0-100-018

SAID PARCEL CONTAINS 18.64 ACRES, MORE OR LESS.

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: 5 NAME: Pam Deppe

DOCKET NUMBER: 2015-038

ADDRESS: In the 600 Block of Covered Bridge Road, Glenarm, IL 62536

PETITIONER: Stephen J. & Deborah L. Copp

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: **Proposed Lot 1: "A" Agricultural District with a variance to allow the lot depth to be greater than two and one-half (2 1/2) times the lot width and a variance to allow one (1) parcel less than five (5) acres; and for Proposed Lot 2: a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District.**

AREA: 18.64

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION
RECOMMENDATION:

Recommend approval of the requested rezoning and variance. The LESA score of 145 indicates the subject property is acceptable for non-agricultural development. The general area is a mixture of single-family residences, cropland, timber, and floodplain. Pertaining to the variance, the request is necessary to facilitate a land split. The current owner would like to sell the western portion of the property, i.e. Proposed Lot 2, as a buildable parcel. The petitioner would buy the eastern four (4) acres of the subject property to keep as timber land from the current property owner. 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: 2015-038
Stephen J. & Deborah L. Copp)	
)	PROPERTY LOCATED AT:
)	In the 600 Block of Covered Bridge Rd
)	Glenarm, IL 62536

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 an **amendment and 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 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 600 Block of Covered Bridge Road, Glenarm, IL 62536** 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 **timber ground**,
- 5. That the proposed land use of said property is **Proposed Lot 1 will remain timber and Proposed Lot 2 will have a single-family residence**.
- 6. That the requested **rezoning and variances** of said property are for **Proposed Lot 1: a variance to allow the lot depth to be greater than two and one-half (2 1/2) times the lot width and a variance to allow one (1) parcel less than five (5) acres; and, for Proposed Lot 2: a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District**.
- 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 **rezoning and variances** are 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 **rezoning and variances** be approved.

Charles Chimento/cx
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, & Marilyn Herbert.**

NO:

PRESENT:

ABSENT:

Cyndi Knowles
RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

Case #: **2015-038**

Address: **600 Block of Covered Bridge Road, Glenarm**

- (i) Existing uses of property within the general area of the property in question.

To the north are a park and single-family residences. To the east is timber. To the south are cropland, timber, and floodplain. To the west is floodplain.

- (ii) The zoning classification of property within the general area of the property in question.

The majority of the area is Agricultural. There are pockets of R-1 zoning slightly to the southwest and to the north across Covered Bridge Road.

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

The LESA score of 145 indicates the property is acceptable for non-agricultural development. The property is currently timbered. This is an allowable use in Agricultural or R-1. The current owner would like to sell the western portion of the property, i.e. proposed Lot 2, as a buildable parcel. The petitioner would buy the eastern four (4) acres of the subject parcel to keep as timbered land from the current property owner.

- (iv) The trend of development, within the vicinity since the property was originally classified.

The general area is a mixture of single-family residences, cropland, timber, and floodplain. Single-family residence subdivisions are located slightly to the southwest and to the north across Covered Bridge Road. These appear to have been constructed after 1969.

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2015-038**

Address: **600 Block of Covered Bridge Road, Glenarm**

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 variance request is necessary to facilitate a land split. Granting the variance will allow a portion of the property to remain in timber for an adjacent landowner (Proposed Lot 1) while the larger remainder is sold to create a new home site (Proposed Lot 2).

- (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 subject property is heavily timbered and contains some floodplain. The subject property's topography could further decrease the buildable area on Proposed Lot 2, limiting its desirability as a buildable lot.

- (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.

To the extent that any new construction stays outside the floodplain, the essential character of the area should remain the same. No negative impacts are anticipated regarding the other factors.

Parcel # 29-28-100-018

Zoning Case # 2015-038

LAND EVALUATION AND SITE ASSESSMENT

Part 1: Site Assessment

	Available Points	Points
<u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u>		
90% or more	20	
75-89%	10	
50-74%	5	0
Under 50%	0	
<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	
75-89%	10	
50-74%	5	5
Under 50%	0	
<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	
50-74%	5	0
Under 50%	0	
<u>COUNTY SECTOR</u>		
Rural	20	
0.5 mile from incorporated area	10	10
Incorporated area	0	
<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	
50-74%	10	20
25-49%	5	
Less than 25% or sewer available	0	
<u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u>		
Negative impact	15	
Little or none with protective measures	5	5
Little or none	0	

<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	0
No impact	0	

<u>CONDITION OF ROAD</u>		
unpaved, <40' ROW, or < 16' pavement	20	0
16'-18' pavement, 40' ROW	15	
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

<u>AVAILABILITY OF PUBLIC SEWER</u>		
Not available	15	15
Sewer over 600'-1200' away	8	
Private central sewage system	5	
Sewer 600' or less away and available	0	

<u>AVAILABILITY OF PUBLIC WATER</u>		
Not available	20	20
1,000-1,500' away	15	
Less than 1,000' away	5	
Public water available at site	0	

<u>DISTANCE FROM RESPONDING FIREHOUSE</u>		
Not in fire protection district	20	5
More than 5 miles or fire protection by assignment	10	
2.6-5 miles	5	
0-2.5 miles	0	

<u>DRIVING TIME TO HIGH SCHOOL</u>		
Over 30 minutes	10	0
15-30 minutes	5	
Less than 15 minutes	0	

SITE ASSESSMENT TOTAL		80
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Part 2: Agricultural Land Evaluation (Based on Sangamon County Soil Survey)

<u>Soil</u>	<u>Name</u>	<u>Type</u>	<u>%</u>	<u>Relative Value</u>	<u>Points</u>
198A	Elburn	P		100	
199A	Plano	P		100	
43A	Ipava	P		100	
7148A	Proctor	P		100	
46A	Herrick	P		100	
7037A	Worthen	P		100	
705A	Buckhart	P		98	
199B	Plano	P		98	
36B	Tama	P		98	
244A	Hartsburg	P2		98	
257A	Clarksdale	P2		98	
68A	Sable	P2		87	
679B	Blackberry	P		87	
705B	Buckhart	P		87	
86B	Oscos	P	2	87	2
684B	Broadwell	P		87	
50A	Virden	P2		87	
712A	Spaulding	P2		87	
127B	Harrison	P		87	
3077A	Huntsville	P3		87	
138A	Shiloh	P2		87	
249A	Edinburg	P2		87	
242A	Kendall	P2		87	
7242A	Kendall	P2		87	
134A	Camden	P		87	
17A	Keomah	P2		87	
3451A	Lawson	P3	27	75	20
3107A	Sawmill	P5		75	
7075B	Drury	P		75	
8396A	Vesser	P2		75	
3074A	Radford	P3		75	
3073A	Ross	P3		75	
3284A	Tice	P3		75	
279B	Rozetta	P	6	75	5
45A	Denny	P2		75	
134B	Camden	P		75	
112A	Cowden	P2		75	
685B	Middletown	P		75	
3405A	Zook	P5		75	
131C2	Alvin	P		75	
86C2	Oscos	I		74	
36C2	Tama	I		74	
684C2	Broadwell	I		74	
119C2	Elco	I		74	
119D	Elco	I		74	
127C2	Harrison	I		74	
119D2	Elco	I	44	74	33
567C2	Elkhart	I		74	
134C2	Camden	I		74	

259C2	Assumption	I	7	74	5
685C2	Middletown	I		74	
280D2	Fayette	I		74	
119D3	Elco	N		74	
259D2	Assumption	I		74	
212C2	Thebes	I		74	
630C2	Navlys	I		74	
630D2	Navlys	I		74	
630D3	Navlys	I		57	
131D2	Alvin	I		57	
8D	Hickory	I		50	
8D2	Hickory	I		50	
280D3	Fayette	I		44	
8D3	Hickory	I		44	
8F	Hickory	N		44	
549G	Marseilles	N		0	
533	Urban Land	N			
536	Dumps	N			
830	Orthents, Land	N			
862	Pits, Sand	N			
864	Pits, Quarries	N			
801C	Orthents, Silty	N			
W	Water				

Prime/Important Farmlands Designations:

P: Prime farmland

P2: Prime where drained

P3: Prime where protected from flooding or flooding is less often than once in two years during the growing season.

P5: Prime where drained and either protected from flooding or flooding is less often than once in two years during the growing season.

I: Important farmland

N: Not Prime/Important Farmland

AGRICULTURAL LAND EVALUATION TOTAL	65
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GRAND TOTAL	145
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Fewer than 150 points shall be deemed acceptable for non-agricultural development.

From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.

Greater than 175 points shall be considered suitable for agricultural use only.