

CASE# 2017-009
RESOLUTION NUMBER 8-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
8740 CLARKSVILLE 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 the variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Sally Hundley**, has petitioned the Sangamon County Board for **Proposed Parcel 1 (Parcel A): a variance to allow a parcel to be less than forty (40) acres (approximately 2.5 acres), and 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 (Parcel B): a variance to allow a parcel to be less than forty (40) acres (approximately 37.5 acres), and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **March 16, 2017** 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

MAR 29 2017

Don J. King
Sangamon County Clerk

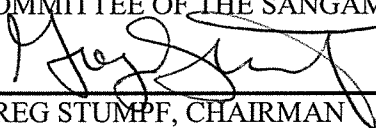
WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **10th Day of April, 2017** that the request for **Proposed Parcel 1 (Parcel A): a variance to allow a parcel to be less than forty (40) acres (approximately 2.5 acres), and 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 (Parcel B): a variance to allow a parcel to be less than forty (40) acres (approximately 37.5 acres), and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width on the above described property is hereby approved.**

Signed and passed by the Sangamon County Board in session on this **10th day of April, 2017.**

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

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

Exhibit A

Proposed Parcel 1 (Parcel A) – 2.50 ACRES Remainder (Part of PIN 23-36.0-100-008)

Part of the East Half of the Northeast Quarter of the Northwest Quarter of Section 36, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Commencing at the Northeast corner of said Northwest Quarter of Section 36; thence North 89°59'29" West, (Assumed Bearing) on the North line of said Northwest Quarter, a distance of 30.00 feet a mag nail found being the point of beginning; thence South 02°34'08" East, 622.29 feet to an iron pin found; thence North 89°59'29" West, parallel with said North line, 175.00 feet to an iron pin set; thence North 02°34'08" West, 622.29 feet to a mag nail set on said North line; thence South 89°59'29" East, on said North line, 175.00 feet to the point of beginning, containing (108901 S.F.) 2.50 acres, more or less.

AND

Proposed Parcel 2 (Parcel B) (PIN 23-36.0-100-007 & Part of PIN 23-36.0-100-008)

The East Half of the East Half of the Northwest Quarter of Section 36, Township 15 North, Range 4 West of the Third Principal Meridian **EXCEPT that** part of the East Half of the Northeast Quarter of the Northwest Quarter of Section 36, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Commencing at the Northeast corner of said Northwest Quarter of Section 36; thence North 89°59'29" West, (Assumed Bearing) on the North line of said Northwest Quarter, a distance of 30.00 feet a mag nail found being the point of beginning; thence South 02°34'08" East, 622.29 feet to an iron pin found; thence North 89°59'29" West, parallel with said North line, 175.00 feet to an iron pin set; thence North 02°34'08" West, 622.29 feet to a mag nail set on said North line; thence South 89°59'29" East, on said North line, 175.00 feet to the point of beginning, containing (108901 S.F.) 2.50 acres, more or less.

RECAP
(For County Board Use)

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

DOCKET NUMBER: 2017-009

ADDRESS: 8740 Clarksville Road, Rochester, IL 62563

PETITIONER: Sally Hundley

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: For Proposed Parcel 1 (Parcel A): a variance to allow a parcel to be less than forty (40) acres (approximately 2.5 acres), and 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 (Parcel B): a variance to allow a parcel to be less than forty (40) acres (approximately 37.5 acres), and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width.

AREA: 40 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval. The property can continue to be used economically. However, granting the variances would allow the petitioner to separate the agricultural land from the residence located on parcel -008 and combine approximately 2.5 acres with the rest of the agricultural land on parcel -007 to create a parcel totaling approximately 37.5 acres. This would allow the petitioner to sell the agricultural land and keep the single-family residence with approximately 2.5 acres. The Standards for Variation are met.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval of staff recommendation.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2017-009
Sally Hundley))
)	PROPERTY LOCATED AT:
)	8740 Clarksville 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 **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 **March 16, 2017** 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: **8740 Clarksville Road, Rochester, IL 62563** and more particularly described as:

See Exhibit A

Page 2

3. That the present zoning of said property is “**A**” **Agricultural District**.
4. That the present land use of said property is **single-family residence, agricultural, and restricted airplane landing area**.
5. That the proposed land use of said property is for **Proposed Parcel 1: Single-family residence. Proposed Parcel 2: Agricultural**.
6. That the requested **variances** of said property are for **Proposed Parcel 1 (Parcel A): a variance to allow a parcel to be less than forty (40) acres (approximately 2.5 acres), and 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 (Parcel B): a variance to allow a parcel to be less than forty (40) acres (approximately 37.5 acres), and a variance to allow the lot depth to be greater than two and one-half (2 ½) 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** 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 **variances** be **approved**.

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 **Don Wulf**.

The vote of the Board was as follows:

YES: **Charles Chimento, Tony Mares, Don Wulf, Merilyn Herbert**

NO:

PRESENT:

ABSENT: **Andrew Spiro**



RECORDING SECRETARY

8-10

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2017-009**

Address: **8740 Clarksville 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 used economically. However, granting the variances would allow the petitioner to separate the agricultural land from the residence located on parcel -008 and combine approximately 2.5 acres with the rest of the agricultural land on parcel -007 to create a parcel totaling approximately 37.5 acres. This would allow the petitioner to sell the agricultural land and keep the single-family residence with approximately 2.5 acres.

- (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 agricultural land is currently located on both parcels and granting the variance to allow the reconfiguration to occur would allow the cropland to be located on a single parcel.

- (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 variances.