

CASE# 2014-029
RESOLUTION NUMBER 9-1

GRANTING AN AMENDMENT
FOR CERTAIN PROPERTY LOCATED AT
3396 CENTRAL POINT ROAD, CANTRALL
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** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See **EXHIBIT A**

WHEREAS, the Petitioners, **Marygene & Steve Ritchie**, have petitioned the Sangamon County Board for **proposed Parcel 1: a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District to allow for a Morton building and possibly a single-family residence in the future;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **July 17, 2014** 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

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

FILED

JUL 29 2014

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **12th day of August, 2014** that the request for proposed **Parcel 1: a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District to allow for a Morton building and possibly a single-family residence in the future on the above described property is hereby approved.**

Signed and passed by the Sangamon County Board in session on this **12th day of August, 2014.**

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

JOHN FULGENZI

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

The East 70 Acres of the East Half of the Northeast Quarter of Section One (1);
Except One Acre in the Northeast Corner thereof used for School Purposes;

All that Part of the Southeast Fractional Quarter of Section One (1) that Lies
North of the Sangamon River, Containing 122.41 Acres, More or Less;

The East Half of the Southwest Quarter of Section One (1); and, Lots 7, 8 and 9 in
the South Half of the Northwest Quarter of Section One (1), and Lot 6, Being the
Southwest Part of the Northwest Quarter of Said Section One (1), Said Lot 6
Containing 32.13 Acres, More or Less; Also Described as the South Half of the
Northwest Quarter of Section One (1);

The West Half of the Northeast Quarter and the West 10 Acres of the East Half of
the Northeast Quarter of Section One (1);
All in Township Sixteen (16) North, Range Six (6) West of the Third Principal
Meridian, Sangamon County, Illinois.

9-4

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: # 11 NAME: Mike Sullivan

DOCKET NUMBER: 2014-029

ADDRESS: 3396 Central Point Road, Cantrall, IL 62625

PETITIONERS: Marygene & Steve Ritchie

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: "R-1" Single-Family Residence District on proposed Parcel 1.

AREA: 86.51 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **The petitioner would like to tear down the deteriorated single-family residence that is currently on the property and build a new one at a future date. The request is being made to divide ten (10) acres to do so. Staff recommends approval of the request to rezone the proposed ten (10) acre site to R-1. The property has a LESA score of 165 which requires mitigating factors for non-agricultural development. Much of the non-tillable property is included in timber with some located in the floodplain. Due to the topography of the property and the location of the existing residence that is not included in cropland, there are mitigating factors to justify this rezoning.**

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: 2014-029
Marygene & Steve Ritchie)	
)	PROPERTY LOCATED AT:
)	3396 Central Point Road
)	Cantrall, IL 62625

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** 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 **July 17, 2014** 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: **3396 Central Point Road, Cantrall, IL 62625** and more particularly described as:

See **EXHIBIT A**

9-6

Page 2

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.**
5. That the proposed land use of said property is **a Morton building and possibly in the future a single-family residence.**
6. That the requested **amendment** of said property is for **proposed Parcel 1: a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District to allow for a Morton building and possibly a single-family residence in the future.**
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 **amendment** 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 **amendment** be approved.

Charles Chimento /ck
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Byron Deaner**, 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 **John Lucchesi**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Merilyn Herbert, Andrew Spiro & John Lucchesi**

NO:

PRESENT:

ABSENT: **Don Wulf & Janet Dobrinsky**

Aynali Knowles
RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

Case #: **2014-029**

Address: **3396 Central Point Road, Cantrall**

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

There are single-family residences to the north, east and west and timber to the south.

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

The property is surrounded by Agricultural zoning.

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

The Land Evaluation and Site Assessment score of 165 indicates the property is marginal requiring mitigating factors for non-agricultural development. The majority of the southeast portion of the subject property is timber with a unique topography so it is highly unlikely that this parcel will ever be considered prime farmland in Sangamon County.

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

The area has remained agricultural in nature with many single-family residences built in the vicinity.

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	10
50-74%	5	
Under 50%	0	
<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	
75-89%	10	5
50-74%	5	
Under 50%	0	
<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	
50-74%	5	10
Under 50%	0	
<u>COUNTY SECTOR</u>		
Rural	20	
0.5 mile from incorporated area	10	20
Incorporated area	0	
<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	
50-74%	10	5
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	0
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	
16'-18' pavement, 40' ROW	15	0
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	10
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	5
15-30 minutes	5	
Less than 15 minutes	0	

SITE ASSESSMENT TOTAL	100
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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		87	
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	12	87	10
3451A	Lawson	P3		75	
3107A	Sawmill	P5		75	
7075B	Drury	P	1	75	1
8396A	Vesser	P2		75	
3074A	Radford	P3	1	75	1
3073A	Ross	P3		75	
3284A	Tice	P3		75	
279B	Rozetta	P	24	75	18
45A	Denny	P2		75	
134B	Camden	P		75	
112A	Cowden	P2		75	
685B	Middletown	P	25	75	19
3405A	Zook	P5		75	
131C2	Alvin	P		75	
86C2	Oско	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		74	
567C2	Elkhart	I		74	
134C2	Camden	I		74	
259C2	Assumption	I		74	
685C2	Middletown	I		74	
280D2	Fayette	I	6	74	4
119D3	Elco	N		74	
259D2	Assumption	I		74	
212C2	Thebes	I		74	
630C2	Navlys	I		74	
630D2	Navlys	I		74	
280C2	Fayette	I	13	72	9
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	7	44	3
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	165
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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.