

CASE# 2018-009
RESOLUTION NUMBER 9-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
7578 PRAIRIE SCHOOL 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 a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

The West Half of the Northeast Quarter of Section 24, Township 17 North, Range 4 West of the 3rd PM, Sangamon County, Illinois. Parcel ID Number: 07-24.0-200-001.

WHEREAS, the Petitioners, **Louise C. Oller Estate, William R. Link (Co-Executor)**, have petitioned the Sangamon County Board for **Proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres (approximately 13 acres)**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **March 15, 2018** 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 variance**; and,

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

FILED

MAR 28 2018

Don J. Hagan
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **9th Day of April, 2018** that the request for **Proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres (approximately 13 acres) on the above described property is hereby approved.**

Signed and passed by the Sangamon County Board in session on this **9th day of April, 2018.**

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

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 2 NAME: Todd Smith

DOCKET NUMBER: 2018-009

ADDRESS: 7578 Prairie School Road, Riverton, IL 62561

PETITIONER: Louise C. Oller Estate, William R. Link (Co-Executor)

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: **Proposed Parcel 1: A variance to allow one (1) parcel less than forty (40) acres (approximately 13 acres).**

AREA: 80 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The petitioner is requesting the variance to split the single-family residence and pasture from the cropland to settle an estate. No change in land use is contemplated. 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: 2018-009
Louise C. Oller Estate, William R. Link)	
(Co-Executor))	
)	PROPERTY LOCATED AT:
)	7578 Prairie School 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 a **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 **March 15, 2018** 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:

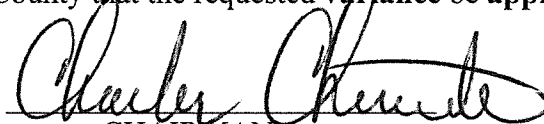
1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **7578 Prairie School Road, Riverton, IL 62561** and more particularly described as:

The West Half of the Northeast Quarter of Section 24, Township 17 North, Range 4 West of the 3rd PM, Sangamon County, Illinois. Parcel ID Number: 07-24.0-200-001.

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 and cropland**.
5. That the proposed land use of said property is a **single-family residence and cropland**.
6. That the requested **variance** of said property is for **Proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres (approximately 13 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 **variance** 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 **variance** be **approved**.


CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Don Wulf**, 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 **Andrew Spiro**.

The vote of the Board was as follows:

YES: **Charlie Chimento, Don Wulf, Andrew Spiro, JD Sudeth, Larry Beaty**

NO:

PRESENT:

ABSENT: **Tony Mares and Gina Lathan**


RECORDING SECRETARY

9-7

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2018-009**

Address: **7578 Prairie School 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 petitioner is requesting the variance to split the single-family residence and pasture from the cropland to settle an estate.

- (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 split will help to settle an estate.

- (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.

Negative impacts are not anticipated.