

CASE # 2006-33
RESOLUTION NUMBER 121

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
6600 TO 7000 BLOCKS OF JOHNSON ROAD AND THE 7800 TO 8000 BLOCKS
OF BRECKENRIDGE 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 **approve a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Melissa D. Vorreyer**, has petitioned the Sangamon County Board for a **variance of the lot area requirement to allow 2 equal tracts less than 40 acres from the 65.55 acre tract**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **June 15, 2006**, 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 **approve the variance**; and

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

FILED

JUN 30 2006

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 11th day of July, 2006 that the requested variance of the lot area requirement to allow 2 equal tracts less than 40 acres from the above described 65.55 acre tract is hereby approved.

Signed and passed by the Sangamon County Board in session on this 11th day of July, 2006.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



DAN VAUGHN, CHAIRMAN

ABE FORSYTH

BILL MOSS

TYRONE PACE

TIM MOORE

DON STEPHENS

DAVID MENDENHALL

ATTEST:



SANGAMON COUNTY CLERK



COUNTY BOARD CHAIRMAN

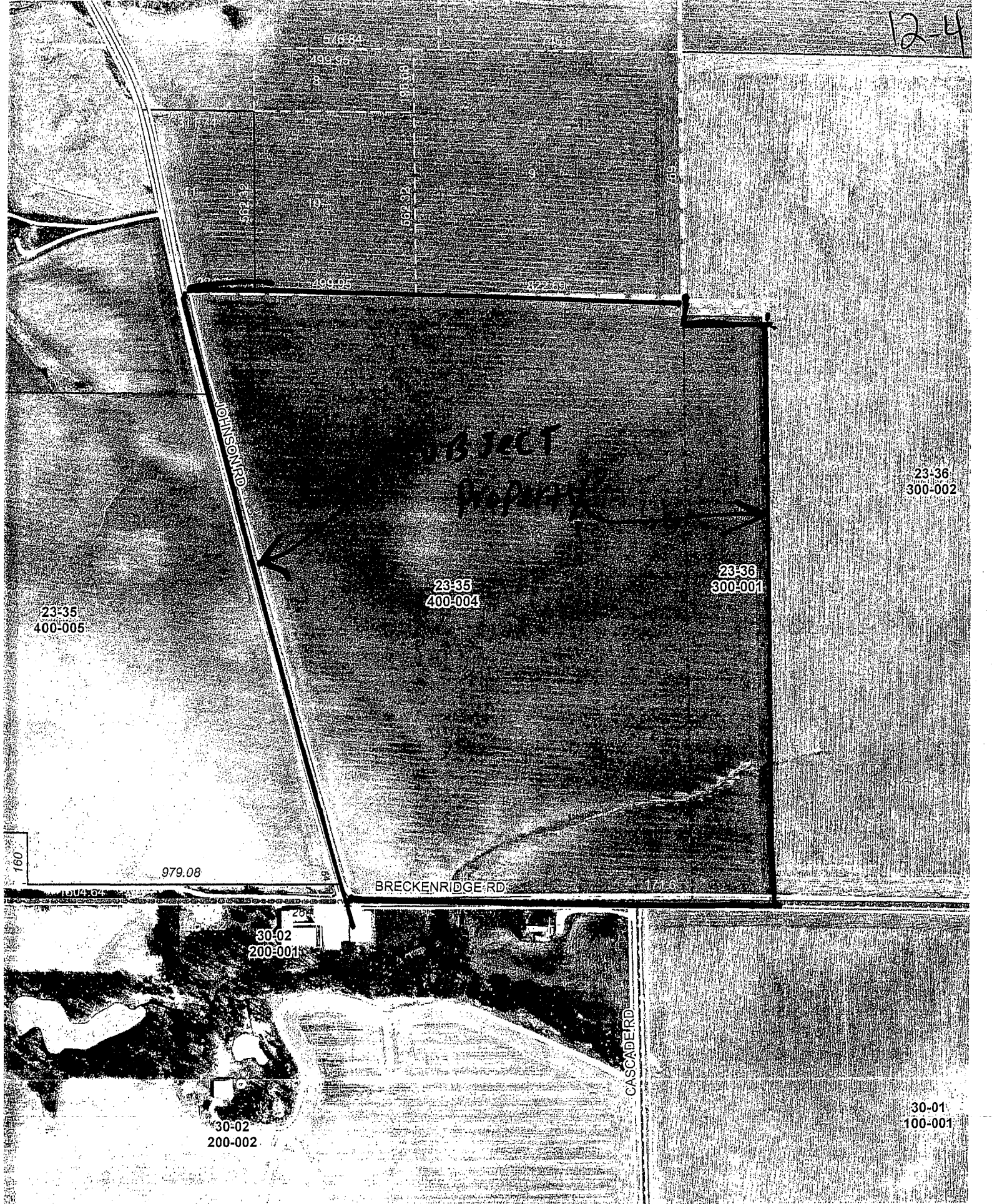
Exhibit A

All that part of the Southeast Quarter of Section 35, Township 15 North, Range 4 West of the Third Principal Meridian in the County of Sangamon and the State of Illinois bounded as follows: Beginning 11 chains and 30 links South of the Northeast corner of said Quarter-Section and running thence South 28 chains and 30 links to the Southeast corner of said Quarter-Section; thence West 40 chains to the Southwest corner of said Quarter-Section; thence 23 chains and 39 links; thence East 17 chains and 89 ½ links to the center of the highway; thence Northwestwardly along the center of said highway to a point 11 chains and fifty links South and 3 chains and 36 links West of the Northeast corner of the West Half of said Quarter-Section; and thence East 23 chains and 40 links to the place of beginning;

Also part of the Southwest Quarter of Section 36 in Township and Range aforesaid bounded as follows, to wit: Beginning at the Southwest corner of said Section and running thence East 3 chains and 62 ¼ links; thence North 27 chains and 50 links; thence West 3 chains and 62 ¼ links; and thence South 27 chains and 50 links to the place of beginning.

Situated in Sangamon County, Illinois.

12-4



23-35
400-005

23-35
400-004

23-36
300-001

23-36
300-002

30-02
200-001

30-02
200-002

30-01
100-001

JOHNSON RD

BRECKENRIDGE RD

CASCADE RD

SUBJECT
PROPERTY



160

979.08

1771.68

5718.84

199.95

3

10

499.05

472.69

562.92

153

20

125

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 4 NAME: **Andy Goleman**

DOCKET NUMBER: **2006-33**

ADDRESS: **6600 to 7000 blocks of Johnson Road and the 7800 to 8000 blocks of Breckenridge Road, Rochester, IL 62563**

PETITIONER: **Melissa D. Vorreyer**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District**

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance of the lot area requirement to allow 2 equal tracts less than 40 acres from the 65.55 acre tract.**


AREA: **65.55 Acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The standards for variation are met.**

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION: **Approval**


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2006-33
Melissa D. Vorreyer)	
)	PROPERTY LOCATED AT:
)	6600 to 7000 blocks of Johnson Road and
)	the 7800 to 8000 blocks of Breckenridge
)	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 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 **June 15, 2006** 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 or contract to purchase the property commonly known as **6600 to 7000 blocks of Johnson Road and the 7800 to 8000 blocks of Breckenridge Road, Rochester, IL 62563** and more particularly described as:

See Exhibit A

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- 3. That the present zoning of said property is "A" Agricultural District
- 4. That the present land use of said property is Agriculture
- 5. That the proposed land use of said property is Agriculture
- 6. That the requested variance of said property is: of the lot area requirement to allow 2 equal tracts less than 40 acres from the 65.55 acre tract.
- 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 **Peggy Egizii** 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 **Patrick Somers**.

The vote of the Board was as follows:

YES: Charles Chimento, Donn Malwick, Peggy Egizii, Patrick Somers and Marvin Traylor

NO:

ABSENT:



 RECORDING SECRETARY

ZONING VARIANCE CHECK LIST

PETITIONER: Vorreyer, Melissa D.
 ADDRESS: 6600-7000 blocks of Johnson Rd and 7800-8000 blocks of Breckenridge Rd.
 EXISTING ZONING: A

REQUEST DESCRIPTION: A variance of the lot area requirement to allow 2 equal tracts less than 40 acres from the 65.55 acre tract.

Staff Estimate of the Effect of the Variance on the Area		None	Slight	Mod.	Great
CONTRASTS:	land use	X			
	appearance	X			
CURRENT VS. PROPOSED	height	X			
	parking	X			
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow	X			

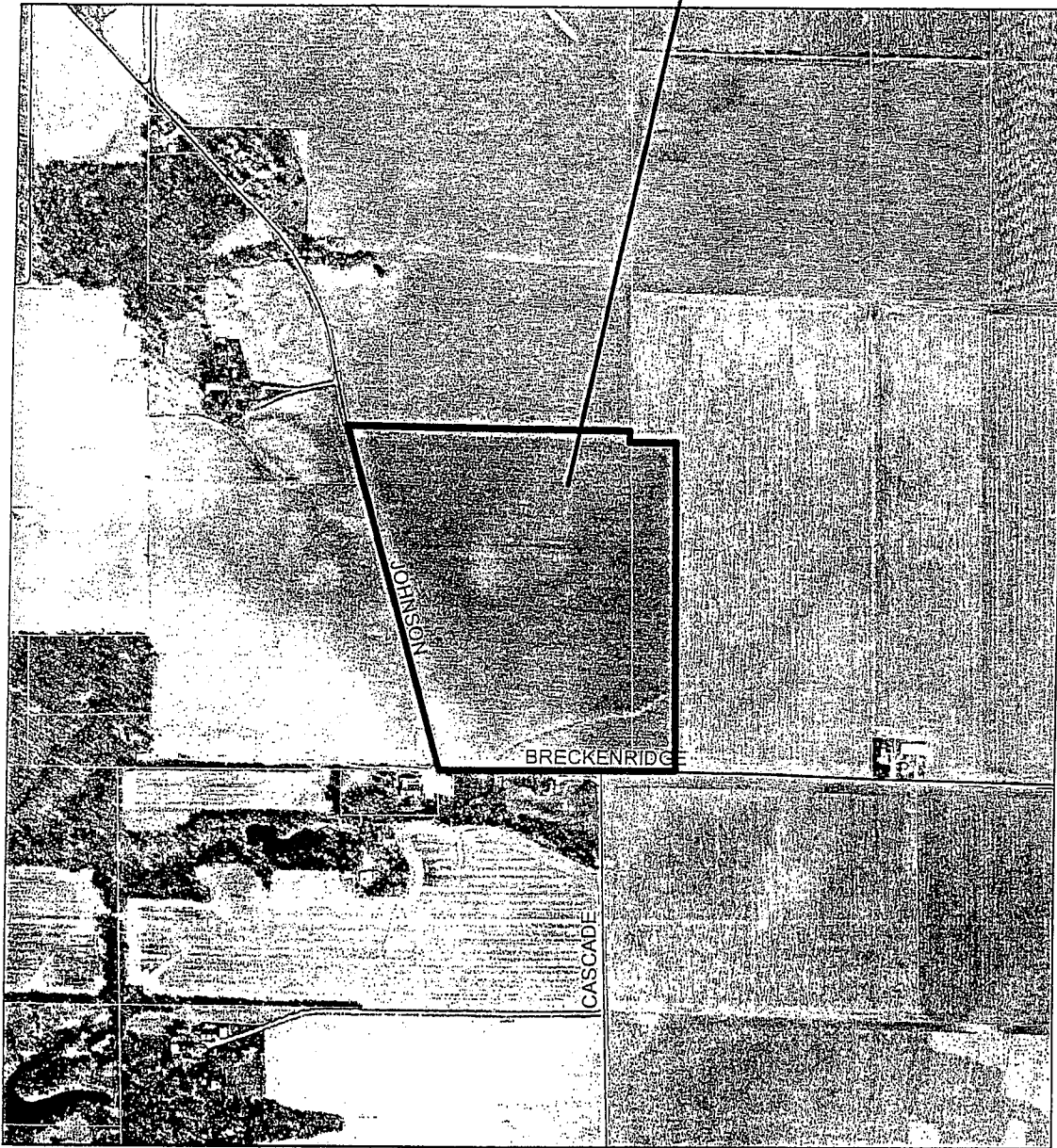


Frontage	Lineal Feet	Existing Yards (ft.)			Area
<u>Breckenridge 1278'</u>					<u>65.55 acres</u>
<u>Johnson 1945'</u>		front	side	rear	

OTHER COMMENTS:

STAFF RECOMMENDATIONS: Recommend approval. The standards for variation are met.

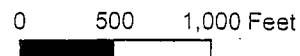
County Zoning Case# 2006-33



County Zoning

City Zoning

R1	B1	R1	H1	OFF
R1a	B2	R2	H2	PUD
R2	B3	R3a	H3	B1
R3	I1	R3b	S1	B2
RM-4	I2	R4	S2	I1
OFF	A	R5	S3	I2



RECOMMENDED STANDARDS FOR VARIATIONS

Case #: 2006-33

Address: 6600-7000 blocks of Johnson Rd and 7800-8000 blocks of Breckenridge Rd.

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 request is made to facilitate the division of the property.

- (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 resulting parcels will be over 30 acres each with the intent to continue crop production which meets the intent of the zoning ordinance.

- (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.

The variation will not alter the criteria mentioned above.