

CASE# 2011-033
RESOLUTION NUMBER 3-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
1013, 1015 & 1205 S. FARMINGDALE ROAD, NEW BERLIN
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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Leonard & Elaine Sunley/ Maebeth Nicholson POA John Irwin and Daniel Sunley**, has petitioned the Sangamon County Board for a **variance to allow three (3) parcels less than forty (40) acres and a variance of the lot depth to be 2 ½ times the lot width for one (1) parcel; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **July 21, 2011** 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**

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

FILED

JUL 28 2011

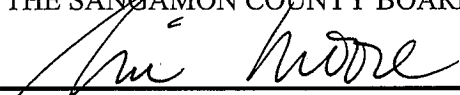
Jae Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 9th day of August, 2011 that the request for a variance to allow three (3) parcels less than forty (40) acres and a variance of the lot depth to be 2 ½ times the lot width for one (1) parcel on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 9th day of August, 2011.

Respectfully submitted,

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



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of Lot 5 of Sunley Estates, Being a Subdivision of Part of the Northeast Quarter of Section 6, Township 15 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois; And,

Lot 1 of Sunley Estates, a Subdivision of Part of the Northeast Quarter of Section 6, Township 15 North, Range 6 West of the Third Principal Meridian, According to the Plat Thereof Recorded September 29, 1989 In the Office of the Recorder of Sangamon County, Illinois as Document Number 89H024580; Also Part of Lot Five of Sunley Estates, being a Subdivision of the part of the Northeast Quarter of Section 6, Township 15 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois, Described as follows:

Beginning at the Southwest Corner of Lot 1 in Sunley Estates; Thence West on the South Line of said Lot 1 as Extended, 290.40 Feet; Thence North Parallel to the West Line of said Lot 1, 150.00 Feet; Thence East 290.40 Feet to the Northwest Corner of said Lot 1; Thence South on the West Line of said Lot 1, 150.00 Feet to the Point of Beginning; And,

Lot 2 of Sunley Estates, a Subdivision of part of the Northeast Quarter of Section 6, Township 15 North, Range 6 West of the Third Principal Meridian, According to the Plat Thereof Recorded September 29, 1989 in the Office of the Recorder of Sangamon County, Illinois, as Document Number H024580.

**Situated in Sangamon County, Illinois
Except the Coal, Mineral and Mining Rights Heretofore Conveyed of Record.**

Subject to all Covenants, Restrictions, Reservations, and Easements of Record if any.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #1 NAME: Harry "Tom" Fraase, Jr.

DOCKET NUMBER: 2011-033

ADDRESS: 1013, 1015 & 1205 S. Farmingdale Road, New Berlin, IL 62670-6578

PETITIONER: Leonard & Elaine Sunley/ Maebeth Nicholson POA
John Irwin and Daniel Sunley

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow three (3) parcels less than forty (40) acres and a variance of the lot depth to be 2 ½ times the lot width for one (1) parcel.

AREA: 31.5 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The standards for variation are met. The petitioners have requested to divide approximately two (2) acres from the larger parcel to be combined with the two (2) smaller subject parcels. No negative impact is anticipated.**

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: **2011-033**
Leonard & Elaine Sunley/ Maebeth Nicholson POA
John Irwin and Daniel Sunley)
))
)) **PROPERTY LOCATED AT:**
)) **1013, 1015 & 1205 S.**
)) **Farmingdale Road,**
)) **New Berlin, IL 62670-6578**

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 **July 21, 2011** 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: **1013, 1015 & 1205 S. Farmingdale Road, New Berlin, IL.** 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 **two (2) single family residences and farmland.**
- 5. That the proposed land use of said property is **two (2) single family residences and farmland.**
- 6. That the requested **variances** of said property are **a variance to allow three (3) parcels less than forty (40) acres and a variance of the lot depth to be 2 ½ times the lot width for one (1) parcel.**
- 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** 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 **variances** be **approved.**

Charles Chimento/cx
 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 **Don Wulf**.

The vote of the Board was as follows:

YES: **Byron Deaner, Peggy Egizii, Judith Johnson, Marvin Traylor, Don Wulf**

NO:

ABSENT: **Charles Chimento**

Cyndi Knozolek
 RECORDING SECRETARY