

CASE# 2015-028
RESOLUTION NUMBER 41

GRANTING AN REZONING
FOR CERTAIN PROPERTY LOCATED AT
15 HOLIDAY LANE, 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 an amendment** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Ronald E. & Sherrill Esserine**, have petitioned the Sangamon County Board for a **rezoning from "A" Agricultural District to "R-1" Single-Family Residence District to allow this parcel to be combined with an adjacent parcel;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **August 20, 2015** 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 rezoning;** and

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

FILED

AUG 28 2015

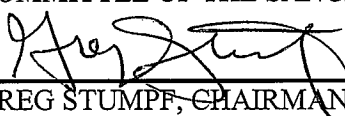

Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 8th Day of September, 2015 that the request for a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 8th day of September, 2015.

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

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

PART OF LOT 29 HOLIDAY ESTATES, PLAT 2 REVISED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF DEEDS, SANGAMON COUNTY, ILLINOIS DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT AN IRON PIPE MARKING THE SOUTHWEST CORNER OF LOT 29; THENCE NORTH 00 DEGREES 23 MINUTES 42 SECONDS WEST ALONG THE WEST LINE OF LOT 29 A DISTANCE OF 159.86 FEET TO A SUBDIVISION MONUMENT; THENCE NORTH 89 DEGREES 38 MINUTES 58 SECONDS EAST A DISTANCE OF 166.90 FEET; THENCE SOUTH 12 DEGREES 05 MINUTES 27 SECONDS EAST A DISTANCE OF 163.28 FEET TO AN IRON PIPE ON THE SOUTH LINE OF LOT 29; THENCE SOUTH 89 DEGREES 38 MINUTES 58 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

ALSO, PART OF LOT 29 OF HOLIDAY ESTATES PLAT II REVISED AS RECORDED IN THE OFFICE OF THE SANGAMON COUNTY RECORDER OF DEEDS, AND DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT AN IRON PIPE MARKING THE SOUTHWEST CORNER OF THE AFOREMENTIONED LOT 29, PLAT II AND COMMON TO THE NORTHEAST CORNER OF LOT 15 OF HOLIDAY ESTATES, PLAT I AS RECORDED IN THE OFFICE OF THE SANGAMON COUNTY RECORDER OF DEEDS; THENCE SOUTH 89 DEGREES 38 MINUTES 58 SECONDS WEST A DISTANCE OF 135.00 FEET ALONG THE SOUTH LINE OF LOT 29 AND COMMON TO THE NORTH LINE OF LOT 15 OF THE AFOREMENTIONED PLAT I TO AN IRON PIPE AT THE EAST RIGHT-OF-WAY LINE OF HOLIDAY LANE AND COMMON TO THE NORTHWEST CORNER OF LOT 15 OF THE AFOREMENTIONED PLAT I; THENCE NORTH 85 DEGREES 24 MINUTES 46 SECONDS EAST A DISTANCE OF 135.36 FEET TO AN IRON PIPE; THENCE SOUTH 00 DEGREES 23 MINUTES 42 SECONDS EAST FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

EXCEPT ALL COAL, MINERALS AND MINING RIGHTS HERETOFORE CONVEYED OR RECORD.

SITUATED IN SANGAMON COUNTY, ILLINOIS

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: **8** NAME: **Jim Good**

DOCKET NUMBER: **2015-028**

ADDRESS: **15 Holiday Lane, Riverton, IL 62561**

PETITIONER: **Ronald E. & Sherrill Esserine**

PRESENT ZONING CLASSIFICATION: **“A” Agricultural District**

REQUESTED ZONING CLASSIFICATION: **“R-1” Single-Family Residence District**

AREA: **0.7 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION
RECOMMENDATION:

Staff recommends approval. The character of the area is predominantly single-family residential. It is unlikely the property would revert to agricultural usage given its relatively small size, location next to a residential subdivision, and proximity to a pond. The LESA score of 81 indicates the property is acceptable for non-agricultural development. Granting the rezoning will allow the parcel to be combined with the parcel immediately to the west and will facilitate placement of a new septic field. Also, granting the rezoning will make two parcels owned by the petitioner have the same zoning classification, which is preferable from a planning perspective.

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: 2015-028
Ronald E. & Sherrill Esserine)	
)	PROPERTY LOCATED AT:
)	15 Holiday Lane
)	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 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 **August 20, 2015** 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: **15 Holiday Lane, Riverton, IL 62561** 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 **3 out buildings**.
- 5. That the proposed land use of said property is **3 out buildings**.
- 6. That the requested **rezoning** of said property is to rezone from **"A" Agricultural District to "R-1" Single-Family Residence District to allow this parcel to be combined with an adjacent 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 **rezoning** 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 **rezoning** be **approved**.

Charles Chimento/ck
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 **Andrew Spiro**.

The vote of the Board was as follows:

YES: **Charles Chimento, Anthony Mares, Andrew Spiro, Merilyn Herbert & John Lucchesi**

NO:

PRESENT:

ABSENT: **Don Wulf & Janet Dobrinsky**

Cyndi Knowles
RECORDING SECRETARY

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**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

Case #: 2015-028

Address: 15 Holiday Lane, Riverton

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

The surrounding property is single-family residential. There is a pond along the east side of the subject property.

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

To the north is R-1. To the east is Agricultural. To the south are Agricultural and R-1. To the west is R-1.

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

The property is suitable for its current usage, i.e. residential with outbuildings, in Agricultural or R-1. However, it is unlikely the property would revert to agricultural usage given its relatively small size, location next to a residential subdivision, and proximity to a pond. The LESA score of 81 indicates the property is acceptable for non-agricultural development. Granting the rezoning will allow the parcel to be combined with the parcel immediately to the west and will facilitate placement of a new septic field. Also, granting the rezoning will make the two parcels owned by the petitioner have the same zoning classification, which is preferable from a planning perspective.

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

The area is predominantly single-family residential. In 1971, property to the south and west was recommended to be rezoned to R-1. In 1980, property to the immediate north was recommended to be rezoned to R-1. In 1984, property immediately to the west across Holiday Lane was recommended to be rezoned to R-1.

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Parcel # 15-04-204-008

Zoning Case # 2015-028

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	
50-74%	5	5
Under 50%	0	

<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	
75-89%	10	
50-74%	5	0
Under 50%	0	

<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	
50-74%	5	0
Under 50%	0	

<u>COUNTY SECTOR</u>		
Rural	20	
0.5 mile from incorporated area	10	10
Incorporated area	0	

<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	
50-74%	10	0
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	0
16'-18' pavement, 40' ROW	15	
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	0
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	0
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	0
15-30 minutes	5	
Less than 15 minutes	0	

SITE ASSESSMENT TOTAL	30
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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	Viriden	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		87	
3451A	Lawson	P3		75	
3107A	Sawmill	P5		75	
7075B	Drury	P		75	
8396A	Vesser	P2		75	
3074A	Radford	P3		75	
3073A	Ross	P3		75	
3284A	Tice	P3		75	
279B	Rozetta	P		75	
45A	Denny	P2		75	
134B	Camden	P		75	
112A	Cowden	P2		75	
685B	Middletown	P		75	
3405A	Zook	P5		75	
131C2	Alvin	P		75	
86C2	Oscos	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	

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134C2	Camden	I		74	
259C2	Assumption	I		74	
685C2	Middletown	I		74	
280D2	Fayette	I		74	
119D3	Elco	N		74	
259D2	Assumption	I		74	
212C2	Thebes	I		74	
630C2	Navlys	I		74	
630D2	Navlys	I		74	
630D3	Navlys	I		57	
131D2	Alvin	I	90	57	51
8D	Hickory	I		50	
8D2	Hickory	I		50	
280D3	Fayette	I		44	
8D3	Hickory	I		44	
8F	Hickory	N		44	
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	51
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GRAND TOTAL	81
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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.