

CASE# 2016-020
RESOLUTION NUMBER 4-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
14751 BULLARD ROAD, BUFFALO
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:

See Exhibit A

WHEREAS, the Petitioner, **Rolla J. Womack**, has petitioned the Sangamon County Board for a **variance to allow one (1) parcel less than forty (40) acres (approximately 1.1 acres)**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **July 21, 2016** 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

JUL 29 2016

Don J. Hays
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 9th Day of August, 2016 that the request for a variance to allow one (1) parcel less than forty (40) acres (approximately 1.1 acres) on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 9th day of August, 2016.

- 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 RATTTS
- _____
LINDA DOUGLAS WILLIAMS
- _____
ANNETTE FULGENZI
- _____
LINDA FULGENZI
- _____
LISA HILLS
- _____
MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of the East Half of Section 25, Township 16 North, Range 3 West of the Third Principal Meridian, bounded as follows, to-wit: Commencing at a stone in Township line 1965.07 feet South of the Northeast corner of said Section 25, thence running West 1318 feet to an iron pin, thence running South along center of road 1966.23 feet to an iron pin, thence running East 1320.7 feet to an iron pin, thence North 1965.07 feet to the place of beginning.

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: #3 NAME: David Mendenhall

DOCKET NUMBER: 2016-020

ADDRESS: 14751 Bullard Road, Buffalo, IL 62515

PETITIONER: Rolla J. Womack

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow one (1) parcel less than forty (40) acres (approximately 1.1 acres)

AREA: 60 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The owner wishes to separate the house from the farm buildings and the cropland in order to give the homestead to a family member and retain the cropland. 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: 2016-020 |
| Rolla J. Womack) | |
|) | PROPERTY LOCATED AT: |
|) | 14751 Bullard Road, |
|) | Buffalo, IL 62515 |

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 **July 21, 2016** 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: **14751 Bullard Road, Buffalo, IL 62515** 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 **a house, outbuildings, and farm land.**
- 5. That the proposed land use of said property is **a house, outbuildings, and farm land.**
- 6. That the requested **variance** of said property is **to allow one (1) parcel less than forty (40) acres (approximately 1.1 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 **Merilyn Herbert.**

The vote of the Board was as follows:

YES: **Charles Chimento, Don Wulf, Andrew Spiro, Merilyn Herbert and John Lucchesi**

NO:

PRESENT:

ABSENT: **Anthony Mares and Janet Dobrinsky**


RECORDING SECRETARY

4-7

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2016-020**

Address: **14751 Bullard Road, Buffalo**

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 owner is separating the house from the cropland in order to facilitate giving the house to a family member and retain the farmland. This will result in continued economic yield for both parcels.

- (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 property contains 60 acres with a homestead. There is floodplain on the subject property, a portion of which is not in production which will be carved off with the proposed new parcel. The final result is the larger parcel being more economically usable.

- (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.

No negative impacts are anticipated.