

CASE# 2014-006 M-1  
RESOLUTION NUMBER \_

**GRANTING VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**IN THE 5600 BLOCK OF E. DIVERNON ROAD, PAWNEE**  
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 **granting variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**An undivided one quarter (1/4) interest in the West 15 acres of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼); and the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) except the North 431 feet of the West 505 feet thereof; all in Section 21, Township 13 North (13 N), Range 4 West of the Third Principal Meridian, Sangamon County, Illinois. Subject to easements and restrictions of record.**

WHEREAS, the Petitioner, **Deborah McTaggart**, has petitioned the Sangamon County Board for: **proposed Parcel 1, a variance to allow one (1) parcel greater than five (5) acres; and, for proposed Parcel 2, a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width to allow ten (10) acres to be divided off the existing thirty-five (35) acre tract; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **January 16, 2014** 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

**FILED**

JAN 30 2014

*Gae Diello*  
Sangamon County Clerk

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 **variances be granted**; and

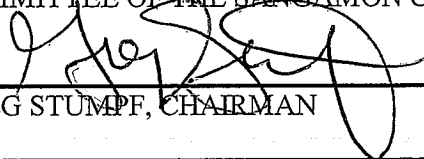
WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled **this 13<sup>th</sup> day of February, 2014 that the request for: proposed Parcel 1, a variance to allow one (1) parcel greater than five (5) acres; and, for proposed Parcel 2, a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width to allow ten (10) acres to be divided off the existing thirty-five (35) acre tract on the above described property is hereby approved.**

Signed and passed by the Sangamon County Board in session on this 13<sup>th</sup> day of February, 2014.

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING  
COMMITTEE OF THE SANGAMON COUNTY BOARD



\_\_\_\_\_  
GREG STUMPF, CHAIRMAN

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DAVID MENDENHALL, VICE CHAIRMAN

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JOHN FULGENZI

\_\_\_\_\_  
CRAIG HALL

\_\_\_\_\_  
SAM SNELL

\_\_\_\_\_  
ABE FORSYTH

\_\_\_\_\_  
JASON RATTS

\_\_\_\_\_  
LINDA DOUGLAS WILLIAMS

\_\_\_\_\_  
LINDA FULGENZI

\_\_\_\_\_  
LISA HILLS

\_\_\_\_\_  
MIKE SULLIVAN

**ATTEST:**

\_\_\_\_\_  
SANGAMON COUNTY CLERK

\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

**RECAP**

(For County Board Use)

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

DOCKET NUMBER: **2014-006**

ADDRESS: **In the 5600 Block of E. Divernon Rd, Pawnee, IL 62558**

PETITIONER: **Deborah McTaggart**

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

REQUESTED ZONING CLASSIFICATION: **For: proposed Parcel 1, a variance to allow one (1) parcel greater than five (5) acres; and, for proposed Parcel 2, a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width to allow ten (10) acres to be divided off the existing thirty-five (35) acre tract.**

AREA: **50 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variances. The standards for variation are met. The request is being made for inheritance purposes. Additionally, the subject parcel to the south is landlocked and granting the variances will allow the parcel to have road frontage on Divernon Road. No negative impacts are anticipated in allowing the requested division.**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

**Approve**

  
Cyndi Knowles  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2014-006</b>
<b>Deborah McTaggart</b> )	
)	PROPERTY LOCATED AT:
)	<b>In the 5600 Block of E. Divernon Rd</b>
)	<b>Pawnee, IL 62558</b>

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 **January 16, 2014** 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: **In the 5600 Block of E. Divernon Rd, Pawnee, IL 62558** and more particularly described as:

**An undivided one quarter (1/4) interest in the West 15 acres of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼); and the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) except the North 431 feet of the West 505 feet thereof; all in Section 21, Township 13 North (13 N), Range 4 West of the Third Principal Meridian, Sangamon County, Illinois. Subject to easements and restrictions of record.**

- 3. That the present zoning of said property is "A" **Agricultural District**.
- 4. That the present land use of said property is **agricultural**.
- 5. That the proposed land use of said property is **agricultural**.
- 6. That the requested **variances** of said property are for: **proposed Parcel 1, a variance to allow one (1) parcel greater than five (5) acres; and, for proposed Parcel 2, a variance to allow the lot depth to be greater than two and one-half (2 1/2) times the lot width to allow ten (10) acres to be divided off the existing thirty-five (35) 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 **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 /ck  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Judith Johnson**, 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 **Janet Dobrinsky**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Judith Johnson, Don Wulf, and Janet Dobrinsky**

NO:

PRESENT:

ABSENT: **Peggy Egizzi**

Cynthia Knowles  
RECORDING SECRETARY

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2014-006**

Address: **In the 5600 Block of East Divernon Road, Pawnee**

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 being made to allow division of the properties, which will give the property to the south that is currently landlocked, access to Divernon Road.**

- (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 subject parcels are being divided for inheritance purposes. One parcel currently has zero road frontage and allow the division will bring that parcel into compliance with the zoning regulations.**

- (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 impact is anticipated.**