

CASE# 2014-046
RESOLUTION NUMBER 7-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
15495 OLD ROUTE 36, 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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Joseph S. Pickrell**, has petitioned the Sangamon County Board for **proposed Lot 1: a variance to allow one (1) parcel less than forty (40) acres; and, for proposed Lot 2: a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **November 20, 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

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.

FILED

NOV 26 2014

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **9th Day of December, 2014** that the request for proposed **Lot 1: a variance to allow one (1) parcel less than forty (40) acres; and, for proposed Lot 2: a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width on the above described property is hereby approved.**

Signed and passed by the Sangamon County Board in session on this **9th day of December, 2014.**

Respectfully submitted,

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

GREG STUMPF, CHAIRMAN



DAVID MENDENHALL, VICE CHAIRMAN

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

EXHIBIT A

Part of the Southwest Quarter of Section 7, Township 16 North, Range 2 West of the Third Principal Meridian, described as follows:

From the Center of said Section 7; thence South on the Quarter Section line 60.00 feet to the point of beginning, said point being on the South right of way line of U.S. Route 36; thence continuing South on said Quarter Section line 2575.30 feet to the Southeast corner of the Southwest Quarter of said Section; thence West on the South line of said Section 731.00 feet; thence North parallel to aforesaid Quarter Section line 2569.86 feet to a point on the South right of way line of U.S. Route 36; thence East along South right of way line 731.00 feet to the point of beginning.

EXCEPT THEREFROM the following described parcel of land:

Part of the Southwest Quarter of Section 7, Township 16 North, Range 2 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

Commencing at a railroad spike at the center of said Section 7; thence South, 60.00 feet along the South Quarter Section line to an iron pipe; thence West 580.74 feet along the South line of U.S. Route 36 to an iron pin and the true point of beginning; thence South, 290.00 feet along a line parallel with the aforementioned Quarter Section line; thence West, 150.00 feet along a line parallel with said South line of U.S. Route 36 to an iron pin; thence North, 290.00 feet to an iron pipe on said South Road line; thence East, 150.00 feet to the true point of beginning.

Situated in Sangamon County, Illinois.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #3 NAME: David Mendenhall

DOCKET NUMBER: 2014-046

ADDRESS: 15495 Old Route 36, Buffalo, IL 62515

PETITIONER: Joseph S. Pickrell

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with for proposed Lot 1: a variance to allow one (1) parcel less than forty (40) acres; and, for proposed Lot 2: a variance to allow the lot depth to be greater than two and one-half (2 1/2) times the lot width.

AREA: 42.18

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION
RECOMMENDATION:

Recommend approval. When the owner acquired the subject property for purposes of maintaining the cropland, there was a single-family residence on the property. It is the owner's intent to divide the tillable crop ground from the residence thereby separating the uses. Granting the variance will also facilitate a future sale of the property with the residence to a family member, thus maintaining the agricultural nature of the larger parcel. The standards for variation are met. No negative impact is foreseen in allowing the proposed variances.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approve as staff recommended.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2014-046
Joseph S. Pickrell)	
)	PROPERTY LOCATED AT:
)	15495 Old Route 36
)	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 **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 **November 20, 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: **15495 Old Route 36, Buffalo, IL 62515** 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 **cropland, single-family residence & two (2) farm buildings.**
5. That the proposed land use of said property is **to divide off approximately 1.1 to 1.5 acres to separate the residence from the cropland.**
6. That the requested **variances** of said property are **for proposed Lot 1: a variance to allow one (1) parcel less than forty (40) acres; and, for proposed Lot 2: a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width.**
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
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 **John Lucchesi**.

The vote of the Board was as follows:

YES: **Charles Chimento, Andrew Spiro, Merilyn Herbert, John Lucchesi & Janet Dobrinsky**

NO:

PRESENT:

ABSENT: **Don Wulf**

Cyndi Knowles
RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2014-046

Address: 15495 Old Route 36, 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 purchased the property primarily for the tillable farm ground. The variance is requested so that the cropland can be divided from the single-family residence in order to yield a reasonable return for both parcels.

However, there may not be a need for the lot width- to-depth variance, if proposed Lot 2 is indeed larger than forty (40) acres. Proposed Lot 2 will have in excess of 150 feet of frontage if the maintained division of the property is where the split will occur.

- (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.

When the owner acquired the subject property for purposes of maintaining the cropland, there was a single-family residence already on the property. The owner's intent is to separate the crop ground from the residence. Granting the variance will also facilitate a future sale of the property with the residence to a family member, thus maintaining the agricultural nature of the larger parcel.

- (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 in granting the proposed variances.