

CASE # 2009-08
RESOLUTION NUMBER 51

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
7007 BASSE ROAD, LOAMI
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, **Maurice Boston**, has petitioned the Sangamon County Board for a **variance to allow 2 parcels less than 40 acres**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **February 19, 2009**, 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
FEB 27 2009
Joe Quillo
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10th day of March, 2009 that the request for a variance to allow 2 parcels less than 40 acres on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 10th day of March, 2009.

Respectfully submitted,

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

Tim Moore
TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

ATTEST:

Joe Aiello
SANGAMON COUNTY CLERK

A. Sam Stebbins
COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of the Northeast quarter of the Northeast quarter of Section 3, Township 14 North, Range 7 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

Beginning at the Northeast corner of Section 3; thence South, on the East line of said Section 890.39 feet; thence West 358.00 feet; thence North, 887 feet to the point on the North line of said Section 3; thence East, on said North line of Section 3, 358.00 feet to the point of beginning, containing 7.30 acres, more or less, except that part being use for public road purposes.

54

20-34
400-003

20-34
400-006

2009-08
BOSTON
7007 Basse Rd
27-03-200-008

BASSE RD

MANSION RD.

MANSION RD

27-03
200-008

27-03
200-009

27-03
200-006

27-03
200-005

27-03
200-010

27-03
200-003

27-03
200-004

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 7 NAME: **Craig Hall**

DOCKET NUMBER: **2009-08**

ADDRESS: **7007 Basse Road, Loami, IL 62661**

PETITIONER: **Maurice Boston**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance to allow 2 parcels less than 40 acres**

AREA: **6.46 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The standards for variation are met.**

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: 2009-08
Maurice Boston)	
)	PROPERTY LOCATED AT:
)	7007 Basse Road
)	Loami, IL 62661
)	

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 **February 19, 2009** 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 **7007 Basse Road, Loami, IL 62661** and more particularly described as:

See Exhibit A

Page 2

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is Single Family Residence and farmland.
- 5. That the proposed land use of said property is existing use continued.
- 6. That the requested variance of said property is to allow 2 parcels less than 40 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 **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 **Byron Deaner**.

The vote of the Board was as follows:

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

NO:

ABSENT: **Charles Chimento**



 RECORDING SECRETARY

EXHIBIT A

Part of the Northeast quarter of the Northeast quarter of Section 3, Township 14 North, Range 7 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

Beginning at the Northeast corner of Section 3; thence South, on the East line of said Section 890.39 feet; thence West 358.00 feet; thence North, 887 feet to the point on the North line of said Section 3; thence East, on said North line of Section 3, 358.00 feet to the point of beginning, containing 7.30 acres, more or less, except that part being use for public road purposes.

SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 1/30/09 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2009-08
 ADDRESS 7007 Basse Road
 Property Index # 27-03-200-008

PETITIONER Maurice Boston

REQUESTED ZONING A variance to allow 2 parcels less than 40 acres.

PROPOSED LAND USE Divide off single family residence from the cropland.

EXISTING:

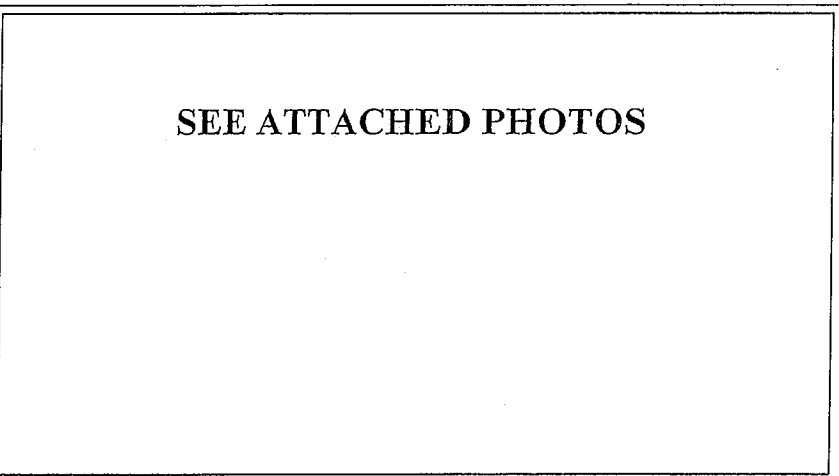
ZONING A

LAND USE Single family residence

ROAD FRONTAGE	<u>Basse Road – 892'</u>	CONDITION OF PAVEMENT	<u>Good</u>
	<u>Mansion Road – 367'</u>		<u>Good</u>

STRUCTURE DESIGNED FOR Residence

CONDITION OF STRUCTURE Good



LOT AREA 6.46 acres

FRONT YARD 88'

SIDE YARDS 40'/772'

REAR YARD 220'

Would the proposed zoning be spot zoning? N/A

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval. The standards for variation are met.**

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2009-08

Address: 7007 Basse Road

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 made to facilitate division of the property for mortgage related purposes.

- (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 petitioner is requesting to divide the single family residence while preserving the tillable land.

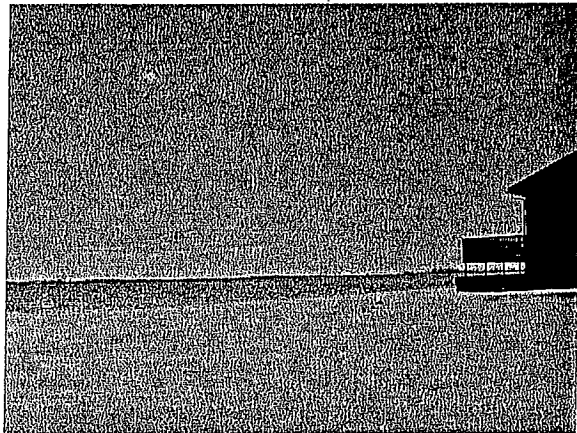
- (iii) that the variation, if granted, will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality.

No negative impact is anticipated.

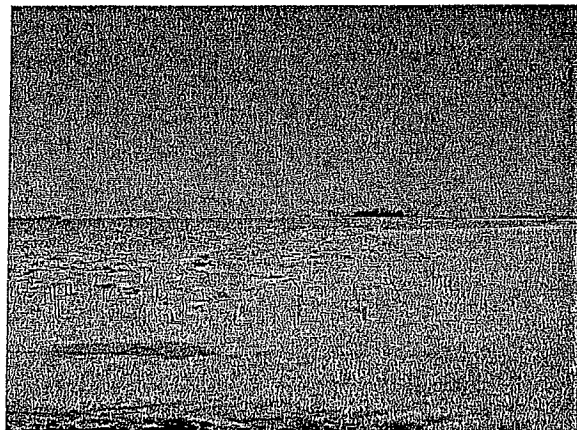
511

Case #: 2009-08

Address: 7007 Basse Road



2009-08



2009-08

County Zoning

Case# 2009-08

Requested:
Variance



County Zoning

	RM-4		I1
	R3		I2
	R2		B3
	R1a		B2
	R1		B1
	OFF		A

City Zoning

	R5		H1		OFF
	R1		H2		PUD
	R2		H3		B1
	R3a		S1		B2
	R3b		S2		I1
	R4		S3		I2

