

CASE # 2009-21  
RESOLUTION NUMBER 10-1

**GRANTING VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**3520 ALVIES RD., 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 **grant variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **Sarah O'Shea**, has petitioned the Sangamon County Board for a **variance to allow 2 parcels less than 40 acres and to allow the lot depth to exceed 2 ½ times the lot width for 1 parcel**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **April 16, 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 variances**; and

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

**FILED**

MAY 01 2009

*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12<sup>th</sup> day of May, 2009 that the request for a variance to allow 2 parcels less than 40 acres and to allow the lot depth to exceed 2 ½ times the lot width for 1 parcel on the above described parcel is hereby approved.

Signed and passed by the Sangamon County Board in session on this 12<sup>th</sup> day of May, 2009.

Respectfully submitted,

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



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

ATTEST:

  
SANGAMON COUNTY CLERK

  
COUNTY BOARD CHAIRMAN

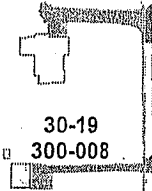
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**EXHIBIT A**

Part of the West Half of the Northeast Quarter of Section 30, Township 14 North, Range 4 West of the Third Principal Meridian; described more particularly as follows:

Commencing at an iron pin marking the Northwest corner of the Northeast Quarter of the aforementioned Section 30, thence South 89 degrees 25 minutes 42 seconds East along the section line a distance of 338.63 feet to an iron pipe marking the True Point of Beginning, thence continuing South 89 degrees 25 minutes 42 seconds East along the section line a distance of 407.00 feet to an iron pipe, thence South 00 degrees 16 minutes 07 seconds West a distance of 1070.28 feet to an iron pipe, thence North 89 degrees 25 minutes 42 seconds West a distance of 407.00 feet to an iron pipe, thence North 00 degrees 16 minutes 07 seconds East a distance of 1070.28 feet to the true point of beginning. Situated in Sangamon County, Illinois.

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30-19  
400-002

ALVIES RD

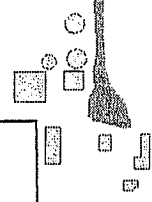


2009-21  
O'shea  
3520 Alvies Rd, Pawnee  
30-30-0-200-013

30-30  
200-013

SUBJECT  
PROPERTY

30-30  
200-012



30-30  
200-005

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RECAP  
(For County Board Use)

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

DOCKET NUMBER: **2009-21**

ADDRESS: **3520 Alvies Rd., Pawnee, IL. 62558**

PETITIONER: **Sarah O'Shea**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance to allow 2 parcels less than 40 acres and to allow the lot depth to exceed 2 ½ times the lot width for 1 parcel.**

AREA: **20 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The property owner seeks to divide off a parcel that already contains a residential structure. The standards for variation are met.**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

**Approval**

*Cyril Knowles*  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS  
SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: ) DOCKET NO: **2009-21**  
Sarah O'Shea )  
)  
) PROPERTY LOCATED AT:  
) **3520 Alvies Rd**  
) **Pawnee, IL. 62558**  
)

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 **April 16, 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 **3520 Alvies Rd., Pawnee, IL. 62558** 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 **Single Family Residence and Farmland**.
5. That the proposed land use of said property is **existing use continued**.
6. That the requested **variances** of said property **are to allow 2 parcels less than 40 acres and to allow the lot depth to exceed 2 1/2 times the lot width for 1 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 **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 **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 **John Luchessi**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Marvin Traylor, John Luchessi, Don Wulf**

NO:

ABSENT: **Peggy Egizii, Judith Johnson**

Aynali Knoroles  
RECORDING SECRETARY

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SSCRPC

Springfield  
Sangamon County Regional  
Planning Commission

SANGAMON COUNTY ZONING CASE # 2009-21

Staff Findings and Recommendation

ADDRESS 3520 Alvies Road

(inspected 4/4/2009 by MB & AJ)

Property Index # 30-30-200-013

PETITIONER Sarah O'Shea

REQUESTED ZONING A variance to allow 2 parcels less than 40 acres and to allow the lot depth to exceed 2 1/2 times the lot width for 1 parcel.

PROPOSED LAND USE Divide single family residence from the cropland.

EXISTING:

ZONING A

LAND USE Single family residence and cropland.

ROAD FRONTAGE Alvies Road - 745'

CONDITION OF PAVEMENT Fair

STRUCTURE DESIGNED FOR Residence

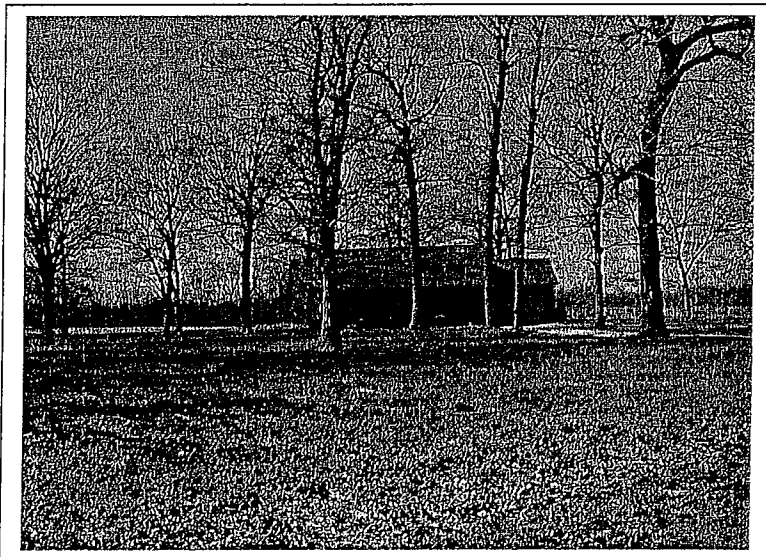
CONDITION OF STRUCTURE Good

LOT AREA 20 acres

FRONT YARD 105'

SIDE YARDS 530' / 165'

REAR YARD 1,135'



Would the proposed zoning be spot zoning? N/A

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval. The property owner seeks to divide off a parcel that already contains a residential structure. The standards for variation are met.**

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2009-21

Address: 3520 Alvies 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 parcel the owner seeks to divide off contains a pre-existing residential structure. It would not be economically feasible to return the property to farmland since the property has been used as residential.**

- (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 20 acre subject property is naturally divided from the grass line surrounding the residence.**

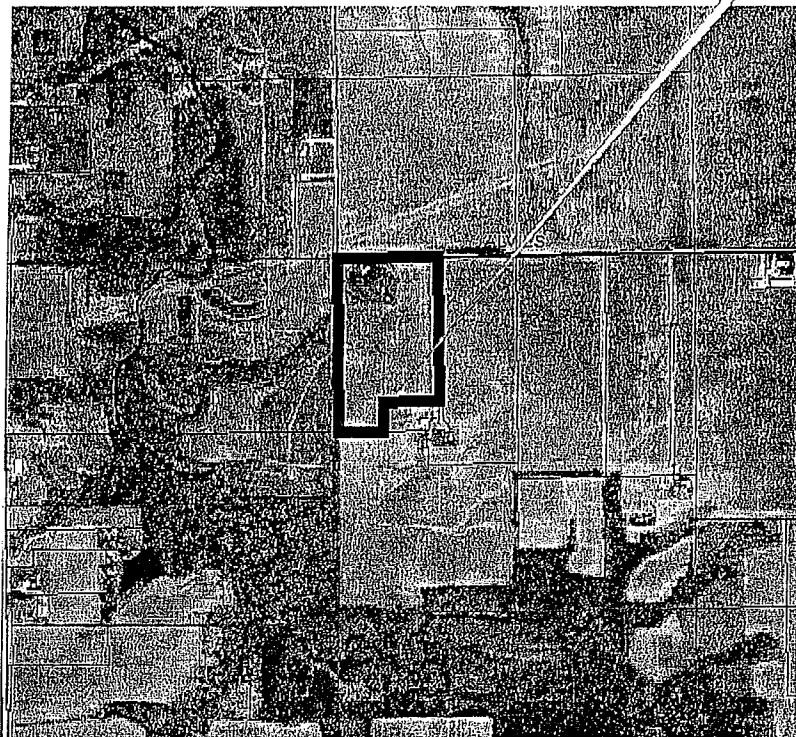
- (iii) that the variation, if granted, will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality.

**No negative impact is anticipated.**

# County Zoning

## Case# 2009-21

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



**SSC RPC** Springfield-Elmwood Council  
Regional Planning Commission

0 300 600 1,200 Feet

