

**GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
8801 WERNER ROAD, NEW BERLIN
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 the variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Steven & Susan Doubet**, have petitioned the Sangamon County Board requesting **for Proposed Parcel 1: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 3 acres); and, for Proposed Parcel 2: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 38 acres); and, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and,**

WHEREAS, a public hearing was held at the Bank of Springfield Center on **September 17, 2020** 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

SEP 29 2020

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Don H. King
Sangamon County Clerk

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NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **13th Day of October, 2020** that the following request(s) on the above described property are hereby approved:

For Proposed Parcel 1:

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 3 acres); and,

For Proposed Parcel 2:

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 38 acres); and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.

Signed and passed by the Sangamon County Board in session on this **13th day of October, 2020**.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

EXHIBIT A

PART OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN; MORE PARTICULARLY DESCRIBED AS COMMENCING AT AN ANXLE MARKING OF THE SOUTHWEST CORNER OF THE AFOREMENTIONED SECTION 18, THENCE 689.83 FEET EAST TO THE TRUE POINT OF BEGINNING' THENCE NORTH A DISTANCE OF 1509.44 FEET TO THE RIGHT-OF-WAY OF INTERSTATE 72. THENCE EAST A DISTANCE OF 1161.38 FEET, THENCE SOUTH A DISTANCE OF 2081.60 FEET, THENCE WEST A DISTANCE OF 1009.24 FEET. SAID TRACT CONTAINS 41.6 ACRES MORE OR LESS.

PARCEL NUMBER: 21-18.0-300-015.

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RECAP
(For County Board Use)

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

DOCKET NUMBER: **2020-025**

ADDRESS: **8801 Werner Road, New Berlin, IL 62670**

PETITIONER: **Steven & Susan Doubet**

PRESENT ZONING CLASSIFICATION: **“A” Agricultural District.**

REQUESTED ZONING CLASSIFICATION: **For Proposed Parcel 1: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 3 acres); and, for Proposed Parcel 2: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 38 acres); and, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.**

AREA: **41.6 acres.**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval. Granting the requested variances will increase the reasonable return on the subject property by allowing the petitioners to divide the property to keep the cropland and sell the house with approximately three (3) acres. The topography marks a natural dividing line between the portion of the property with the house and the cropland. Also, like other properties on the north side of Werner Road in the area, the subject property is relatively deep due to the presence of I-72 along the north property line. No change in land use is contemplated and negative impacts are not anticipated. The Standards for Variation are met.**

SANGAMON COUNTY ZONING 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: 2020-025
Steven & Susan Doubet)	
)	PROPERTY LOCATED AT:
)	8801 Werner Road
)	New Berlin, IL 62670

RECOMMENDATION OF THE ZONING 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 **September 17, 2020** 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: **8801 Werner Road, New Berlin, IL 62670** 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 **Single-family residence, outbuildings, and cropland**.
5. That the proposed land use of said property is **Proposed Parcel 1: Single-family residence and outbuildings. Proposed Parcel 2: Cropland**.
6. That the request(s) for the subject property **are for Proposed Parcel 1: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 3 acres); and, for Proposed Parcel 2: pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 38 acres); and, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) 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** are in the public interest and is not solely in the interest of the petitioner(s).

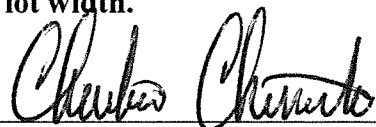
IT IS, THEREFORE, the recommendation of the Sangamon County Zoning Board of Appeals to the County Board of Sangamon County that the following request(s) **are hereby approved:**

For Proposed Parcel 1:

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 3 acres); and,

For Proposed Parcel 2:

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 38 acres); and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.



 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Don Wulf**, which was duly seconded by **Tony Mares**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the following request(s) **are hereby approved:**

For Proposed Parcel 1:

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 3 acres); and,

For Proposed Parcel 2:

- Pursuant to Chapter 17.66, a variance of Section 17.38.030 to allow one (1) parcel less than forty (40) acres (approximately 38 acres); and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Don Wulf, Andrew Spiro, JD Sudeth**

NO:

PRESENT:

ABSENT:


Trent Hannon
 RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2020-025**

Address: **8801 Werner Road, New Berlin**

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.

Granting the requested variances will increase the reasonable return on the subject property by allowing the petitioners to divide the property to keep the cropland and sell the house with approximately three (3) acres. The topography marks a natural dividing line between the portion of the property with the house and the cropland. Also, like other properties on the north side of Werner Road in the area, the subject property is relatively deep due to the presence of I-72 along the north property line.

- (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.

In order for the petitioners to just sell the single-family residence, the requested variances are necessary to bring the subject property into compliance when the cropland is separated from the residence. The proposed division will bring the lot areas for both proposed parcels under the required 40 acre minimum. The subject property is also unique in that it is deep being bound on the north by I-72.

- (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 change in land use is contemplated and negative impacts are not anticipated.