

CASE # 2008-56
RESOLUTION NUMBER 9-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
12609 STATE RT. 125, PLEASANT PLAINS
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:

**All that part of the following described real estate lying North of State Route 125:
The East 959.4 feet of the Northwest Quarter of Section 4, Township 16 North, Range 7 West of the Third Principal Meridian, except, therefrom the East 330 feet of the South 396.**

WHEREAS, the Petitioners, **Todd & Jennifer Pankey**, have petitioned the Sangamon County Board for **variances of the lot area requirement to allow one parcel less than 40 acres, to allow the lot depth to exceed 2 ½ times the lot width for 2 parcels and to allow the lot width to be met greater than 60 feet from the road for one parcel;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **September 18, 2008**, 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

OCT 01 2008

Joe A. Wells
Sangamon County Clerk

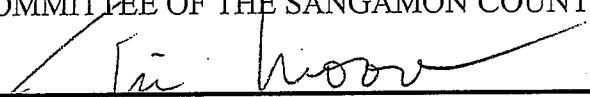
9-d

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14th day of October, 2008 that the request for variances of the lot area requirement to allow one parcel less than 40 acres, to allow the lot depth to exceed 2 ½ times the lot width for 2 parcels and to allow the lot width to be met greater than 60 feet from the road for one parcel on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14th day of October, 2008.

Respectfully submitted,

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



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JENNIFER DILLMAN

DAVID MENDENHALL

GEORGE PRECKWINKLE

SAM SNELL

DON STEPHENS

LINDA DOUGLAS WILLIAMS

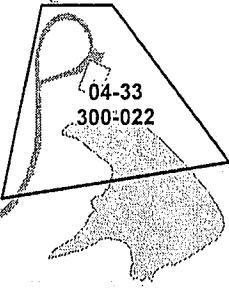
ATTEST:



SANGAMON COUNTY CLERK



COUNTY BOARD CHAIRMAN



04-33
400-006

2008-56
Pankey
12609 St Rt. 125
12-04-100-003

SUBJECT

PROPERTY

12-04
100-003

12-04
200-008

12-04
100-011

12-04
200-007

12-04
100-004

12-04
100-008

12-04
400-006

12-04
300-011

12-04
400-005

CLAYVILLE RD

STATE RT 125

KEPLER RD

RECAP
(For County Board Use)

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

DOCKET NUMBER: **2008-56**

ADDRESS: **12609 State Rt. 125, Pleasant Plains, IL 62677**

PETITIONER: **Todd & Jennifer Pankey**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with variances of the lot area requirement to allow one parcel less than 40 acres, to allow the lot depth to exceed 2 1/2 times the lot width for 2 parcels and to allow the lot width to be met greater than 60 feet from the road for one parcel.**

AREA: **51.25 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: 2008-56
Todd & Jennifer Pankey)
)
) PROPERTY LOCATED AT:
) 12609 State Rt. 125
) Pleasant Plains, IL 62677
)

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 **September 18, 2008** 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 or contract to purchase the property commonly known as **12609 State Rt. 125, Pleasant Plains, IL 62677** and more particularly described as:

**All that part of the following described real estate lying North of State Route 125:
The East 959.4 feet of the Northwest Quarter of Section 4, Township 16 North, Range 7
West of the Third Principal Meridian, except, therefrom the East 330 feet of the South 396.**

File

Page 2

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property residence, timberland, and pasture.
- 5. That the proposed land use of said property is to divide the property for a new home site.
- 6. That the requested variances of said property are of the lot area requirement to allow one parcel less than 40 acres, to allow the lot depth to exceed 2 1/2 times the lot width for 2 parcels and to allow the lot width to be met greater than 60 feet from the road for one 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.


 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 John Luchessi.

The vote of the Board was as follows:

YES: Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, John Luchessi

NO:

ABSENT: Marvin Traylor, Don Wulf


 RECORDING SECRETARY

41

SSCRPC

**Springfield
Sangamon County Regional
Planning Commission**

SANGAMON COUNTY ZONING CASE # 2008-56

Staff Findings and Recommendation

ADDRESS 12609 State Rt. 125

(inspected 9/5/08 by MB & AJ)

Property Index # 12-04-100-003

PETITIONER Pankey, Todd & Jennifer

REQUESTED ZONING Variances of the lot area requirement to allow one parcel less than 40 acres, to allow the lot depth to exceed 2 1/2 times the lot width for 2 parcels and to allow the lot depth to be met greater than 60 feet from the road for one parcel.

PROPOSED LAND USE Divide off existing home to create a new home site.

EXISTING:

ZONING A

LAND USE Residence, timberland and pasture.

ROAD FRONTAGE St. Route 125 - 670' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence

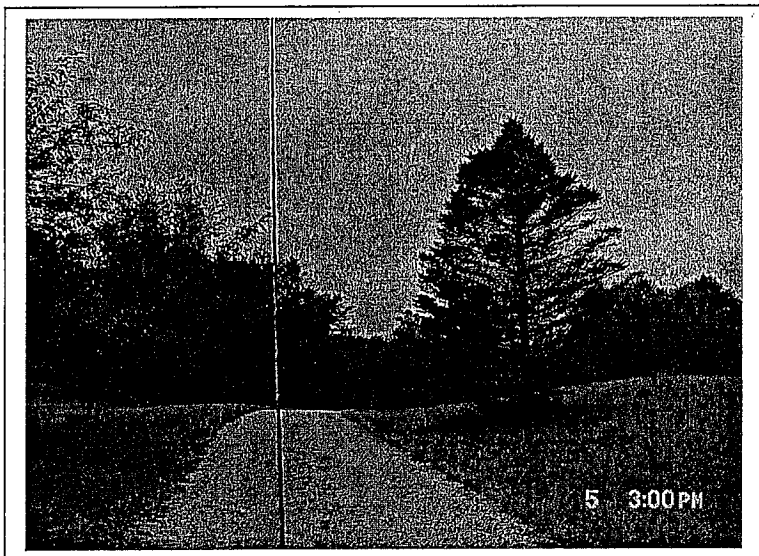
CONDITION OF STRUCTURE Good

LOT AREA 51.25 acres

FRONT YARD 540'

SIDE YARDS 370' / 568'

REAR YARD 1770'



Would the proposed zoning be spot zoning? N/A

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

County Zoning

Case# 2008-56

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

0 300 600 Feet



**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2008-56

Address: 12609 State Rt. 125

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.

- (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 variance would allow the existing home, which sits a considerable distance from the road, to be divided from the property.

- (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.