

CASE# 2011-058  
RESOLUTION NUMBER 3-1

**GRANTING A VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**2 BROOKVIEW ROAD, DAWSON**  
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 Petitioners, **Rolla Womack & Marjorie Bernahl**, have petitioned the Sangamon County Board for a **variance to allow road frontage from one-hundred-fifty (150) feet to zero (0) feet for two (2) parcels; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **December 15, 2011** 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**

JAN 03 2012

*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 24<sup>th</sup> day of January, 2012 that the request for a variance to allow road frontage from one-hundred-fifty (150) feet to zero (0) feet for two (2) parcels on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 24<sup>th</sup> day of January, 2012.

Respectfully submitted,

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

*Tim Moore /ck*

TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

GREG STUMPF

JASON RATTIS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

**ATTEST:**

\_\_\_\_\_  
SANGAMON COUNTY CLERK

\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: #3                      NAME: **David Mendenhall**

DOCKET NUMBER: **2011-058**

ADDRESS: **2 Brookview Road, Dawson, Il. 62560**

PETITIONER: **Rolla Womack & Marjorie Bernahl**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance to allow road frontage from one-hundred-fifty (150) feet to zero (0) feet for two (2) parcels.**

AREA: **85.16 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION:                      **Recommend approval of the requested variance. The petitioner is requesting to reconfigure the existing parcels, which already have no road frontage, so the existing barn can be combined with the parcel that contains the existing single family residence. No negative impact is anticipated in allowing this reconfiguration. The standards for variation are met.**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

**Approval of the variance.**

  
\_\_\_\_\_  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:	)	DOCKET NO: <b>2011-058</b>
<b>Rolla Womack &amp; Marjorie Bernahl</b>	)	
	)	PROPERTY LOCATED AT:
	)	<b>2 Brookview Road</b>
	)	<b>Dawson, Il. 62560</b>

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 **December 15, 2011** 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: **2 Brookview Road, Dawson, IL.** 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 a **single family residence**.
- 5. That the proposed land use of said property is a **single family residence**.
- 6. That the requested **variance** of said property is to **allow road frontage from one-hundred-fifty (150) feet to zero (0) feet for two (2) parcels**.
- 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**.

*Charles Chimento/ck*  
 CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Judith Johnson**, 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 **Peggy Egizii**.

The vote of the Board was as follows:

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

NO:

ABSENT: **Marvin Traylor**

*Cyndi Knowles*  
 RECORDING SECRETARY

# Exhibit A

## PARCEL 1

THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 16 NORTH, RANGE 3 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS. CONTAINING 71.52 ACRES, MORE OR LESS.

### EXCEPT:

PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 AND PART OF THE WEST 65 ACRES OF THE SOUTH 280 ACRES OF THE EAST 1/2 SECTION 29, ALL IN SECTION 29, TOWNSHIP 16 NORTH, RANGE 3 WEST OF THE 3<sup>RD</sup> PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: FROM AN IRON PIPE AT THE SOUTHWEST CORNER OF THE EAST 1/2, SOUTHWEST 1/4, MEASURE EAST ALONG THE SOUTH LINE OF SAID EAST 1/2 658.54 FT. TO THE POINT OF BEGINNING; THENCE NORTH 0 DEGREES 00 MINUTES EAST, MEASURE 30 FT.; THENCE N. 52 DEGREES, 25 MINUTES E. MEASURE 310.10 FT.; THENCE N. 2 DEGREES 56 MINUTES W. MEASURE 665.28 FT.; THENCE S. 88 DEGREES 38 MINUTES E. MEASURE 693.24 FT.; THENCE S. 3 DEGREES 43 MINUTES 30 SECONDS W. MEASURE 868.93 FT. TO A POINT ON THE SOUTH LINE OF THE SE 1/4; THENCE WEST ALONG SAID SOUTH LINE 162.47 FT. TO THE STONE AT THE SOUTH 1/4 CORNER; THENCE WEST ALONG THE SOUTH LINE OF THE E. 1/2 OF THE SOUTHWEST 1/4 674.32 FT. TO THE POINT OF BEGINNING; CONTAINING 13.64 ACRES MORE OR LESS

AND

## PARCEL II

PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 AND PART OF THE WEST 65 ACRES OF THE SOUTH 280 ACRES OF THE EAST 1/2 SECTION 29, ALL IN SECTION 29, TOWNSHIP 16 NORTH, RANGE 3 WEST OF THE 3<sup>RD</sup> PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: FROM AN IRON PIPE AT THE SOUTHWEST CORNER OF THE EAST 1/2, SOUTHWEST 1/4, MEASURE EAST ALONG THE SOUTH LINE OF SAID EAST 1/2 658.54 FT. TO THE POINT OF BEGINNING; THENCE NORTH 0 DEGREES 00 MINUTES EAST, MEASURE 30 FT.; THENCE N. 52 DEGREES, 25 MINUTES E. MEASURE 310.10 FT.; THENCE N. 2 DEGREES 56 MINUTES W. MEASURE 665.28 FT.; THENCE S. 88 DEGREES 38 MINUTES E. MEASURE 693.24 FT.; THENCE S. 3 DEGREES 43 MINUTES 30 SECONDS W. MEASURE 868.93 FT. TO A POINT ON THE SOUTH LINE OF THE SE 1/4; THENCE WEST ALONG SAID SOUTH LINE 162.47 FT. TO THE STONE AT THE SOUTH 1/4 CORNER; THENCE WEST ALONG THE SOUTH LINE OF THE E. 1/2 OF THE SOUTHWEST 1/4 674.32 FT. TO THE POINT OF BEGINNING; CONTAINING 13.64 ACRES MORE OR LESS, TOGETHER WITH AN EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS TO AND FROM THE AFORE- DESCRIBED REAL ESTATE OVER THE FOLLOWING DESCRIBED REAL ESTATE: THE SOUTH 30 FEET OF THE WEST 658.54 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 16 NORTH, RANGE 3 WEST OF THE THIRD PRINCIPAL MERIDIAN.

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2011-058**

Address: **2 Brookeview Road, Dawson**

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 petitioner is requesting to reconfigure the existing parcels, which already have no road frontage, so the existing barn can be combined with the parcel that contains the existing single family residence.**

- (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 subject parcels currently have zero road frontage and there is already a single family residence on 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.

**The character of the parcels will remain the same since the lots are being reconfigured. Therefore no negative impact is anticipated.**