

CASE # 2006-48
RESOLUTION NUMBER 41

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
7425 NEW CITY ROAD, ROCHESTER
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 **Darren and Aimee Johnson**, have petitioned the Sangamon County Board for a **variance to allow the lot depth to exceed 2 ½ times the lot width for one parcel**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **August 17, 2006**, 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 **approve the variance**; and

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

FILED

SEP 01 2006

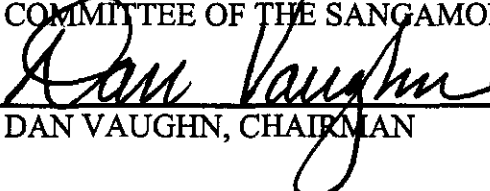
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12th day of September, 2006 that the request for a variance to allow the lot depth to exceed 2 ½ times the lot width for one parcel of the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 12th day of September, 2006.

Respectfully submitted,

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


DAN VAUGHN, CHAIRMAN

ABE FORSYTH

BILL MOSS

TYRONE PACE

TIM MOORE

DON STEPHENS

DAVID MENDENHALL

ATTEST:


SANGAMON COUNTY CLERK


COUNTY BOARD CHAIRMAN

EXHIBIT A

Parcel I:

Part of the East Half of the Southwest Quarter of Section 11, Township 14 North, Range 4 west of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows: Commencing at the Southeast corner of the Southwest Quarter of said Section 11; thence North 89 degrees 42 minutes 41 seconds West, along the South line of the Southwest Quarter of said Section 11, a distance of 315.50 feet to the point of beginning; thence continuing North 89 degrees 42 minutes 41 seconds West, along said South line, a distance of 454.68 feet to a point, said point being 1,774.24 feet Easterly of the Southwest corner of said Southwest Quarter; thence North 0 degrees 17 minutes 19 seconds East, 487.52 feet; thence South 89 degrees 42 minutes 41 seconds East, 438.83 feet; thence South 1 degree 34 minutes 23 seconds East, 487.77 feet to the point of beginning. Situated in Sangamon County, Illinois.

Parcel II:

Part of the East Half of the Southwest Quarter of Section 11, Township 14 North, Range 4 west of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows: Commencing at an iron pin at the Southeast corner of the Southwest Quarter of Section 11; thence North 89 degrees 42 minutes 41 seconds West 770.18 feet to an iron pin; thence North 00 degrees 17 minutes 21 seconds East 487.52 feet to an iron pin at the point of beginning; thence South 89 degrees 42 minutes 41 seconds East 438.83 feet to an iron pin; thence North 01 degrees 34 minutes 23 seconds West 368.63 feet to an iron pin; thence South 89 degrees 42 minutes 41 seconds East 315.50 feet to an iron pin; thence North 01 degrees 34 minutes 23 seconds West 619.32 feet to an iron pin; thence North 84 degrees 45 minutes 16 seconds West 724.95 feet to an iron pin; thence South 00 degrees 17 minutes 21 seconds West 1050.07 feet to the point of beginning. Except all coal, minerals land mining rights heretofore conveyed of record. Situated on Sangamon County, Illinois.

Parcel III:

Part of the East Half of the Southwest Quarter of Section 11, Township 14 North, Range 4 west of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows: Commencing at the Southeast corner of the Southwest Quarter of said Section 11; thence North 89 degrees 42 minutes 41 seconds West, along the South line of the Southwest Quarter of said Section 11, a distance of 40.02 feet to the point of beginning; thence continuing North 89 degrees 42 minutes 41 seconds West, along said South line, a distance of 275.48 feet; thence North 1 degree 34 minutes 23 seconds West 856.47 feet; thence South 89 degrees 42 minutes 41 seconds East, 315.5 feet to a point on the East line of the Southwest Quarter of said Section 11; thence South 1 degree 34 minutes 23 seconds East, along said East line, a distance of 192.00 feet to the Northeast corner of the South Half of the Southeast Quarter of the Southwest Quarter of said Section 11; thence North 89 degrees 48 minutes 04 seconds West along the North line of the South Half of the Southeast Quarter of the Southwest Quarter of said Section 11; a distance of 40.02 feet; thence South 1 degree 34 minutes 23 seconds East, 644.41 feet to the point of beginning; situated in the County of Sangamon, Sate of Illinois.

RECAP
(For County Board Use)

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

DOCKET NUMBER: **2006-48**

ADDRESS: **7425 New City Road, Rochester, IL 62563**

PETITIONER: **Darren and Aimee Johnson**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural with a variance to allow the lot depth to exceed 2 1/2 times the lot width for one parcel**

AREA: **25.18 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The standards of 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: 2006-48
Darren and Aimee Johnson)	
)	PROPERTY LOCATED AT:
)	7425 New City Road
)	Rochester, IL 62563
)	

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 **August 17, 2006** 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 **7425 New City Road, Rochester, IL 62563** and more particularly described as:

See Exhibit A

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- 3. That the present zoning of said property is "A" Agricultural.
- 4. That the present land use of said property is 2 vacant parcels.
- 5. That the proposed land use of said property is 2 SFR's.
- 6. That the requested variance of said property is: to allow the lot depth to exceed 2 1/2 times the lot width 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 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
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Donn Malwick** 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, Donn Malwick, Peggy Egizii, Patrick Somers, Don Wulf

NO:

ABSENT: Marvin Traylor, Barbara Braner

B.J. Armstrong
RECORDING SECRETARY

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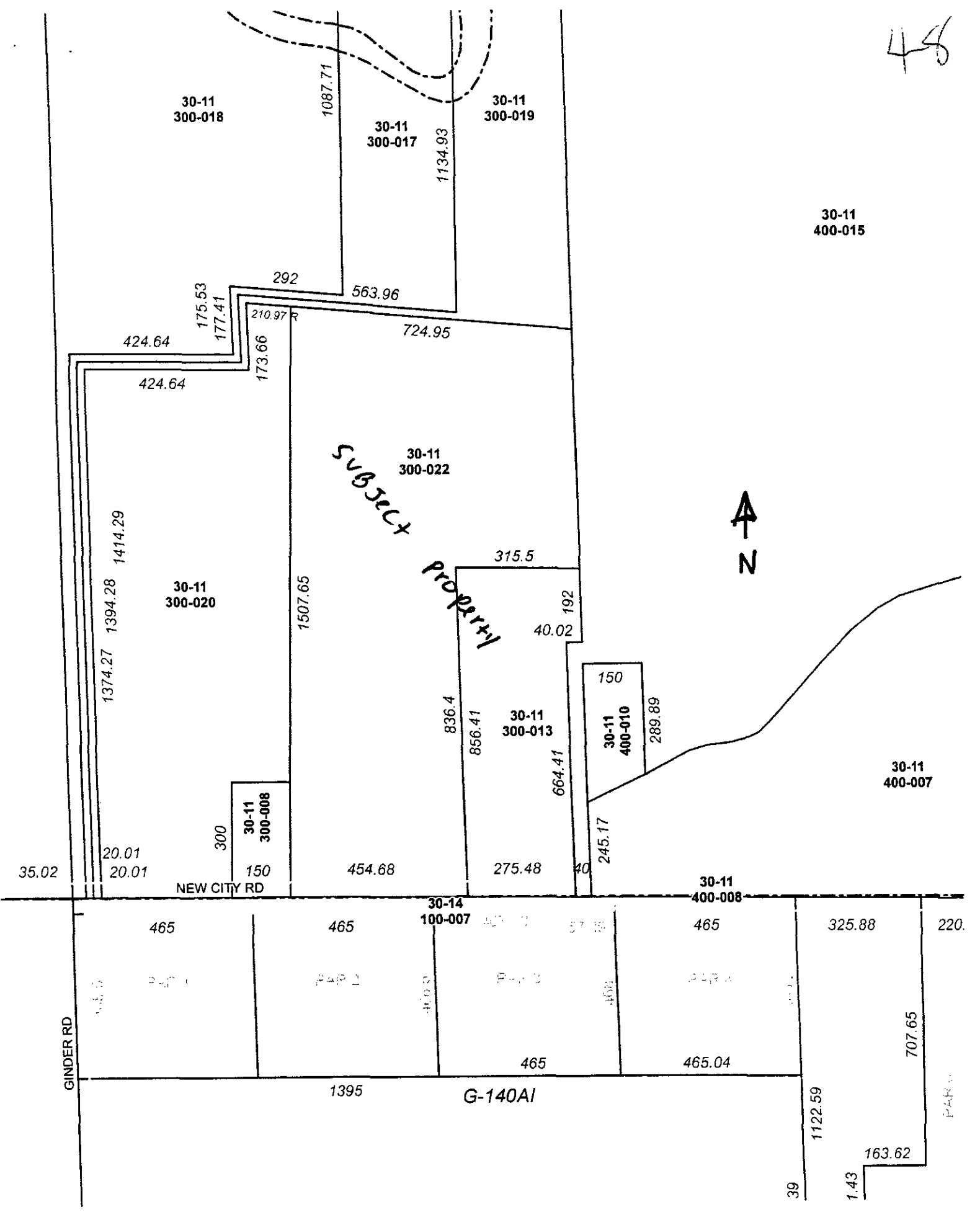
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48



30-11
300-018

30-11
300-017

30-11
300-019

30-11
400-015

30-11
300-020

30-11
300-013

30-11
400-010

30-11
300-008

30-11
400-007

30-14
100-007

30-11
400-008

GINDER RD

NEW CITY RD

G-140A1



*SUBJECT
PROPERTY*

35.02

20.01
20.01

300

150

454.68

275.48

40

1374.27

1394.28

1414.29

424.64

424.64

175.53

177.41

210.97 R

173.66

292

1087.71

563.96

724.95

1134.93

315.5

192

40.02

836.4

856.41

664.41

150

289.89

245.17

465

465

465

465

465

465

325.88

220

465

465.04

1395

1122.59

707.65

1.43

163.62

39

PAR...

ZONING VARIANCE CHECK LIST

DATE: 7/31/06

INSPECTED BY: JH LW

PETITIONER: Johnson, Darren and Aimee

ADDRESS: 7425 New City Road

EXISTING ZONING: A

REQUEST DESCRIPTION: A variance to allow the lot depth to exceed 2 1/2 times the lot width for one parcel.



JUL 31 2006

Staff Estimate of the Effect of the Variance on the Area		None	Slight	Mod.	Great
CONTRASTS:	land use	X			
	appearance	X			
CURRENT VS. PROPOSED	height	X			
	parking	X			
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow	X			

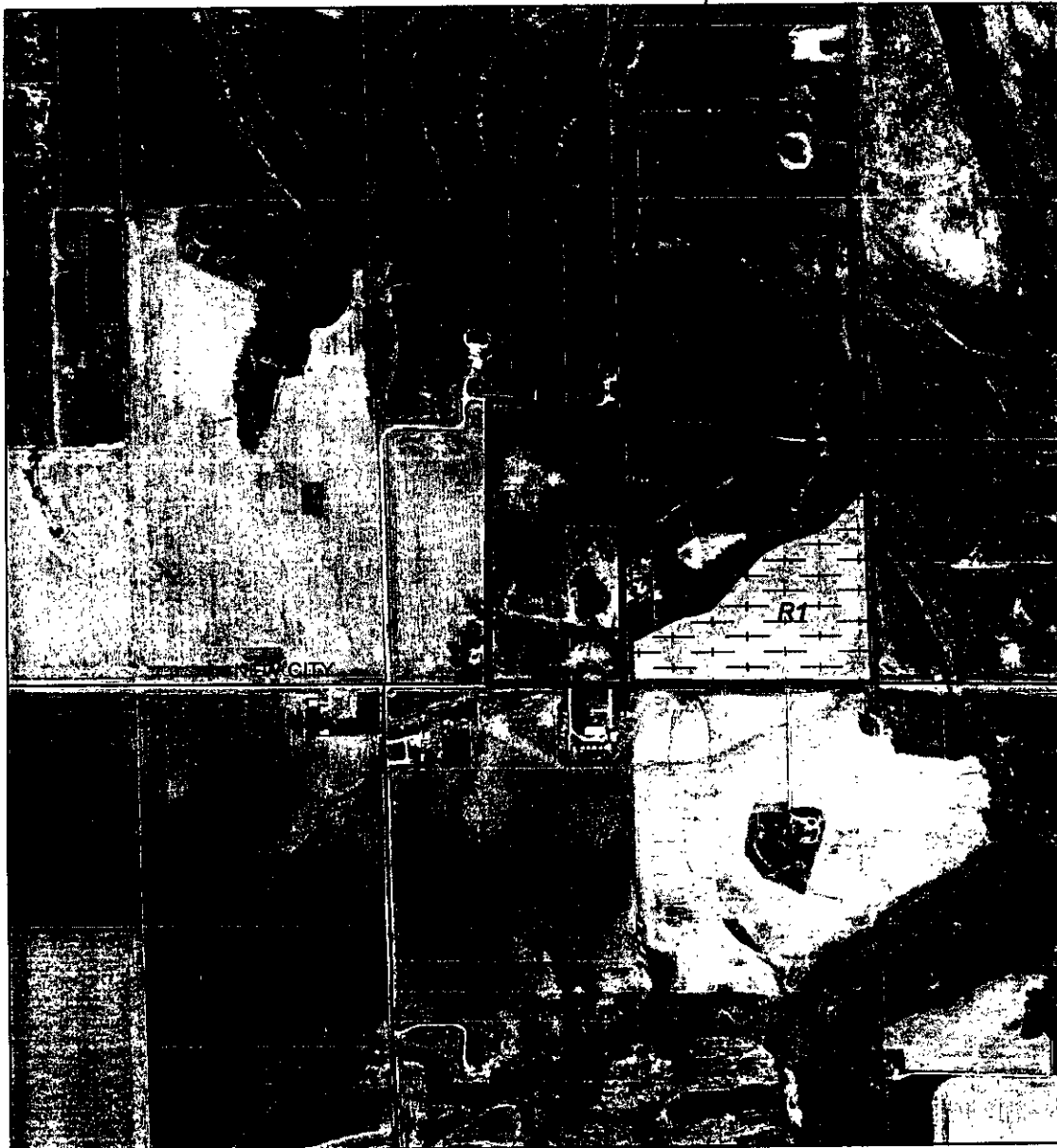
Frontage	Lineal Feet	Existing Yards (ft.)			Area
<u>New City Road</u>	<u>730'</u>	<u>NA</u>			<u>25.18 acres</u>
		front	side	rear	

OTHER COMMENTS:

STAFF RECOMMENDATIONS: **Recommend approval. The standards of variation are met.**

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County Zoning Case# 2006-48

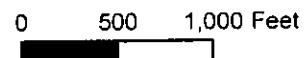


County Zoning

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

City Zoning

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



RECOMMENDED STANDARDS FOR VARIATIONS

Case #: **2006-48**

Address: **7425 New City 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 a better configuration of 2 contiguous parcels.

- (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 squaring off of both parcels by extending the dividing lot line to the rear line of one of the parcels.

- (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