

CASE # 2007-74
RESOLUTION NUMBER 8-1
GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
14000 CARUTHERS ROAD, WAVERLY
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, **G. Matt & Dawn Clark**, have petitioned the Sangamon County Board for a **variance to allow 2 parcels less than 40 acres**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **November 15, 2007**, 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

NOV 30 2007

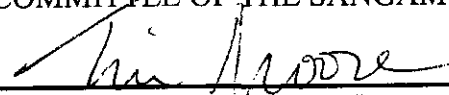
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 11th Day of December, 2007 that the request for a variance to allow 2 parcels less than 40 acres on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 11th day of December, 2007.

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

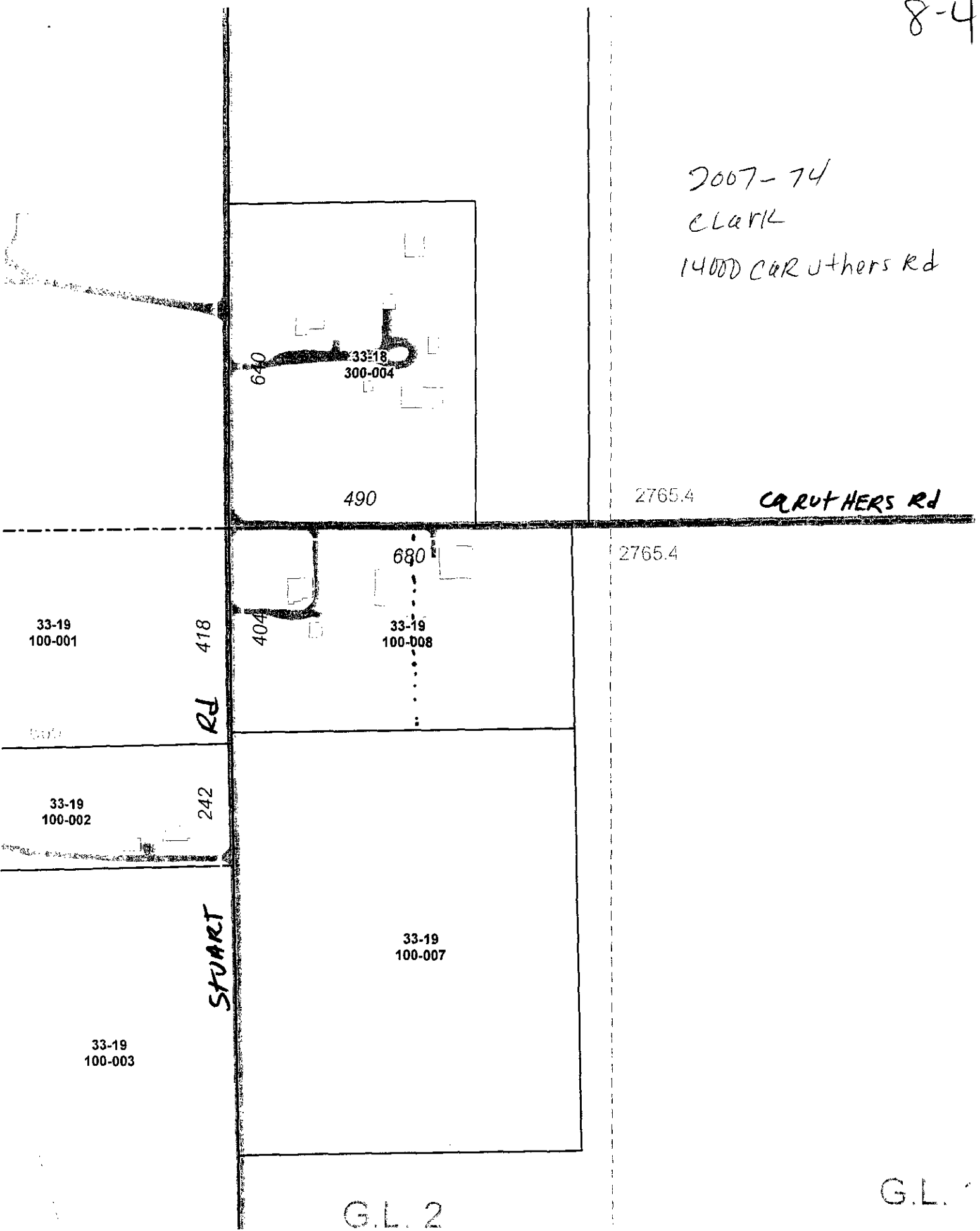
EXHIBIT A

Part of the Northwest Quarter of Section 19, Township 13 North, Range 7 West of the Third Principal Meridian, in Sangamon County, described as follows:

Commencing at the Northwest corner of Section 19; thence North 89 degrees 54 minutes 10 seconds East 691.35 feet along the North line of said Section 19 to the point of beginning; thence continuing North 89 degrees 54 minutes 10 seconds East 680.00 feet along the North line; thence South 00 degrees 02 minutes 30 seconds West 404.00 feet; thence South 89 degrees 54 minutes 10 seconds West 680.00 feet; thence North 00 degrees 02 minutes 30 seconds East 404.00 feet to the point of beginning.

8-4

2007-74
CLARK
14000 CARUTHERS RD



G.L. 2

G.L.

RECAP
(For County Board Use)

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

DOCKET NUMBER: **2007-74**

ADDRESS: **14000 Caruthers Road, Waverly, IL 62692-8541**

PETITIONER: **G. Matt & Dawn Clark**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance to allow 2 parcels less than 40 acres to allow the agricultural land to be separated from the residential land**

AREA: **6.31 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

8-6

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2007-74
G. Matt & Dawn Clark)	
)	PROPERTY LOCATED AT:
)	14000 Caruthers Road
)	Waverly, IL 62692-8541
)	

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 **November 15, 2007** 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 **14000 Caruthers Road, Waverly, Il 62692-8541** and more particularly described as:

See Exhibit A

Page 2

- 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, agriculture.**
- 5. That the proposed land use of said property is **divide the agricultural land from the residential land.**
- 6. That the requested **variance** of said property is: **to allow 2 parcels less than 40 acres.**
- 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 **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 **Marvin Traylor.**

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Judith Johnson, Marvin Traylor, Don Wulf**

NO:

ABSENT: **Peggy Egizii**

Do Armstrong
RECORDING SECRETARY

EXHIBIT A

Part of the Northwest Quarter of Section 19, Township 13 North, Range 7 West of the Third Principal Meridian, in Sangamon County, described as follows:

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SSCRPC Springfield Sangamon County Regional Planning Commission
 (inspected 10/30/07 by AJ)

SANGAMON COUNTY ZONING CASE # 2007-74
 ADDRESS 14000 Caruthers Road
 Property Index # 33-19-100-008

PETITIONER Clark, G. Matt & Dawn

REQUESTED ZONING Variance to allow 2 parcels less than 40 acres

PROPOSED LAND USE Divide off existing home from the agricultural land

EXISTING:

ZONING A

LAND USE Single family residence

ROAD FRONTAGE	<u>Caruthers Road 680'</u>	CONDITION OF PAVEMENT	<u>Good</u>
	<u>Stuart Road 404'</u>		<u>Good</u>

STRUCTURE DESIGNED FOR Residence

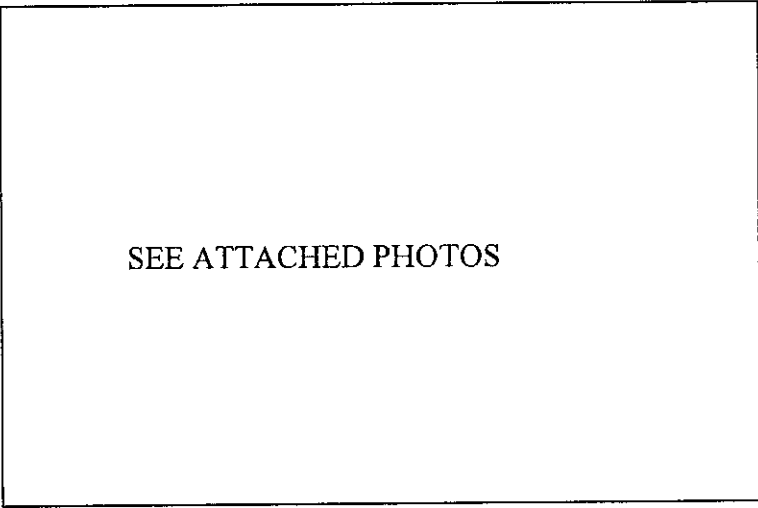
CONDITION OF STRUCTURE Good

LOT AREA 6.31 acres

FRONT YARD 90'

SIDE YARDS 100' / 765'

REAR YARD 250'



Would the proposed zoning be spot zoning? NA

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

Case #: 2007-74

Address: 14000 Caruthers Road



East Side



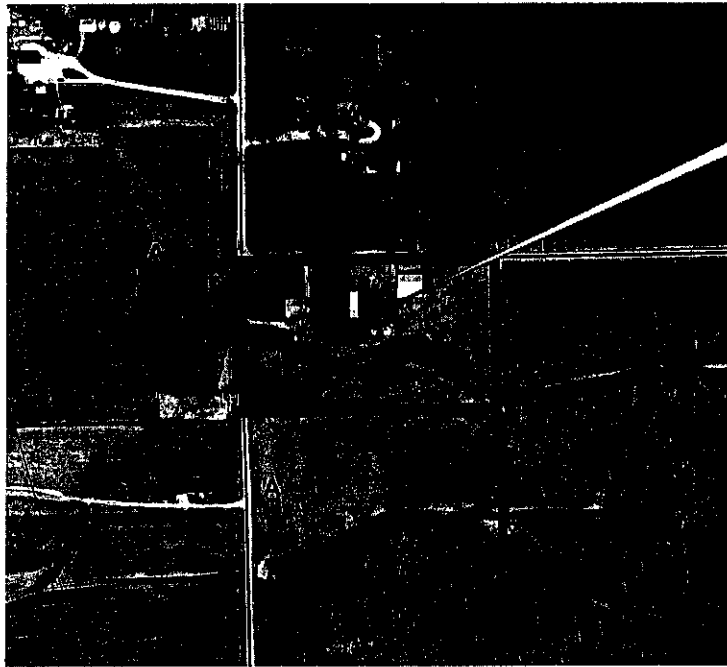
Outbuilding One



Residence













County Zoning

Case# 2007-74





















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



**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2007-74**

Address: **14000 Caruthers 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.

Granting the variance would 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 request is made to divide off the existing home site from the agricultural buildings.

- (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.