

CASE # 2008-18  
RESOLUTION NUMBER 10-1

**GRANTING VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**7721 ROBERTS 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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **David Peecher**, has petitioned the Sangamon County Board for a **variance of the lot area requirement to allow 2 residences on 6 acres and 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 **March 20, 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**

**MAR 26 2008**

*Joe Aiello*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 9<sup>th</sup> day of April, 2008 that the request for a variance of the lot area requirement to allow 2 residences on 6 acres and a variance to allow the lot depth to exceed 2 ½ times the lot width for one parcel on the above described property are hereby approved.

Signed and passed by the Sangamon County Board in session on this 9<sup>th</sup> day of April, 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

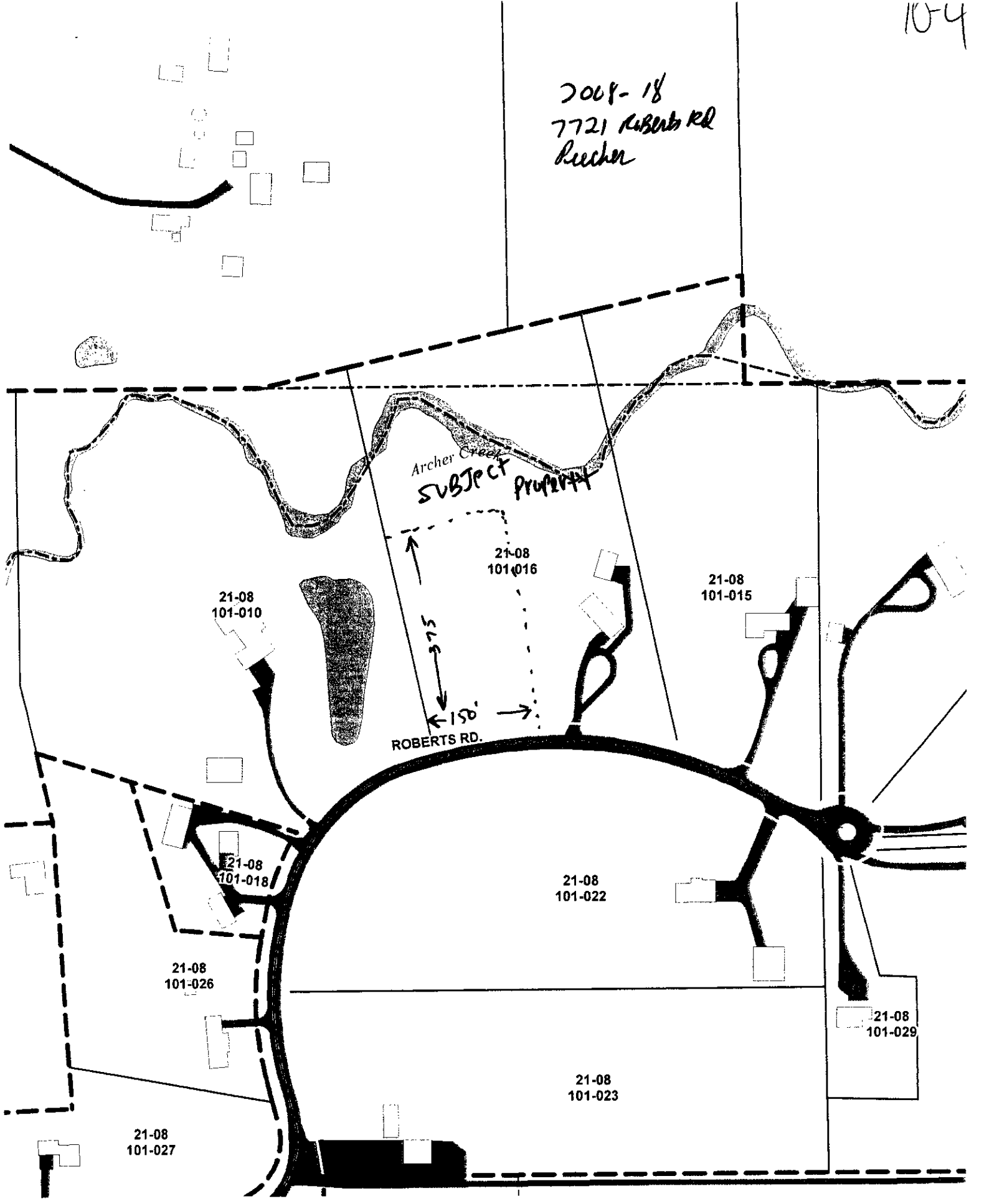
  
\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

## EXHIBIT A

Part of the Northwest Quarter of Section 8 and the Southwest Quarter of Section 5, Township 15 North, Range 6 West of the Third Principal Meridian, described as follows:

Commencing at an iron pin marking the Northwest Corner of said Northwest Quarter, Section 8, thence 89 degrees, 44 minutes 58 seconds East, 901.41 feet along the North line of said Northwest Quarter, Section 8, to an iron pin; thence North 77 degrees 35 minutes 53 seconds East, 150 feet to an iron pin in the Southwest Quarter of said Southwest Quarter of Section 5 said iron pin being the point of beginning; thence North 77 degrees 35 minutes 53 seconds East, 433 feet to an iron pin; thence South 5 degrees 20 minutes 11 seconds East, 710.11 feet to an iron pin; thence Westerly to the left along said Northerly road line along a curve through a central angle of 22 degrees 49 minutes 38 seconds whose radius is 746.20 feet and whose long chord bears North 89 degrees 42 minutes 14 seconds West 295.33 feet to an iron pin on said North road line; thence South 78 degrees 52 minutes 57 seconds West, 57.75 feet along said North road line to an iron pin, thence North 12 degrees 19 minutes 31 seconds West, 641 feet to the point of beginning, being part of the Plat of Survey recorded June 18, 1973 in Book 21 of Plats, page 36 as Document No. 356530, containing 6.00 acres, more or less.

2008-18  
7721 Roberts Rd  
Recher



RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 1 NAME: **Tom Fraase**

DOCKET NUMBER: **2008-18**

ADDRESS: **7721 Roberts Road, New Berlin, IL 62670-6568**

PETITIONER: **David Peecher**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance of the lot area requirement to allow 2 residences on 6 acres and a variance to allow the lot depth to exceed 2 ½ times the lot width for one parcel**

AREA: **6 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: <b>2008-18</b>
<b>David Peecher</b> )	
)	PROPERTY LOCATED AT:
)	<b>7721 Roberts Road</b>
)	<b>New Berlin, IL 62670-6568</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 **March 20, 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 **7721 Roberts Road, New Berlin, IL 62670-6568** 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.**
- 5. That the proposed land use of said property is **divide into 2 tracts for a new single family residence.**
- 6. That the requested **variances** of said property are **of the lot area requirement to allow 2 residences on 6 acres and a variance 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 **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 requested **variances** be **approved.**

  
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 **Peggy Egizii.**

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Marvin Traylor and Don Wulf.**

NO:

ABSENT:

  
RECORDING SECRETARY

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**SSCRPC** **Springfield Sangamon County Regional Planning Commission**

**Staff Findings and Recommendation**  
 (inspected 3/4/08 by AJ)

SANGAMON COUNTY ZONING CASE # 2008-18  
 ADDRESS 7721 Roberts Road  
 Property Index # 21-08-101-016

PETITIONER Peecher, David

REQUESTED ZONING A variance of the lot area requirement to allow 2 residences on 6 acres and a variance to allow the lot depth to exceed 2 1/2 times the lot width for one parcel.

PROPOSED LAND USE Divide into 2 tracts for a new single family residence

EXISTING:

ZONING A

LAND USE Single family residence

ROAD FRONTAGE Roberts Road - 567.39' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence

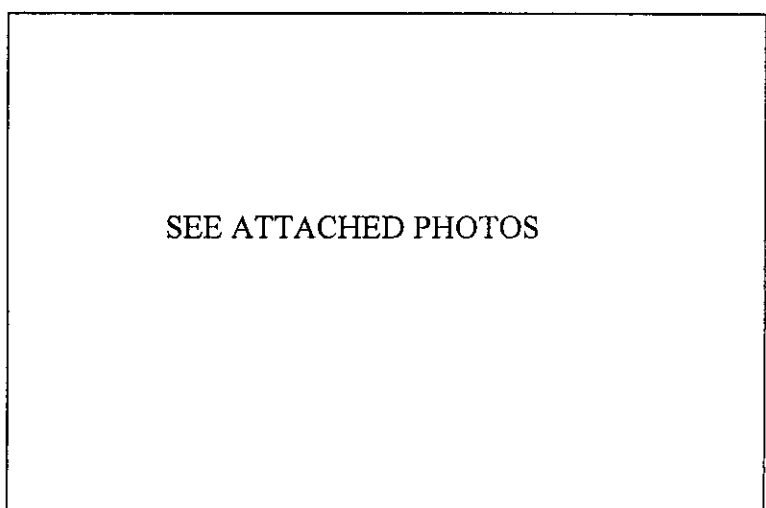
CONDITION OF STRUCTURE Good

LOT AREA 6 acres

FRONT YARD 140'

SIDE YARDS 283' / 55'

REAR YARD 435'



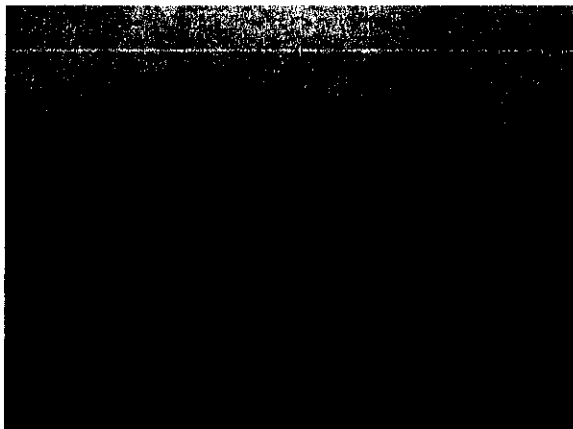
Would the proposed zoning be spot zoning? N/A

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

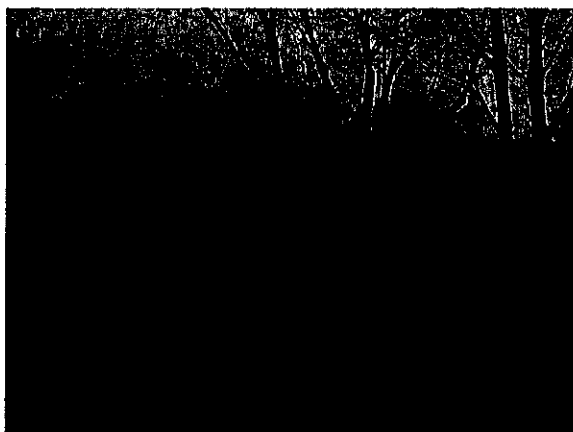
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Case #: 2008-18

Address: 7721 Roberts Road



**7721 Roberts Road**

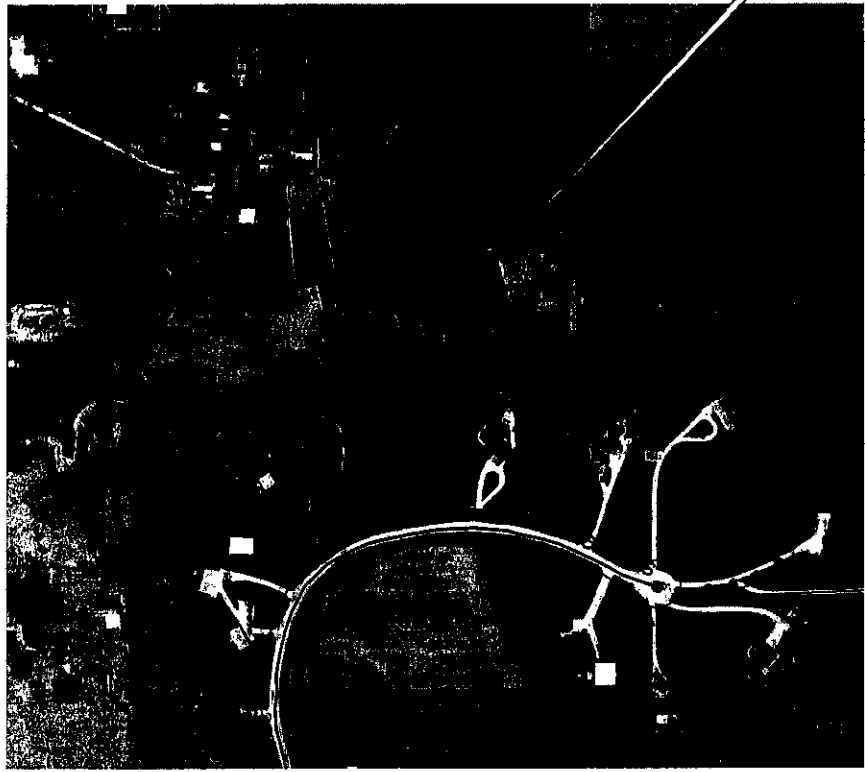


**West side of property**

# County Zoning

## Case# 2008-18

Requested:  
Variance

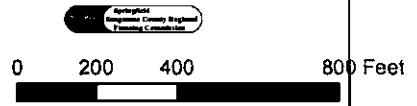


### County Zoning

	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 #: **2008-18**

Address: **7721 Roberts 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 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.

**Yes. The topography with Archer Creek running through the rear of the property, the existing timber and single family residential developments along Roberts Road all support this request.**

- (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.**