

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
20180 DALE DAVIS DRIVE, ILLIOPOLIS
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 the variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **United Regional Water Coop**, has petitioned the Sangamon County Board for **Proposed Parcel 1: a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width, and a variance to allow one (1) parcel less than forty (40) acres (approximately 11 acres); and, for Proposed Parcel 2: a variance to allow the front yard setback to be approximately five (5) feet instead of the required thirty (30) feet for the existing accessory structure, and a variance to allow one (1) parcel less than forty (40) acres (approximately 5 acres); and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **June 20, 2019** 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

JUN 26 2019

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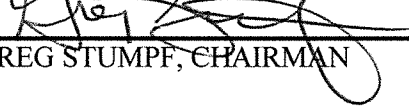
Don J. Hayes
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **9th Day of July, 2019** that the requests for **Proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres (approximately 11 acres); and, for Proposed Parcel 2: a variance to allow the front yard setback to be approximately five (5) feet instead of the required thirty (30) feet for the existing accessory structure, and a variance to allow one (1) parcel less than forty (40) acres (approximately 5 acres) on the above described property are hereby approved.**

Signed and passed by the Sangamon County Board in session on this **9th day of July, 2019.**

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTS

LINDA DOUGLAS WILLIAMS

ANNETTE FULGENZI

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of the Northwest Quarter of Section 25, Township 16 North, Range 2 West of the Third Principal Meridian in Sangamon County, Illinois, described as follows:

The South 20 acres of the Southwest Quarter of the Northwest Quarter of Section 25, except the following described property:

Commencing at the West Quarter corner of Section 25; thence North 0 degrees 42 minutes 50 seconds West 662.13 feet along the West line of said Section 25 to the North line of the South 20 acres of the Southwest Quarter of the Northwest Quarter of said Section 25 and the point of beginning; thence North 89 degrees 58 minutes 53 seconds East 298.07 feet along said North line; thence South 0 degrees 42 minutes 50 seconds East 292.28 feet; thence South 89 degrees 58 minutes 54 seconds West 298.07 feet to the West line of said Section 25; thence North 0 degrees 42 minutes 50 seconds West 292.28 feet along said West line to the point of beginning. Also except that part deeded to the County of Sangamon, State of Illinois by instrument recorded April 1, 1987 as Document No. 60336.

Situated in Sangamon County, Illinois.

Parcel Number: 17-25.0-100-041

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: #3 NAME: David Mendenhall

DOCKET NUMBER: 2019-025

ADDRESS: 20180 Dale Davis Drive, Illiopolis, IL 62539

PETITIONER: United Regional Water Coop

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: **Proposed Parcel 1:** A variance to allow the lot depth to exceed two and one-half (2.5) times the lot width, and a variance to allow one (1) parcel less than forty (40) acres (approximately 11 acres).

Proposed Parcel 2: A variance to allow the front yard setback to be approximately five (5) feet instead of the required thirty (30) feet for the existing accessory structure, and a variance to allow one (1) parcel less than forty (40) acres (approximately 5 acres).

AREA: 18.06 acres

COMMENTS: None

OBJECTORS: Yes

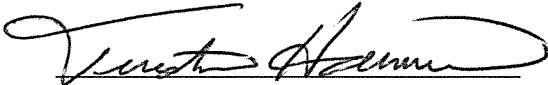
PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The current parcel is under the 40 acre minimum requirement (approximately 18 acres), and granting the requested variances will allow the subject property to be used economically by splitting the property into two lots: one lot for the existing residence and one lot for a proposed water treatment plant. In splitting the subject property, the existing shed will be located in the required front yard due to a re-orientation of the lot where the front yard is the north property line for Proposed Parcel 2. Requiring the existing shed to be moved/demolished after it has been**

in the same location for over 30 years would reduce the reasonable return on the subject property. The Standards for Variation are met.

After reconsideration, it has been determined that the requested variance to allow the lot depth to exceed 2.5 times the lot width is unnecessary.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval of Staff Recommendation.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2019-025
United Regional Water Coop)	
)	PROPERTY LOCATED AT:
)	20180 Dale Davis Drive
)	Illioopolis, IL 62539

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 **June 20, 2019** 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: **20180 Dale Davis Drive, Illioopolis, IL 62539** 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 and pasture.**
5. That the proposed land use of said property is a **water treatment plant and single-family residence.**
6. That the requested **variances** of said property are **Proposed Parcel 1: a variance to allow the lot depth to be greater than two and one-half (2.5) times the lot width, and a variance to allow one (1) parcel less than forty (40) acres (approximately 11 acres); and, for Proposed Parcel 2: a variance to allow the front yard setback to be approximately five (5) feet instead of the required thirty (30) feet for the existing accessory structure, and a variance to allow one (1) parcel less than forty (40) acres (approximately 5 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 **variances for Proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres (approximately 11 acres); and, for Proposed Parcel 2: a variance to allow the front yard setback to be approximately five (5) feet instead of the required thirty (30) feet for the existing accessory structure, and a variance to allow one (1) parcel less than forty (40) acres (approximately 5 acres)** 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 for Proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres (approximately 11 acres); and, for Proposed Parcel 2: a variance to allow the front yard setback to be approximately five (5) feet instead of the required thirty (30) feet for the existing accessory structure, and a variance to allow one (1) parcel less than forty (40) acres (approximately 5 acres)** are hereby approved.


CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Larry Beaty**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition for **Proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres (approximately 11 acres); and, for Proposed Parcel 2: a variance to allow the front yard setback to be approximately five (5) feet instead of the required thirty (30) feet for the existing accessory structure, and a variance to allow one (1) parcel less than forty (40) acres (approximately 5 acres) are hereby approved** which was duly seconded by **Tony Mares**.

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Don Wuulf, Andrew Spiro, Larry Beaty**

NO:

PRESENT:

ABSENT:


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2019-025**

Address: **20180 Dale Davis Drive, Illiopolis**

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 current parcel is under the 40 acre minimum requirement (approximately 18 acres), and granting the requested variances will allow the subject property to be used economically by splitting the property into two lots: one lot for the existing residence and one lot for a proposed water treatment plant. In splitting the subject property, the existing shed will be located in the required front yard due to a re-orientation of the lot where the front yard is the north property line for Proposed Parcel 2. Requiring the existing shed to be moved/demolished after it has been in the same location for over 30 years would reduce the reasonable return on the subject 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 subject property is already under the 40 acre minimum requirement and is located by the Illiopolis well fields, and by allowing the division a water treatment plant could be located on a portion of the property. The shed has been in the same location for over 30 years and the division of the subject property and the change in front yard location triggers the need for the front yard setback variance.

- (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.

Negative impacts are not anticipated.