

CASE# 2014-031
RESOLUTION NUMBER 11-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
5505 BUFFALO HART ROAD, BUFFALO
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:

The East half of the Northeast Quarter of Section Thirty-one (31), Township Seventeen (17) North, Range Three (3) West of the Third Principal Meridian and the West one-half of the Northwest Quarter of Section Thirty-two (32), Township Seventeen (17) North, Range Three (3) West of the Third Principal Meridian. All in Sangamon County, Illinois.

WHEREAS, the Petitioner, **Mark Cochran representative of Cravens Family, LLC**, has petitioned the Sangamon County Board for a **variance to allow one (1) parcel less than forty (40) acres**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **July 17, 2014** 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

JUL 29 2014

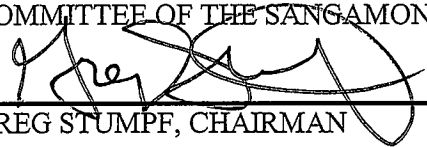
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **12th day of August, 2014** that the request for a variance to allow one (1) parcel less than forty (40) acres on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this **12th day of August, 2014.**

Respectfully submitted,

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



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

JOHN FULGENZI

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTIS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

11-3

RECAP

(For County Board Use)

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

DOCKET NUMBER: **2014-031**

ADDRESS: **5505 Buffalo Hart Road, Buffalo, IL 62515**

PETITIONER: **Mark Cochran, representative of Cravens Family, LLC**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance to allow one (1) parcel less than forty (40) acres.**

AREA: **158.15 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variance. The standards for variation have been met. There do not appear to be any foreseen negative impacts in allowing the proposed division.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION: **Approval as Staff recommended.**


Cyndi Knowles
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2014-031
Mark Cochran, representative of)	
Cravens Family, LLC)	PROPERTY LOCATED AT:
)	5505 Buffalo Hart Road
)	Buffalo, IL 62515

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 **July 17, 2014** 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: **5505 Buffalo Hart Road, Buffalo, IL 62515** and more particularly described as:

The East half of the Northeast Quarter of Section Thirty-one (31), Township Seventeen (17) North, Range Three (3) West of the Third Principal Meridian and the West one-half of the Northwest Quarter of Section Thirty-two (32), Township Seventeen (17) North, Range Three (3) West of the Third Principal Meridian. All in Sangamon County, Illinois.

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is **agricultural farmland and farmstead, including a single-family residence, barn, two sheds, seven grain bins, and miscellaneous outbuildings.**
- 5. That the proposed land use of said property is **agricultural farmland and farmstead, including a single-family residence, barn, two sheds, seven grain bins, and miscellaneous outbuildings.**
- 6. That the requested **variance** of said property is **to allow one (1) parcel less than forty (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 / CC
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Andrew Spiro**, 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 **John Lucchesi**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Merilyn Herbert, Andrew Spiro & John Lucchesi**

NO:

PRESENT:

ABSENT: **Don Wulf & Janet Dobrinsky**

Cyndi Knowles
RECORDING SECRETARY

Me

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2014-031

Address: 5505 Buffalo Hart Road, Buffalo

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 so the buyer can continue to farm the land and keep it in agricultural production and the family can continue to live in the existing homestead. This results in maintaining the current economic yield for 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 family has sold the subject properties as a result of a death that includes the farmland and homestead. As a part of the purchase agreement, the buyer agreed to sell back the farmstead so family members could continue to live in the existing house.

- (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 in allowing the proposed division.