

FILED

DEC 29 2016

Don J. Hagg
Sangamon County Clerk

CASE# 2016-047
RESOLUTION NUMBER 3-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
9190 OAK CREST ROAD, DAWSON
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, **William Hagerman**, has petitioned the Sangamon County Board for **Proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres (approximately 4.5 acres); and, for Proposed Parcel 2: a variance to allow one (1) parcel less than forty (40) acres (approximately 20.5 acres); and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **December 15, 2016** 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.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10th Day of January, 2017 that the request for Proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres (approximately 4.5 acres); and, for Proposed Parcel 2: a variance to allow one (1) parcel less than forty (40) acres (approximately 20.5 acres) on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 10th day of January, 2017.

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 RATTTS

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 West Half of the Northwest Fractional Quarter of Section 30, Township 16 North, Range 3 West of the Third Principal Meridian, in Sangamon County, Illinois, described as follows:

Beginning at a point on the North line of said Section 30, 347.08 feet East of the Northwest corner of said Section 30; thence East on the aforesaid North line 1059.31 feet to the East line of the West Half of said Northwest Quarter; thence South on the aforesaid East line 1371.25 feet; thence deflecting to the right 87 degrees 31 minutes 00 seconds, 228.33 feet; thence deflecting to the right 90 degrees 39 minutes 00 seconds 367.70 feet; thence deflecting to the left 90 degrees 30 minutes 15 seconds, 547.20 feet; thence deflecting to the right 87 degrees 26 minutes 00 seconds, 317.12 feet; thence deflecting to the left 86 degrees 44 minutes 00 seconds, 239.06 feet; thence North parallel to the West line of said Section 30, 729.43 feet to the point of beginning.

RECAP

(For County Board Use)

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

DOCKET NUMBER: **2016-047**

ADDRESS: **9190 Oak Crest Road, Dawson, IL 62520**

PETITIONER: **William Hagerman**

PRESENT ZONING CLASSIFICATION: **“A” Agricultural District.**

REQUESTED ZONING CLASSIFICATION: **“A” Agricultural District and, for Proposed Parcel 1: A variance to allow one (1) parcel less than forty (40) acres (approximately 4.5 acres) and, for Proposed Parcel 2: A variance to allow one (1) parcel less than forty (40) acres (approximately 20.5 acres).**

AREA: **25 acres**

COMMENTS: **None**

OBJECTORS: **Yes**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variances. The property contains 25 acres with a house and agricultural land that is not in crop production. The petitioner is seeking to sell the house (with approximately 4.5 acres) and retain the pasture portion of the property. The topography of the parcel, which contains a small drainage tributary, makes the parcel difficult to farm. Dividing the house from the pasture appears to be the most reasonable use for the property.**

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: **2016-047**
William Hagerman)
)
) PROPERTY LOCATED AT:
) **9190 Oak Crest Road**
) **Dawson, IL 62520**

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 **December 15, 2016** 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:

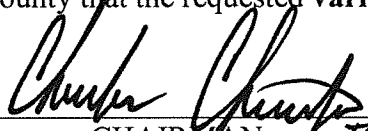
1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **9190 Oak Crest Road, Dawson, IL 62520** 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, outbuildings, and agricultural.**
- 5. That the proposed land use of said property is **single-family residence, outbuildings, and agricultural.**
- 6. That the requested **variances** of said property are **for Proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres (approximately 4.5 acres); and, for Proposed Parcel 2: a variance to allow one (1) parcel less than forty (40) acres (approximately 20.5 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** 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 TB

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 **Anthony Mares**.

The vote of the Board was as follows:

YES: **Charles Chimento, Andrew Spiro, Anthony Mares, Don Wulf, John Lucchesi**

NO:

PRESENT:

ABSENT: **Merilyn Herbert, Janet Dobrinsky**


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2016-047**

Address: **9190 Oak Crest Road, Dawson**

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 property contains 25 acres with a house and agricultural land that is not in crop production. The petitioner is seeking to sell the house (with approximately 4.5 acres) and retain the pasture portion of the property. Dividing the property will allow the petitioner to yield a reasonable return.

- (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 topography of the parcel, which contains a small drainage tributary, makes the parcel difficult to farm. Dividing the house from the pasture appears to be the most reasonable use for the property.

- (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 impacts are anticipated.