

CASE# 2011-005
RESOLUTION NUMBER 4-1

GRANTING A VARIANCE AND CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
5029 SNELL ROAD, AUBURN
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 and conditional permitted use** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Ricky & Rebecca Hargett**, has petitioned the Sangamon County Board for a **variance to allow two (2) principal uses on the property and a conditional permitted use to allow an antique store;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **February 17, 2011** 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 a variance and conditional permitted use;** and

WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

FILED

FEB 23 2011

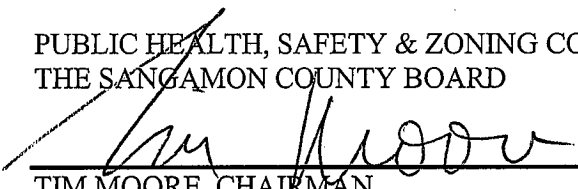
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 8th day of March 2011 that the request for a variance to allow two (2) principal uses on the property and a conditional permitted use to allow an antique store on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 8th day of March, 2011.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING COMMITTEE OF THE SANGAMON COUNTY BOARD



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

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Exhibit A

Parcel 1

Part of the East Half of the Northeast Quarter of Section 34 and Part of the West Half of the Northwest Quarter of Section 35, Township 14 North, Range 6 West of the Third Principal Meridian, described as Follows:

From the Northwest Corner of said Section 35 Running South on the Section Line 1321.80 Feet to the Point of Beginning; Thence North 89 Degrees 43 Minutes 30 Seconds East, 55 Feet; Thence South Parallel to the West Line of said Section 35, 200 feet; Thence South 89 Degrees 43 Minutes 30 Seconds West, 65 feet; Thence South Parallel to Aforesaid West Line of section 35, 268.15 Feet; Thence South 89 Degrees 43 Minutes 30 Seconds west, 644.07 Feet; Thence North Parallel to Aforesaid West Line of Section 35, 468.15 Feet; Thence North 89 Degrees 43 Minutes 30 Seconds East, 654.07 feet to the Point of Beginning.

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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #7 NAME: Craig Hall

DOCKET NUMBER: 2011-005

ADDRESS: 5029 Snell Road, Auburn, Il. 62615

PETITIONER: Ricky & Rebecca Hargett

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow two (2) principal uses on the property and a conditional permitted use to allow an antique store.

AREA: 7.22

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval of the variance request to allow two (2) uses on the subject property. The standards for variation have been met. Recommend approval of the conditional permitted use to allow for an antique store. The proposed use has been in operation for approximately eight (8) years and has had no negative effects on adjacent properties.

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: 2011-005
Ricky & Rebecca Hargett)	
)	PROPERTY LOCATED AT:
)	5029 Snell Road
)	Auburn, Il. 62615

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 and conditional permitted use** 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 **February 17, 2011** 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: **5029 Snell Road, Auburn, IL.** and more particularly described as:

See Exhibit A

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- 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 with the operation of an antique store.
- 5. That the proposed land use of said property is a single family residence with the operation of an antique store.
- 6. That the requested variance of said property is to allow two (2) principal uses on the property and a conditional permitted use for an antique store.
- 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 and conditional permitted use 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 and conditional permitted use be approved.

Charles Chimento/ck
 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Judith Johnson**, 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, Peggy Egizii, Judith Johnson, Marvin Traylor**

NO:

ABSENT:

Cyndi Knowles
 RECORDING SECRETARY