

CASE# 2017-060  
RESOLUTION NUMBER 4-1

**GRANTING VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**12000 BLOCK OF IRISH 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 the variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **Kevin Sullivan**, has petitioned the Sangamon County Board for a **variance to allow one (1) parcel less than forty (40) acres (approximately 37 acres) and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width;** and,

WHEREAS, a public hearing was held at the Sangamon County Building on **December 21, 2017** 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**

DEC 28 2017

*Don Key*  
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 January, 2018** that the requests for a variance to allow one (1) parcel less than forty (40) acres (approximately 37 acres) and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width 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 January, 2018.**

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

4-3

**ATTEST:**

\_\_\_\_\_  
SANGAMON COUNTY CLERK

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

**EXHIBIT A**

Commonly known as parcel number: 20-28.0-400-015:

Part of the West Half of the Southeast Quarter AND the East Half of the East Half of the Southwest Quarter, Section Twenty-Eight (28), Township Fifteen (15) North, Range Seven (7) West of the Third Principal Meridian, containing approximately 118.56 acres, more or less. Situated in Sangamon County, Illinois.  
Property Address: Rural Route, New Berlin, Illinois 62670

EXCEPT

Commencing at a found iron pipe marking the Southeast Corner of the West Half of the Southeast Quarter of said Section 28; thence South 89 degrees 02 minutes 19 seconds West, along the south line of the aforementioned West Half of the Southeast Quarter, a distance of 365.45 feet to a set iron pin marking the POINT OF BEGINNING; thence continuing South 89 degrees 02 minutes 19 seconds West, a distance of 100.07 feet to a found iron pipe; thence North 00 degrees 58 minutes 16 seconds West, a distance of 369.97 feet measured (N 0°3'21" E 370.00 feet deed) to a found iron pipe; thence South 88 degrees 57 minutes 15 seconds West, a distance of 170.02 feet measured (WEST 170.00' deed) to a found iron pipe; thence North 00 degrees 59 minutes 04 seconds West, a distance of 75.28 feet to a set iron pin; thence North 89 degrees 02 minutes 19 seconds East, a distance of 270.00 feet to a set iron pin; thence South 00 degrees 59 minutes 04 seconds East, a distance of 445.00 feet to the POINT OF BEGINNING. Containing 1.315 acres, more or less. Basis of bearing is Illinois State Plan Coordinates West Zone.

ALSO EXCEPT

Commencing at the Southeast Corner of the West Half of the Southeast Quarter of the Aforementioned Section 28, Thence South 90 Degrees 00 Minutes 00 Seconds West along the Section Line a distance of 465.55 feet Deed to an Iron Pipe, thence North 00 Degrees 03 Minutes 21 Seconds East a distance of 329.85 feet measured, (330.00 feet deed) to an iron pipe marking the True Point of Beginning, thence South 90 Degrees 00 Minutes 00 Seconds West a distance of 170.00 feet to an iron pipe, thence North 00 Degrees 03 Minutes 21 Seconds East a distance of 40.00 feet to an iron pipe, thence North 90 Degrees 00 Minutes 00 Seconds East a distance of 170.00 feet to an iron pipe, thence South 00 Degrees 03 Minutes 21 Seconds West a distance of 40.00 feet to the True Point of Beginning. Said Parcel contains 0.156 Acres, Basis of bearing is South 90 Degrees 00 Minutes 00 Seconds West along the Section Line.

**RECAP**

(For County Board Use)

COUNTY BOARD  
MEMBER:

#7

NAME: **Craig Hall**

DOCKET NUMBER: **2017-060**

ADDRESS: **12000 Block of Irish Road, New Berlin, IL 62670**

PETITIONER: **Kevin Sullivan**

PRESENT ZONING  
CLASSIFICATION:

**“A” Agricultural District.**

REQUESTED ZONING  
CLASSIFICATION:

**A variance to allow one (1) parcel less than forty (40) acres (approximately 37 acres) and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width.**

AREA: **N/A**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION  
RECOMMENDATION:

**Recommend approval. The subject property will have a 37-acre tract split off to meet the requirements of a trust. No change in land use is contemplated. The Standards for Variation are met.**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

**Approval of Staff Recommendation.**

  
RECORDING SECRETARY

46

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:	)	DOCKET NO: <b>2017-060</b>
<b>Kevin Sullivan</b>	)	
	)	PROPERTY LOCATED AT:
	)	<b>12000 Block of Irish Road</b>
	)	<b>New Berlin, IL 62670</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 **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 21, 2017** 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: **12000 Block of Irish Road, New Berlin, IL 62670** and more particularly described as:

**See Exhibit A**

4-7

Page 2

3. That the present zoning of said property is **“A” Agricultural District.**
4. That the present land use of said property is **cropland.**
5. That the proposed land use of said property is **cropland.**
6. That the requested **variances** of said property are for **a variance to allow one (1) parcel less than forty (40) acres (approximately 37 acres) and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width.**
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** 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** be **approved.**

  
CHAIRMAN 720

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Tony Mares**, 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 **Larry Beaty**.

The vote of the Board was as follows:

YES: **Tony Mares, Don Wulf, Andrew Spiro, Gina Lathan, Larry Beaty**

NO:

PRESENT:

ABSENT: **Charles Chimento**

  
RECORDING SECRETARY



**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2017-060**

Address: **12000 Block of Irish Road, New Berlin**

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 subject property will have a 37-acre tract split off to meet the requirements of a trust.**

- (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 division is required by a trust.**

- (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.**