

CASE# 2011-006 5-1
RESOLUTION NUMBER

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
186 & 208 S. JOHN WAYNE 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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Harold & Lavonna Fishburn & Kelly Hershberger**, has petitioned the Sangamon County Board for a **variance to allow two (2) parcels less than forty (40) acres and a variance to allow the lot depth to be two and one-half (2 ½) times the lot width for one (1) parcel**; 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 variances**; and

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

FILED

FEB 23 2011

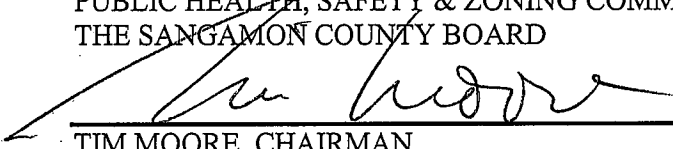
Joe Aiello
Sangamon County Clerk

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) parcels less than forty (40) acres and a variance to allow the lot depth to be two and one-half (2 ½) times the lot width for one (1) parcel 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

Exhibit A

Part of the South half of the Northeast Quarter of the Northwest Quarter of Section 33, Township 16 North, Range 3 west of the Third Principal Meridian, Sangamon County, Illinois.

Described as Follows:

From the Southwest Corner of the Aforesaid Quarter Quarter Section, North on the Quarter Quarter Section Line 162.80 Feet to the Point of Beginning; Thence North on the Quarter Quarter Section Line 335.88 Feet; thence East 1334.89 Feet to a Point that is 163.66 Feet South of the Northeast Corner of the Aforesaid South Half; Thence South on the Quarter Section Line 337.76 Feet; Thence West 1334.28 Feet to the Point of Beginning.

Situated in Sangamon County, Illinois.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #3 NAME: David Mendenhall

DOCKET NUMBER: 2011-006

ADDRESS: 186 & 208 S. John Wayne Road, Dawson, IL. 62520

PETITIONER: Harold & Lavonna Fishburn & Kelly Hershberger

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to allow two (2) parcels less than forty (40) acres and a variance to allow the lot depth to be two and one-half (2 ½) times the lot width for one (1) parcel.

AREA: 10 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variances. In 1996, the petitioner did divide the parcel, however the division was not recorded within the 180 day requirement which has now created a violation that needs to be corrected. There do not appear to be any foreseen negative impacts with this division.**

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: 2011-006

~~Harold & Lavonna Fishburn~~

Kelly Hershberger)

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PROPERTY LOCATED AT:
186 & 208 S. John Wayne Rd.,
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 **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: **186 & 208 S. John Wayne Road, Dawson, IL.** 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 **two (2) single family residences.**
- 5. That the proposed land use of said property is **two (2) single family residences.**
- 6. That the requested **variances** of said property are **a variance to allow two (2) parcels less than forty (40) acres and a variance to allow the lot depth to be two and one-half (2 ½) times the lot width for one (1) parcel.**
- 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.**

Charles Chimento/ck
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Peggy Egizii**, 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 **Byron Deaner**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, Marvin Traylor**

NO:

ABSENT:

Ayndi Knowles
RECORDING SECRETARY