

CASE # 2010-001

RESOLUTION NUMBER 6-1

GRANTING A REZONING
FOR CERTAIN PROPERTY LOCATED AT
17,000 BLOCK OF SOUTH PAWNEE ROAD, PAWNEE
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 an amendment to the Sangamon County Zoning Ordinance** with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **John Thomas McTaggart**, has petitioned the Sangamon County Board for a **rezoning from "A" Agricultural District to "R-1" Single Family Residence District**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **January 21, 2010**, 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 rezoning**; and

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

FILED

JAN 28 2010

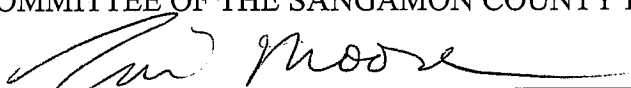
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 9th day of February, 2010 that the request for rezoning from "A" Agricultural District to "R-1" Single Family Residence District on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 9th day of February, 2010.

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 North Half of the Northeast Quarter of Section 25, Township 13 North, Range 5 west of the Third Principal Meridian, Being Described as follows: Commencing at An Iron Pin at the Northeast Corner of Section 25: Thence South 89 Degrees 53 Minutes 33 Seconds West 50.00 Feet to the Point of Beginning; Thence 0 Degrees 17 Minutes 37 Seconds West 793.81 Feet to the Centerline of Horse Creek; Thence Up The Centerline of Horse Creek to a Point on the South Line of the of the North Half of Said Northeast Quarter of Section 25, Said Point Bearing South 77 Degrees 14 Minutes 21 Seconds West 2480.15 Feet from the Last Described Point; Thence South 89 Degrees 56 Minutes 28 Seconds West 153.06 Feet to an Iron Pin at the Southwest Corner of said Half Quarter Section; Thence North 0 Degrees 12 Minutes 45 Seconds East 1336.97 Feet to Iron Pin ; Thence North 89 Degrees 53 Minutes 33 Seconds East 2571.06 Feet to the Point of Beginning, Containing 48.58 Acres More or Less.

Situated In Sangamon County, Illinois.

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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 4 Name: Andy Goleman

DOCKET NUMBER: 2010-001

ADDRESS: 17,000 Block of South Pawnee Road, Pawnee, IL. 62558

PETITIONER: John Thomas McTaggart

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "R-1" Single Family Residence District

AREA: 48.58 acres

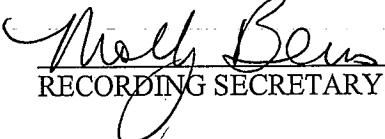
COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION:

Recommend approval of the requested R-1 zoning. The property owner is eligible to utilize the one-time exemption under State Plat Act to divide a 5 acre parcel that is currently over 40 acres. The 5 acre parcel will be utilized for a single family residence; therefore, rezoning to R-1 is necessary to be consistent with County policy. While the LESA score of 209 indicates the property is considered acceptable for agricultural use only, because the property is an exemption of the State Plat Act, the request to R-1 is acceptable. The soils on the property have very limiting characteristics regarding septic systems and some soils have a significantly high water table, which limits placement of septic lateral fields. All Sangamon County Public Health permits and regulations are to be followed.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION: **Approved**


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2010-001
John Thomas McTaggart)	
)	PROPERTY LOCATED AT:
)	17,000 Block of South Pawnee Road
)	Pawnee, IL.

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 **an amendment** 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 **January 21, 2010** 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: **17,000 Block of South Pawnee Road, Pawnee, 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 **Farmland.**
5. That the proposed land use of said property is **"R-1" Single Family Residence District.**
6. That the requested **rezoning** of said property is to rezone from **"A" Agricultural District to "R-1" Single Family Residence District to allow for a single family residence.**
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 **rezoning** 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 **rezoning** 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, Peggy Egizii, Judith Johnson, Byron Deaner, John Luchessi.

NO:

ABSENT: Marvin Traylor, Don Wulf

Molly Beems
RECORDING SECRETARY

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