

CASE# 2011-051
RESOLUTION NUMBER 8-1

GRANTING A CONDITIONAL PERMITTED USE AND VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
10649 HOBBS ROAD, ROCHESTER
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 Conditional Permitted Use** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Brenda J. Barton for Forever Home Feline Ranch**, has petitioned the Sangamon County Board for a **Conditional Permitted Use to allow an animal shelter and a variance to allow two (2) principal uses on one (1) parcel**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **November 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 Conditional Permitted Use and variance**; and

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

FILED

NOV 29 2011

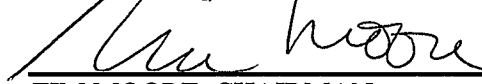
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13th day of December, 2011 that the request for a conditional permitted use to allow an animal shelter and a variance to allow two (2) principal uses on one (1) parcel on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13th day of December, 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

JASON RATTIS

LINDA DOUGLAS WILLIAMS

ATTEST:

LINDA FULGENZI

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

Exhibit A

Part of the Northwest Quarter of the Northeast Quarter of section 20, Township 15 North, Range 3 West of the Third Principal Meridian, Sangamon County, Illinois, being further described as follows:

Beginning at a found axle marking the Southwest Corner of said Northwest Quarter of the Northeast Quarter of Section 20, with said axle being South 01 degrees 01 minutes 57 seconds East and 1332.69 feet from a found stone marking Northwest Corner of said Northwest Quarter of the Northeast Quarter; thence North 01 degrees 01 minutes 57 seconds West, along the West line of said Northwest Quarter of the Northeast Quarter, a distance of 499.93 feet to a set iron pin; thence South 89 degrees 39 minutes 57 seconds East, a distance of 941.16 feet parallel with and 4.00 feet North of an existing fence line to a set iron pin; thence South 04 degrees 34 minutes 06 seconds East a distance of 471.61 feet to a set iron pin on the south line of said Northwest Quarter of the Northeast Quarter; thence south 88 degrees 34 minutes 04 seconds West, along said South line Northwest Quarter of the Northeast Quarter, a distance of 970.00 feet to the point of beginning.

Except all coal, minerals and mining rights heretofore conveyed or reserved of record.

Situated in Sangamon County, Illinois.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #3 NAME: David Mendenhall

DOCKET NUMBER: 2011-051

ADDRESS: 10649 Hobbs Road, Rochester, Il 62563

PETITIONER: Brenda J. Barton for Forever Home Feline Ranch.

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a conditional permitted use to allow an animal shelter and a variance to allow two (2) principal uses on one (1) parcel.

AREA: 10.64 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval of the requested CPU to allow for an animal shelter, with the stipulation that all feline's be kept inside or contained, as allowing such use would have not an adverse effect on adjacent property owners. Recommend approval of the requested variance to allow two (2) principal uses on one (1) property with understanding that the principal uses will be a feline ranch and single family residence to house the caretaker of the ranch, as stated in the petition. There is a concern, however, with the sign on the subject property as no proper permit was obtained for construction, and Section 17.62.120 of County sign regulations are required to be followed.

**Amended: Recommended approval
of the requested Conditional
Permitted Use to allow for an
animal shelter, only for felines.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval

Cyndi Knowles
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: **2011-051**
Brenda J. Barton for)
Forever Home Feline Ranch)
))
)) **PROPERTY LOCATED AT:**
)) **10649 Hobbs Road**
)) **Rochester, Il 62563**

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 **Conditional Permitted Use and variance** 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 **Novembr 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: **10649 Hobbs Road, Rochester, 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 **an animal shelter, office and a single family residence.**
- 5. That the proposed land use of said property is **an animal shelter, office and a single family residence.**
- 6. That the requested **Conditional Permitted Use and variance** of said property is **to allow an animal shelter and to allow two (2) principal uses on 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 **Conditional Permitted Use and variance** 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 **Conditional Permitted Use and variance** be approved.

Charles Chimento/ck
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Byron Deaner**, to concur with the findings of fact and recommendation of the Regional Planning Commission as amended to the County Board that the petition be **approved**, which was duly seconded by **Judith Johnson**.

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