

CASE # 2009-61

RESOLUTION NUMBER 9-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
12001 ACKERMAN ROAD, VIRDEN
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 **variance** the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Kaye Barrett**, has petitioned the Sangamon County Board for a **variance to allow one (1) parcel less than forty (40) acres; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **November 19, 2009**, 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 variance; and**

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

FILED

NOV 25 2009

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 December, 2009 that the request for a variance to allow one (1) parcel less than forty (40) acres on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 8th day of December, 2009.

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

Part of the Southeast Quarter of the Northeast Quarter of Section 21, Township 13 North, Range 7 West of the Third principal Meridian in Sangamon County, Illinois, Being described except as follows:

Commencing at an Iron Pin at the Southwest Corner of the Southeast Quarter of the Northeast Quarter of Section 21: Thence North 0 Degrees 35 Minutes 09 Seconds West 40.00 Feet to the Point of Beginning; Thence North 0 Degrees 35 Minutes 09 Seconds West 316.07 Feet to an Iron Pin; Thence North 89 Degrees 19 Minutes 20 Seconds East 689.09 Feet to an Iron Pin; Thence South 0 Degrees 35 Minutes 09 Seconds East 316.07 Feet; Thence South 89 Degrees 19 Minutes 20 Seconds West 689.09 Feet to the Point of Beginning, Containing 5.00 Acres More or Less.

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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 7 NAME: **Craig Hall**

DOCKET NUMBER: **2009-61**

ADDRESS: **12001 Ackerman Road, Virden, IL. 62690**

PETITIONER: **Kate Barrett**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District with a conditional permitted use to allow for a dog kennel.**

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District
A variance to allow one (1) parcel
less than forty (40) acres.**

AREA: **82.37**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION **Recommended approval. The property owner seeks to divide off a parcel that already contains a residential structure. The standards for variation are met.**

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: 2009-61
Kaye Barrett))
)	PROPERTY LOCATED AT:
)	12001 Ackerman Road,
)	Sherman, IL. 62684

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** 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 **November 19, 2009** 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: **12001 Ackerman Road, Virden, IL. 62690** 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 dog kennel & farmland.
- 5. That the proposed land use of said property is existing use continued.
- 6. That the requested variance of said property is to divide off approximately 16 acres from 82.37 acre parcel to use as collateral for SBA loan for dog kennel business. Dog Kennel CPU Zoning case 2008-01
- 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 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 be approved.

Charles Chimento
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 and recommend to the County Board that the petition be **approved** which was duly seconded by **Don Wulf**.

The vote of the Board was as follows:

YES: Charles Chimento, Judith Johnson, Byron Deaner, Don Wulf, John Luchessi.

NO:

ABSENT: Peggy Egizii, Marvin Traylor

Cyndi Knowles
RECORDING SECRETARY