

CASE # 2005-19  
RESOLUTION NUMBER 6-1

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

**See EXHIBIT A**

WHEREAS, the Petitioner, **Pamela Bumgardner**, has petitioned the Sangamon County Board for a **variance to allow the lot depth to exceed 2 ½ times the lot width**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **April 21, 2005**, 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**

APR 29 2005

*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10<sup>th</sup> day of May, 2005 that the request for a variance to allow the lot depth to exceed 2 ½ times the lot width on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 10<sup>th</sup> day of May, 2005.

Respectfully submitted,

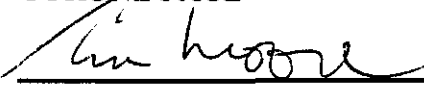
PUBLIC HEALTH, SAFETY & ZONING  
COMMITTEE OF THE SANGAMON COUNTY BOARD

\_\_\_\_\_  
DAN VAUGHN, CHAIRMAN

\_\_\_\_\_  
ABE FORSYTH

\_\_\_\_\_  
BILL MOSS

\_\_\_\_\_  
TYRONE PACE

  
\_\_\_\_\_  
TIM MOORE

\_\_\_\_\_  
DON STEPHENS

**ATTEST:**

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

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

EXHIBIT A

PARCEL 1

Lot 2 Ekis acres.

PARCEL 2

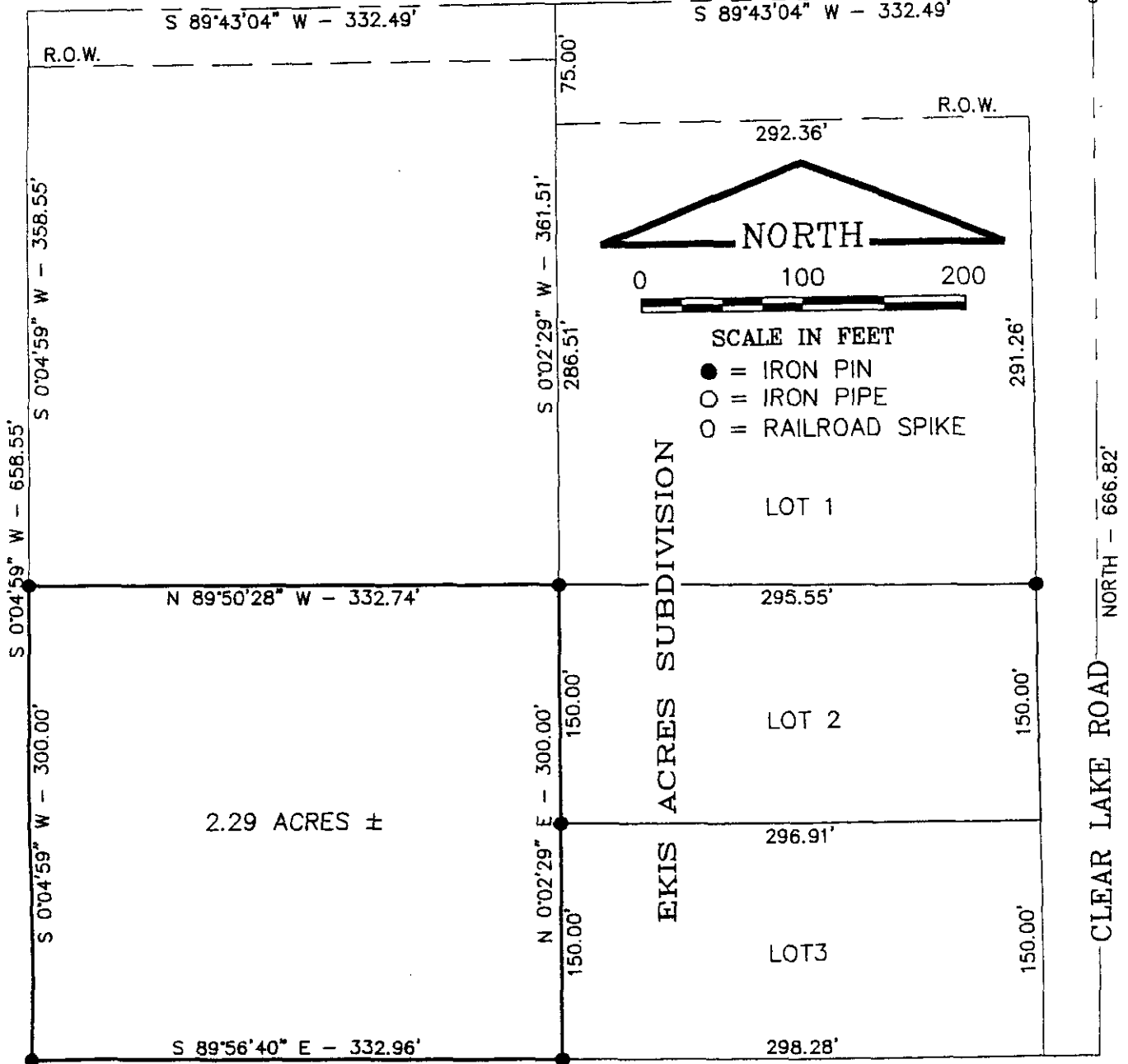
Part of the Northeast Quarter of the Northeast Quarter of Section 36, Township 16 North, Range 4 West of the Third Principal Meridian in Sangamon County, Illinois, described as follows: Commencing at a railroad spike marking the Northeast corner of Section 36; thence South 89 degrees 43 minutes 04 seconds West along the North line of Section 36 332.49 feet; thence South 0 degrees 02 minutes 29 seconds West 361.51 feet to an iron pin at the point of beginning; thence North 89 degrees 50 minutes 28 seconds West 332.74 feet to an iron pin; thence South 0 degrees 04 minutes 59 seconds West 300.00 feet to an iron pin; thence South 89 degrees 56 minutes 40 seconds East 332.96 feet to an iron pin; thence North 0 degrees 02 minutes 29 seconds East 300.00 feet to the point of beginning, containing 2.29 acres, more or less.

DESCRIBED AS FOLLOWS: COMMENCING AT A RAILROAD SPIKE MARKING THE NORTHWEST CORNER OF SECTION 36; THENCE SOUTH 89 DEGREES 43 MINUTES 04 SECONDS WEST ALONG THE NORTH LINE OF SECTION 36 332.49 FEET; THENCE SOUTH 0 DEGREES 02 MINUTES 29 SECONDS WEST 361.51 FEET TO AN IRON PIN AT THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 50 MINUTES 28 SECONDS WEST 332.74 FEET TO AN IRON PIN; THENCE SOUTH 0 DEGREES 04 MINUTES 59 SECONDS WEST 300.00 FEET TO AN IRON PIN; THENCE SOUTH 89 DEGREES 56 MINUTES 40 SECONDS EAST 332.96 FEET TO AN IRON PIN; THENCE NORTH 0 DEGREES 02 MINUTES 29 SECONDS EAST 300.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.29 ACRES, MORE OR LESS.

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N.E. CORNER SEC. 36  
T16N, R4W, 3RD P.M.

(COUNTY HIGHWAY 12)  
**MECHANICSBURG ROAD**



NO PART OF THIS SURVEY IS WITHIN A FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

BASIS OF BEARINGS: NORTH 0°00'00" EAST ALONG THE EAST LINE OF SECTION 36.

I HEREBY CERTIFY THAT THE ACCOMPANYING PLAT CORRECTLY REPRESENTS THE RESULTS OF A LAND SURVEY MADE UNDER MY DIRECTION.

*John W. Garrison Jr.*  
PROFESSIONAL LAND SURVEYOR NO. 1564



RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 3 NAME: **David Mendenhall**

DOCKET NUMBER: **2005-19**

ADDRESS: **85 Clear Lake Road, Dawson, IL 62520**

PETITIONER: **Pamela L. Bumgardner**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District**

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a variance to allow the lot depth to exceed 2 ½ times the lot width.**

AREA: **3.4 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The standards for variation are met.**

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

  
\_\_\_\_\_  
RECORDING SECRETARY

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SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2005-19</b>
<b>Pamela Bumgardner</b> )	
)	PROPERTY LOCATED AT:
)	<b>85 Clear Lake Road</b>
)	<b>Dawson, IL. 62520</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 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 **April 21, 2005** 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 or contract to purchase the property commonly known as **85 Clear Lake Road, Dawson, IL. 62520** 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 **Single Family Residence, vacant land.**
- 5. That the proposed land use of said property is **existing use continued.**
- 6. That the requested **variance** of said property is: **to allow the lot depth to exceed 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 **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 **granted.**

  
 \_\_\_\_\_  
 CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor** 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 **John Goleman.**

The vote of the Board was as follows:

YES: **Charles Chimento, Donn Malwick, John Goleman, Patrick Somers, Marvin Traylor**

NO:

ABSENT:

  
 \_\_\_\_\_  
 RECORDING SECRETARY

## ZONING VARIANCE CHECK LIST

PETITIONER: Bumgardner, Pamela L.

ADDRESS: 85 Clear Lake Road

EXISTING ZONING: A

REQUEST DESCRIPTION: Variance to allow the lot depth to exceed 2 ½ times the lot width.

Staff Estimate of the Effect of the Variance on the Area		None	Slight	Mod.	Great
CONTRASTS:	land use	X			
	appearance	X			
CURRENT VS. PROPOSED	height	X			
	parking	X			
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow	X			



Frontage	Lineal Feet	Existing Yards (ft.)			Area
Clear Lake Rd. - 150		20	10/50	220	3.4 acres
		front	side	rear	

OTHER COMMENTS:

STAFF RECOMMENDATIONS: Recommend approval. The standards for variation are met.



# County Zoning

## Case# 2005-019



### County Zoning

	RM-4		I1
	R3		I2
	R2		B3
	R1a		B2
	R1		B1
	OFF		A

### City Zoning

	R5		H1		OFF
	R1		H2		PUD
	R2		H3		B1
	R3a		S1		B2
	R3b		S2		I1
	R4		S3		I2

0 500 1,000 Feet





RECOMMENDED STANDARDS FOR VARIATIONS

Case #: 2005-19

Address: 85 Clear Lake Road

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 request is made to facilitate purchase of adjacent land to add to the petitioner's property.**

- (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.

**There is no opportunity to increase the width of the property at the road. The land being purchased is twice as wide as the petitioner's property so will not create a long narrow tract.**

- (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