

CASE # 2008-59  
RESOLUTION NUMBER 6-1

**GRANTING VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**1850 SO. CAMP BUTLER RD., SPRINGFIELD**  
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:

**That part of Lot 3, Phillip Ridgeway Estates, lying West of the Highway.**

WHEREAS, the Petitioner, **Elden Clouse**, has petitioned the Sangamon County Board for **variances to allow the lot depth to exceed 2 ½ times the lot width, to allow the lot width to be met greater than 60' from the road for one parcel, and to allow 2 parcels less than 40 acres; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **November 20, 2008**, 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.

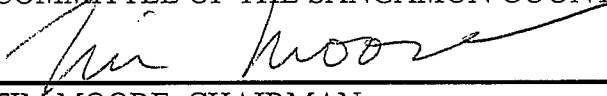
**NOV 26 2008**  
*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 9<sup>th</sup> day of December, 2008 that the request for variances to allow the lot depth to exceed 2 ½ times the lot width, to allow the lot width to be met greater than 60' from the road for one parcel, and to allow 2 parcels less than 40 acres on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 9<sup>th</sup> day of December, 2008.

Respectfully submitted,

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

  
TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JENNIFER DILLMAN

DAVID MENDENHALL

GEORGE PRECKWINKLE

SAM SNELL

DON STEPHENS

LINDA DOUGLAS WILLIAMS

**ATTEST:**

  
SANGAMON COUNTY CLERK

  
COUNTY BOARD CHAIRMAN

4-3

2008-59  
CLOUSE  
1860 S. Camp Butler Rd  
15-21 101-028

15-16  
351-003

15-17  
400-026  
15-17  
400-027

CAMP BUTLER RD.

15-21  
101-003

15-21  
101-031

15-21  
101-033

15-21  
101-034

15-21  
101-035

15-21  
101-005

subject property

15-21  
101-028

15-21  
101-002

15-21  
151-009

15-21  
101-008

15-21  
101-007

15-21  
101-008

15-21  
151-001

15-21  
176-008

15-21  
101-009

15-21  
101-041

15-21  
176-011

15-21  
101-040

15-21  
101-039

15-21  
101-002

15-20  
200-009

S. CAMP BUTLER RD.

OLD US 36

15-21  
101-036

15-21  
101-030

15-21  
101-037

15-21  
151-012

15-21  
101-021

15-21  
101-001

15-21  
101-027

15-21  
101-026

15-21  
101-013

15-21  
101-016

15-21  
101-017

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 9 NAME: Sarah Musgrave

DOCKET NUMBER: 2008-59

ADDRESS: 1850 So. Camp Butler Rd., Springfield, IL. 62707

PETITIONER: Elden Clouse

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with variances to allow the lot depth to exceed 2 1/2 times the lot width, to allow the lot width to be met greater than 60' from the road for one parcel, and to allow 2 parcels less than 40 acres

AREA: 6.38 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

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

|                                     |                                |
|-------------------------------------|--------------------------------|
| IN THE MATTER OF THE PETITION OF: ) | DOCKET NO:                     |
| <b>Elden Clouse</b> )               | )                              |
| )                                   | PROPERTY LOCATED AT:           |
| )                                   | <b>1850 So. Camp Butler Rd</b> |
| )                                   | <b>Springfield, IL. 62707</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 **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 **November 20, 2008** 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 **1850 So. Camp Butler Rd., Springfield, IL. 62707** and more particularly described as:

**That part of Lot 3, Phillip Ridgeway Estates, lying West of the Highway**

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Page 2

3. That the present zoning of said property is "A" Agricultural District.
4. That the present land use of said property is two single family residences.
5. That the proposed land use of said property is two single family residences but to divide the property so each house is on a separate parcel.
6. That the requested variances of said property are to allow the lot depth to exceed 2 ½ times the lot width, to allow the lot width to be met greater than 60' from the road for one parcel, and to allow 2 parcels less than 40 acres.
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  
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 **Judith Johnson**.

The vote of the Board was as follows:

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

NO:

ABSENT:

G. J. Armstrong  
RECORDING SECRETARY

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**SSCRPC** Springfield  
Sangamon County Regional  
Planning Commission

**Staff Findings and Recommendation**  
(inspected 11/3/08 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2008-59  
ADDRESS 1850 So. Camp Butler Road  
Property Index # 15-21-101-028

PETITIONER Clouse, Elden

REQUESTED ZONING A variance to allow the lot width to be 2 1/2 times the lot depth, a variance to allow the lot width to be met greater than 60' from the road for one parcel, and to allow two parcels less than 40 acres.

PROPOSED LAND USE Two single family residences.

EXISTING:

ZONING Agriculture

LAND USE Two single family residences.

ROAD FRONTAGE S. Camp Butler Rd.- 300' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence

CONDITION OF STRUCTURE Good

LOT AREA 6.38 acres

FRONT YARD 500'

SIDE YARDS 40' / 209'

REAR YARD 397'



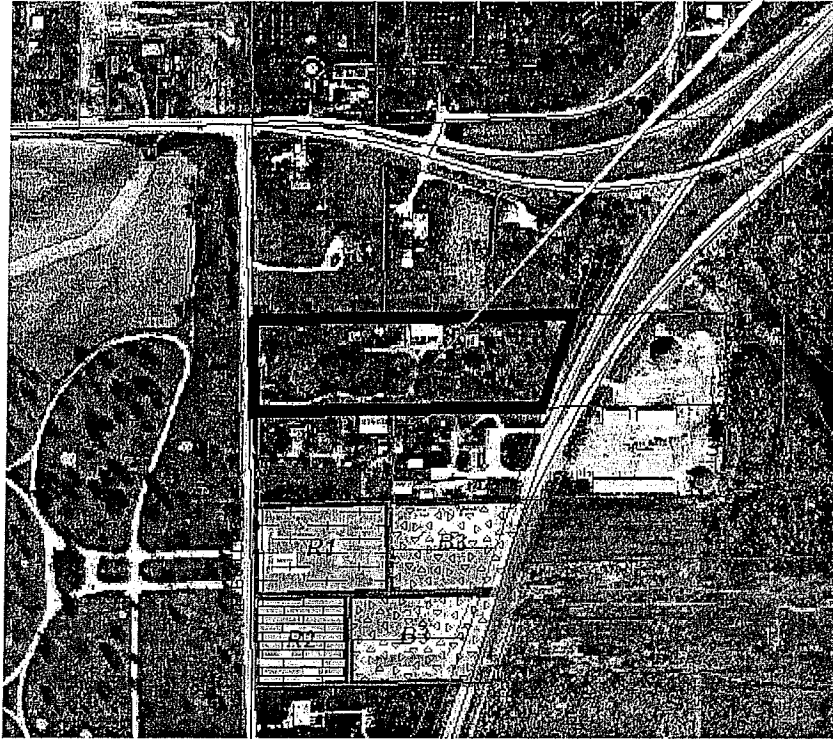
Would the proposed zoning be spot zoning? N/A

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













# County Zoning

## Case# 2008-59



















Requested:  
Variance



### County Zoning

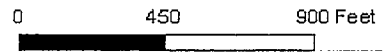
-  RM-4
-  R3
-  R2
-  R1a
-  R1
-  OFF
-  I1
-  I2
-  B3
-  B2
-  B1
-  A

### City Zoning

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



**SSC RPC**  
 Spring 2008, 2009  
 Regional Planning Commission





**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2008-59

Address: 1850 Camp Butler 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 division of the 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.

**Each resulting tract will have owned, non-easement based access.**

- (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 negative impact is anticipated.**