

CASE# 2012-052  
RESOLUTION NUMBER 5-1

**GRANTING A VARIANCE**  
**FOR CERTAIN PROPERTY LOCATED AT**  
**4500 OLD ROUTE 36, 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 a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See **EXHIBIT A**

WHEREAS, the Petitioners, **Robert & Karen Rheude**, has petitioned the Sangamon County Board for a **variance of Section 17.06.080 to allow two (2) single-family residences on one (1) parcel**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **November 15, 2012** 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 for a period not to exceed five (5) years**; and

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

**FILED**

NOV 20 2012

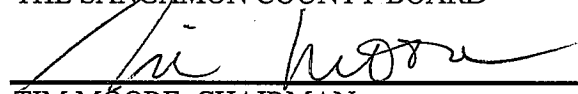
*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 11<sup>th</sup> day of December, 2012 that the request for a variance of Section 17.06.080 to allow two (2) single-family residences on one (1) parcel for a period not to exceed five (5) years on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 11<sup>th</sup> day of December, 2012.

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

GREG STUMPF

JASON RATTTS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

**ATTEST:**

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

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

**RECAP**

(For County Board Use)

COUNTY BOARD MEMBER: # 9                      NAME: Sarah Musgrave

DOCKET NUMBER: 2012-052

ADDRESS: 4500 Old Route 36, Springfield, IL. 62707

PETITIONER: Robert & Karen Rheude

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: A variance of Section 17.06.080 to allow two (2) single-family residences on one (1) parcel.

AREA: 39.4 acres

COMMENTS: None

OBJECTORS: No

PLANNING COMMISSION RECOMMENDATION: **Recommend denial of the requested variance to allow two (2) single-family residences on one (1) parcel. The standards for variation have not been met. Allowing another residence on the subject property does not increase the economic yield on the property as one structure per parcel is a reasonable use of land. In previous cases, staff has recommended division of the parcel to accommodate another residence. It is recognized that division of this particular property is not seen as good planning principals, given the existing parcel has zero (0) road frontage on Old Route 36. There is no negative impact anticipated related to character of the area, adequate supply of light and air to adjacent properties, congestion of traffic or impaired property values, however there is a concern in allowing a second residential structure as this is contrary to sound planning**

principals and could set a negative precedent in other areas of the County.

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

Approval of the variance for a period not to exceed five (5) years.

  
Cyndi Knowles  
RECORDING SECRETARY

**Exhibit "A"**

**Lot Two (2) containing 6.90 acres and being the Southwest part of the East Half ( $\frac{1}{2}$ ) of the Southwest Quarter ( $\frac{1}{4}$ ) of Section Twenty (20) Township Sixteen (16) North, Range Four (4) West of the Third Principal Meridian; also Lot Three (3) containing 32.50 acres and being the Northeast part of the Northeast Quarter ( $\frac{1}{4}$ ) of Section Twenty-nine (29) Township Sixteen (16) North, Range Four (4) West of the Third Principal Meridian. Reference being had to the Plat of the Estate of Davis Major, deceased, recorded in the Circuit Clerk's Office of Sangamon County, Illinois, in Chancery Record Book 18 at Page 552. Situated in Sangamon County, Illinois.**

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: ) DOCKET NO: **2012-052**  
**Robert & Karen Rheude** )  
) )  
) ) PROPERTY LOCATED AT:  
) ) **4500 Old Route 36**  
) ) **Springfield, IL. 62707**

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 15, 2012** 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: **4500 Old Route 36, Springfield, IL. 62707** 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 a single-family residence.
- 5. That the proposed land use of said property is two (2) single-family residences.
- 6. That the requested variance of said property is a variance of Section 17.06.080 to allow two (2) single-family residences 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 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 variance be approved for a period not to exceed five (5) years.

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 and recommend to the County Board that the petition be approval for a period not to exceed five (5) years, which was duly seconded by **Peggy Egizii**.

The vote of the Board was as follows:

YES: **Byron Deaner, Peggy Egizii, Charles Chimento, Judith Johnson, Don Wulf**

NO:

ABSENT:

Cyndi Kozolek  
RECORDING SECRETARY