

**GRANTING A REZONING AND VARIANCES  
FOR CERTAIN PROPERTY LOCATED AT  
2632 HILLTOP ROAD, 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 rezoning and variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioners, **Mesfin & Iyersalem Dollar**, have petitioned the Sangamon County Board requesting **for Proposed Parcels 1 & 2: pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District; and, pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **October 21, 2021** 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 a rezoning and variances; and,**

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

**FILED**

OCT 28 2021

  
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 November, 2021** that the following request(s) on the above described property are hereby approved:

**For Proposed Parcel 1:**

- Pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and,

**For Proposed Parcel 2:**

- Pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.

Signed and passed by the Sangamon County Board in session on this **9<sup>th</sup> day of November, 2021.**

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

**ATTEST:**

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

**EXHIBIT A**

PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 7,  
TOWNSHIP 15 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN,  
BEING DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN AT THE NORTHWEST CORNER OF SAID EAST HALF  
OF THE NORTHEAST QUARTER OF SECTION 7; THENCE SOUTH 0 DEGREES 52  
MINUTES 11 SECONDS EAST 234.15 FEET TO THE POINT OF BEGINNING; THENCE  
NORTH 88 DEGREES 43 MINUTES 49 SECONDS EAST 384.88 FEET TO AN IRON PIN;  
THENCE ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE FORMER  
PRAIRIE TRUNK RAILROAD, SOUTH 53 DEGREES 57 MINUTES 10 SECONDS EAST  
866.09 FEET TO AN IRON PIN; THENCE SOUTH 88 DEGREES 46 MINUTES 46  
SECONDS WEST 1077.33 FEET TO AN IRON PIN; THENCE NORTH 0 DEGREES 52  
MINUTES 11 SECONDS WEST 524.13 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PART DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER  
OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 7, THENCE  
SOUTH 0 DEGREES 52 MINUTES 20 SECONDS EAST, 234.12 FEET; THENCE NORTH 88  
DEGREES 42 MINUTES 16 SECONDS EAST, 32.28 FEET TO THE POINT OF  
BEGINNING; THENCE NORTH 88 DEGREES 45 MINUTES 54 SECONDS EAST, 352.64  
FEET; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY RIGHT OF WAY  
OF THE FORMER PRAIRIE TRUNK RAILROAD, SOUTH 53 DEGREES 58 MINUTES 31  
SECONDS EAST, 97.64 FEET; THENCE SOUTH 88 DEGREES 54 MINUTES 28 SECONDS  
WEST, 427.89 FEET; THENCE NORTH 3 DEGREES 37 MINUTES 38 SECONDS WEST,  
58.10 FEET TO THE POINT OF BEGINNING,

AND ALSO EXCEPT THAT PART OF THE ABOVE LYING WITHIN THE FOLLOWING  
DESCRIBED TRACT:

FROM THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST  
QUARTER OF SAID SECTION 7, THENCE NORTH 87 DEGREES 02 MINUTES 42  
SECONDS EAST, 3.75 FEET; THENCE SOUTH 24 DEGREES 00 MINUTES 44 SECONDS  
EAST, 32.83 FEET; THENCE SOUTH 7 DEGREES 31 MINUTES 06 SECONDS EAST, 84.58  
FEET; THENCE SOUTH 3 DEGREES 33 MINUTES 33 SECONDS EAST, 140.43 FEET;  
THENCE SOUTH 3 DEGREES 43 MINUTES 33 SECONDS EAST, 142.07 FEET; THENCE  
SOUTH 2 DEGREES 18 MINUTES 47 SECONDS EAST, 174.03 FEET; THENCE SOUTH 1  
DEGREE 34 MINUTES 04 SECONDS EAST, 185.55 FEET; THENCE SOUTH 88 DEGREES  
50 MINUTES 49 SECONDS WEST, 46.75 FEET; THENCE NORTH 0 DEGREES 52  
MINUTES 20 SECONDS WEST, 758.53 FEET TO THE POINT OF BEGINNING.

AND

PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 7,  
TOWNSHIP 15 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN,  
BEING DESCRIBED AS FOLLOWS:

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COMMENCING AT AN IRON PIN AT THE NORTHWEST CORNER OF SAID EAST HALF OF THE NORTHEAST QUARTER OF SECTION 7; THENCE SOUTH 0 DEGREES 52 MINUTES 11 SECONDS EAST 758.25 FEET TO AN IRON PIN; THENCE NORTH 88 DEGREES 46 MINUTES 46 SECONDS EAST 340.08 FEET TO AN IRON PIN AT THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 46 MINUTES 46 SECONDS EAST 737.25 FEET TO AN IRON PIN; THENCE ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE FORMER PRAIRIE TRUNK RAILROAD, SOUTH 53 DEGREES 57 MINUTES 10 SECONDS EAST 304.86 FEET TO AN IRON PIN; THENCE SOUTH 88 DEGREES 53 MINUTES 36 SECONDS WEST 981.42 FEET TO AN IRON PIN; THENCE NORTH 0 DEGREES 49 MINUTES WEST 182.66 FEET TO THE POINT OF BEGINNING.

PARCEL NUMBER: 23-07.0-200-075.

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**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: # 9                      NAME: Tom Madonia, Jr.

DOCKET NUMBER: 2021-019

ADDRESS: 2632 Hilltop Road, Springfield, IL 62712

PETITIONER: Mesfin & Iyersalem Dollar

PRESENT ZONING CLASSIFICATION: "A" Agricultural District.

REQUESTED ZONING CLASSIFICATION: For Proposed Parcels 1 & 2: pursuant to Chapters 17.68 and 17.12, a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District; and, pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.

AREA: 11.4 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval. The LESA score of 132 indicates the property is acceptable for non-agricultural development. There is a trend toward residences in the area with the City of Springfield corporate limits south of the subject property and other residences located on Hilltop Road. The subject property is unique in that it is deep being bound on the northeast by the bike path and State Route 29. The Standards for Variation are met.

SANGAMON COUNTY ZONING BOARD OF APPEALS RECOMMENDATION:  
Approval of Staff Recommendation.

  
\_\_\_\_\_  
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>2021-019</b>
<b>Mesfin &amp; Iyersalem Dollar</b> )	
)	PROPERTY LOCATED AT:
)	<b>2632 Hilltop Road</b>
)	<b>Springfield, IL 62712</b>

RECOMMENDATION OF THE ZONING 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 **rezoning and 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 **October 21, 2021** 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: **2632 Hilltop Road, Springfield, IL 62712** 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 **Single-family residence**.
5. That the proposed land use of said property is **Proposed Parcel 1: Single-family residence. Proposed Parcel 2: Single-family residence.**
6. That the request(s) for the subject property **are for Proposed Parcels 1 & 2: pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District; and, pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) 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 **rezoning and variances** are 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 following request(s) **are hereby approved:**

**For Proposed Parcel 1:**

- Pursuant to Chapters 17.68 and 17.12, a rezoning from **“A” Agricultural District to “R-1” Single-Family Residence District; and,**
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be **greater than two and one-half (2.5) times the lot width; and,**

**For Proposed Parcel 2:**

- Pursuant to Chapters 17.68 and 17.12, a rezoning from **“A” Agricultural District to “R-1” Single-Family Residence District; and,**
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be **greater than two and one-half (2.5) times the lot width.**

*Charlie Chimento*  
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 CHAIRMAN

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MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Tony Mares**, which was duly seconded by **JD Sudeth**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the following request(s) **are hereby approved:**

**For Proposed Parcel 1:**

- Pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width; and,

**For Proposed Parcel 2:**

- Pursuant to Chapters 17.68 and 17.12, a rezoning from “A” Agricultural District to “R-1” Single-Family Residence District; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.

The vote of the Board was as follows:

YES:           **Charlie Chimento, Tony Mares, Don Wulf, Richard Thompson, JD Sudeth**

NO:

PRESENT:

ABSENT:



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RECORDING SECRETARY



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**SANGAMON COUNTY  
RECOMMENDED - FINDINGS OF FACT**

Case #: **2021-019**

Address: **2632 Hilltop Road, Springfield**

(i) Existing uses of property within the general area of the property in question.

**North – Residence and bike trail. East – Bike trail. South – Residence and cropland. West – Residence.**

(ii) The zoning classification of property within the general area of the property in question.

**North, East, South, & West – Agricultural.**

(iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

**The LESA score of 132 indicates the property is acceptable for non-agricultural development. There is a trend toward residences in the area with the City of Springfield corporate limits south of the subject property and other residences located on Hilltop Road.**

(iv) The trend of development, within the vicinity since the property was originally classified.

**The area has a residential trend with the City of Springfield corporate limits approximately 525 feet south of the subject property.**

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**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2021-019**

Address: **2632 Hilltop Road, Springfield**

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 petition states: "Use of the land as solely agricultural is not economically viable. The best use of this land is as residential." Staff agrees that splitting the subject property in two lots is consistent with the residential trend on Hilltop and allows the subject property to maintain a positive economic yield consistent with other surrounding properties.**

- (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.

**The subject property is unique in that it is deep being bound on the northeast by the bike path and State Route 29.**

- (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.

**Negative impacts are not anticipated.**

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**LAND EVALUATION AND SITE ASSESSMENT**

**Part 1: Site Assessment**

	Available Points	Points
<b><u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u></b>		
90% or more	20	
75-89%	10	
<b>50-74%</b>	<b>5</b>	<b>5</b>
Under 50%	0	
<b><u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u></b>		
90% or more	20	
75-89%	10	
<b>50-74%</b>	<b>5</b>	<b>5</b>
Under 50%	0	
<b><u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u></b>		
<b>75-100%</b>	<b>10</b>	
50-74%	5	
Under 50%	0	<b>10</b>
<b><u>COUNTY SECTOR</u></b>		
<b>Rural</b>	<b>20</b>	
0.5 mile from incorporated area	10	
Incorporated area	0	<b>10</b>
<b><u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u></b>		
75% or more	20	
50-74%	10	
25-49%	5	
<b>Less than 25% or sewer available</b>	<b>0</b>	<b>0</b>
<b><u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u></b>		
Negative impact	15	
Little or none with protective measures	5	
<b>Little or none</b>	<b>0</b>	<b>0</b>
<b><u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u></b>		
Negative impact	10	
<b>No impact</b>	<b>0</b>	<b>0</b>

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<u>CONDITION OF ROAD</u>		
unpaved, <40' ROW, or < 16' pavement	20	
16'-18' pavement, 40' ROW	15	
<b>18'-20' pavement, 40' ROW</b>	<b>10</b>	<b>10</b>
> 20' pavement, 40' ROW or County or State Highway	0	

<u>AVAILABILITY OF PUBLIC SEWER</u>		
<b>Not available</b>	<b>15</b>	
Sewer over 600'-1200' away	8	
Private central sewage system	5	
Sewer 600' or less away and available	0	<b>15</b>

<u>AVAILABILITY OF PUBLIC WATER</u>		
Not available	20	
1,000-1,500' away	15	
Less than 1,000' away	5	
<b>Public water available at site</b>	<b>0</b>	<b>0</b>

<u>DISTANCE FROM RESPONDING FIREHOUSE</u>		
Not in fire protection district	20	
More than 5 miles or fire protection by assignment	10	
<b>2.6-5 miles</b>	<b>5</b>	<b>5</b>
0-2.5 miles	0	

<u>DRIVING TIME TO HIGH SCHOOL</u>		
Over 30 minutes	10	
15-30 minutes	5	
<b>Less than 15 minutes</b>	<b>0</b>	<b>0</b>

<b>SITE ASSESSMENT TOTAL</b>		<b>60</b>
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<u>Soil</u>	<u>Name</u>	<u>Type</u>	<u>%</u>	<u>Relative Value</u>	<u>Points</u>
198A	Elburn	P		100	
199A	Plano	P		100	
43A	Ipava	P		100	
7148A	Proctor	P		100	
46A	Herrick	P		100	
7037A	Worthen	P		100	
705A	Buckhart	P		98	
199B	Plano	P		98	
36B	Tama	P		98	
244A	Hartsburg	P2		98	
257A	Clarksdale	P2		98	
68A	Sable	P2		87	
679B	Blackberry	P		87	
705B	Buckhart	P		87	
86B	Osco	P	32	87	28
684B	Broadwell	P		87	
50A	Virden	P2		87	
712A	Spaulding	P2		87	
127B	Harrison	P		87	
3077A	Huntsville	P3		87	
138A	Shiloh	P2		87	
249A	Edinburg	P2		87	
242A	Kendall	P2		87	
7242A	Kendall	P2		87	
134A	Camden	P		87	
17A	Keomah	P2		87	
3451A	Lawson	P3		75	
3107A	Sawmill	P5	0	75	
7075B	Drury	P		75	
8396A	Vesser	P2		75	
3074A	Radford	P3		75	
3073A	Ross	P3		75	
3284A	Tice	P3		75	
279B	Rozetta	P		75	
45A	Denny	P2		75	
134B	Camden	P		75	
112A	Cowden	P2		75	
685B	Middletown	P		75	
3405A	Zook	P5	21	75	16
131C2	Alvin	P		75	
86C2	Osco	I	22	74	16
36C2	Tama	I		74	
684C2	Broadwell	I		74	
119C2	Elco	I		74	
119D	Elco	I		74	
127C2	Harrison	I		74	
119D2	Elco	I		74	
567C2	Elkhart	I		74	
134C2	Camden	I		74	
259C2	Assumption	I		74	
685C2	Middletown	I		74	

280D2	Fayette	I		74	
119D3	Elco	N		74	
259D2	Assumption	I		74	
212C2	Thebes	I		74	
630C2	Navlys	I		74	
630D2	Navlys	I		74	
630D3	Navlys	I		57	
131D2	Alvin	I		57	
8D	Hickory	I		50	
8D2	Hickory	I	23	50	12
280D3	Fayette	I		44	
8D3	Hickory	I		44	
8F	Hickory	N		44	
549G	Marseilles	N		0	
533	Urban Land	N			
536	Dumps	N			
830	Orthents, Land	N			
862	Pits, Sand	N			
864	Pits, Quarries	N			
801C	Orthents, Silty	N			
W	Water		2		

Prime/Important Farmlands Designations:

P: Prime farmland

P2: Prime where drained

P3: Prime where protected from flooding or flooding is less often than once in two years during the growing season.

P5: Prime where drained and either protected from flooding or flooding is less often than once in two years during the growing season.

I: Important farmland

N: Not Prime/Important Farmland

<b>AGRICULTURAL LAND EVALUATION TOTAL</b>	<b>72</b>
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<b>GRAND TOTAL</b>	<b>132</b>
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Fewer than 150 points shall be deemed acceptable for non-agricultural development.

From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.

Greater than 175 points shall be considered suitable for agricultural use only.