

CASE # 2008-73 4-1  
RESOLUTION NUMBER \_\_\_\_\_

**GRANTING A VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**6429 S. CANTRALL CREEK ROAD, CANTRALL**  
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, **Chad A. & Molly N. Ishmael**, have petitioned the Sangamon County Board for a **variance to allow the lot width to be met greater than 60' from the public road**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **December 18, 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 variance**; and

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

**MAILED**

DEC 23 2008

*Joe A. Hill*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12<sup>th</sup> day of January, 2008 that the request for a variance to allow the lot width to be met greater than 60' from the public road on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 12<sup>th</sup> day of January, 2008.

Respectfully submitted,

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

Tim Moore   
TIM MOORE, CHAIRMAN

\_\_\_\_\_  
ABE FORSYTH, VICE CHAIRMAN

\_\_\_\_\_  
JENNIFER DILLMAN

\_\_\_\_\_  
DAVID MENDENHALL

\_\_\_\_\_  
GEORGE PRECKWINKLE

\_\_\_\_\_  
SAM SNELL

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

\_\_\_\_\_  
LINDA DOUGLAS WILLIAMS

**ATTEST:**

Joe Diello  
SANGAMON COUNTY CLERK

A. Sam Smith  
COUNTY BOARD CHAIRMAN

4-3

**EXHIBIT A**

The following described real estate slated In Sangamon County, Illinois:  
Part of the Northwest Quarter of Section 36, Township 17 North, Range 4 West of the 3 P M ,Sangamon County, Illinois, described as follows Commencing at a stone at the center of Section 38, thence South 90 degrees 00 minutes 00 seconds West 1189 19 feet to an Iron pin at the point of beginning, thence South 90 degrees 00 minutes 00 seconds West 233.90 feet to an iron pin; thence North 00 degrees 00 minutes 00 seconds West 193.61 feet to an iron pin; thence South 90 degrees 00 minutes 00 seconds West 105.00 foot to an iron pipe; thence North 00 degrees 00 minutes 00 seconds West 408.00 feet to an iron pipe; thence along the Southeasterly Right-of-way line of Illinois Route 54, North 53 degrees 15 minutes 18 seconds East 250.00 feet to an iron pin; thence South 00 degrees 00 minutes 00 seconds East 6240 feet to an Iron pin, thence North 53 degrees 15 minutes 18 seconds East 172.92 feet to an Iron pin; thence South 00 degrees 00 minutes 00 seconds East 792.23 feet to the point of beginning, containing 500 acres, more or less.

05-25  
100-027

44

2008-73  
ISHMAEL  
6429 S. Central Creek Rd  
05-25-30-005, pt 006

05-25  
100-040

05-25  
100-042

05-25  
200-006

05-25  
100-041

05-25  
200-006

05-25  
300-005

05-25  
300-006

05-25  
400-008

05-25  
400-009

05-25  
300-007

05-25  
400-013

05-25  
400-010

05-25  
300-012



RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 11            NAME:        Mike Sullivan

DOCKET NUMBER:            2008-73

ADDRESS:                    6429 S. Cantrall Creek Road, Cantrall, IL 62625

PETITIONER:                Chad A. & Molly N. Ishmael

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a variance to  
allow the lot width to be met greater than  
60' from the public road.

AREA:                        10 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 PETITON OF: )	DOCKET NO: 2008-73
<b>Chad A. &amp; Molly N. Ishmael</b> )	
)	PROPERTY LOCATED AT:
)	<b>6429 S. Cantrall Creek Road,</b>
)	<b>Cantrall, IL 62625</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 **December 18, 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 **6429 S. Cantrall Creek Road, Cantrall, IL 62625** and more particularly described as:

**See Exhibit A**

47

Page 2

3. That the present zoning of said property is "A" Agricultural District.
4. That the present land use of said property is Agricultural.
5. That the proposed land use of said property is Agricultural with a Single Family Residence.
6. That the requested variance of said property is to allow the lot width to be met greater than 60' from the public road.
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 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:

B. J. Ametung  
RECORDING SECRETARY

48

**SSCRPC**

Springfield  
Sangamon County Regional  
Planning Commission

**Staff Findings and Recommendation**

(inspected 12/3/08 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2008-073

ADDRESS 6429 S. Cantrall Creek Road

Property Index # 05-25-300-005, Pt. 006

PETITIONER Ishmael, Chad A. & Molly N.

REQUESTED ZONING A variance to allow the lot width to be met greater than 60' from the public road.

PROPOSED LAND USE Agricultural with a single family residence.

EXISTING:

ZONING A

LAND USE Agricultural

ROAD FRONTAGE S. Cantrall Creek Rd. - 0' CONDITION OF PAVEMENT Fair

STRUCTURE DESIGNED FOR N/A

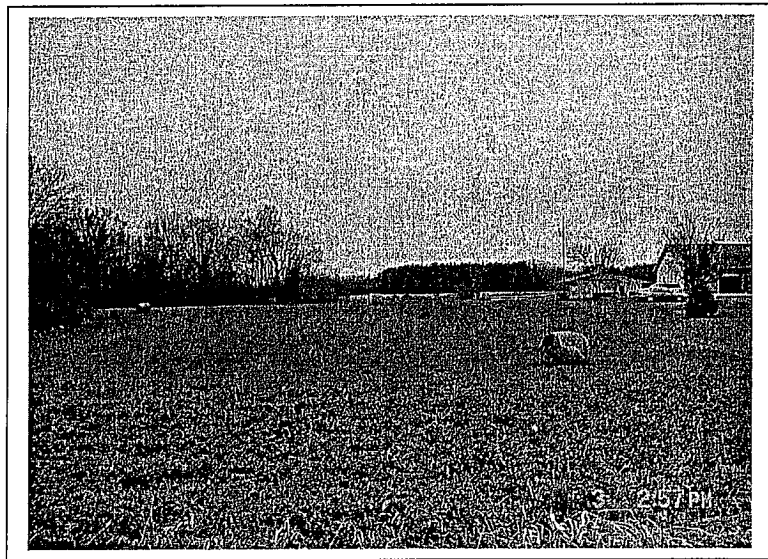
CONDITION OF STRUCTURE N/A

LOT AREA 10 acres

FRONT YARD N/A

SIDE YARDS N/A

REAR YARD NA



Would the proposed zoning be spot zoning? N/A

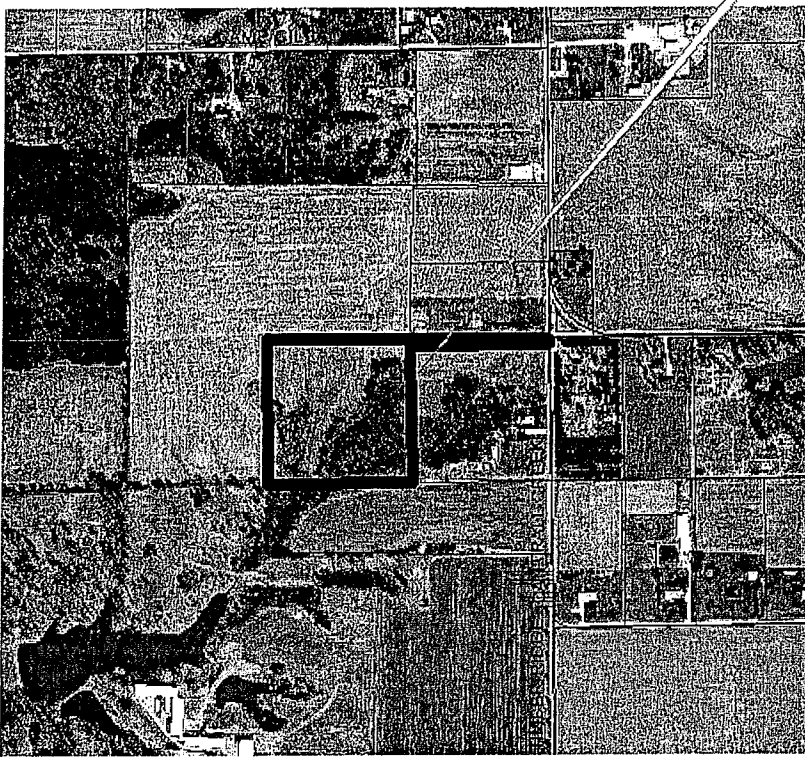
PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval. The standards for variation are met.**















# County Zoning

## Case# 2008-73



















Requested:  
Variance

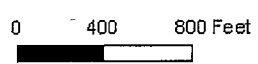
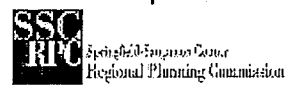


### County Zoning

-  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



**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2008-73

Address: 6429 S. Cantrall 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.

**Parcel 05-25-300-005 is a platted land locked property. The parcel is being sold and requires road access to be a buildable lot.**

- (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 an area behind the existing home that is a suitable building site and 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 impact is anticipated.**