

**CLINTON COUNTY ZONING BOARD OF APPEALS**  
**Clinton County Board Room**  
**(County Jail)**  
**810 Franklin St.**  
**Carlyle, IL 62231**

**AGENDA**

**APRIL 4, 2018 – 7:30 p.m.**

Wayne Michael, Chairman

- 1. CALL TO ORDER**
- 2. ROLL CALL OF MEMBERS**
- 3. APPROVAL OF MINUTES**
- 4. PUBLIC HEARINGS – ADMINISTER OATH**

**CASE 1:** Request for a variance (40-3-6) submitted by Garrett Zurliene, 14789 Crackerneck Rd, Trenton, IL 62293, to reduce the west and south setback from 25' to 15' to allow for a proposed shed. Currently zoned Agricultural. Owned by Garrett Zurliene.

**Location:**

Part of the Northeast Quarter of Section 9, Township 2 North, Range 5 West of the Third Principal Meridian, Clinton County, Illinois, as described as follows:  
Commencing at the S.E. corner of said N.E. Quarter; thence N.00°20'41"W., (bearing assumed) along the East line of said N.E. Quarter, 1055.00 feet to the point of beginning; thence, continuing along said East line, N.00°20'41" W., 208.71 feet; thence, N. 89°55'30" W., 313.06 feet; thence, S. 00°20'41" E., 208.71 feet; thence, S89°55'30" E., 313.06 feet to the point of beginning. Situated in Clinton County, Illinois.

**CASE 2:** Request for a variance (40-3-6) submitted by Randy & Lizabeth Wade, 16 S Circle Dr, Carlyle, IL 62231, to reduce the front setback from 25' to 17' to allow for a addition to the existing porch. Currently zoned R-3. Owned by Randy & Lizabeth Wade.

**Location:**

Part of the Southeast Quarter of the Northeast quarter of Section 6 in Township 2 North, Range 2 West of the Third Principal Meridian, Clinton County, Illinois, and described as follows: Commencing at the Southwest corner of Lot 75 of "Edgewater Beach Subdivision, Resubdivision of Outlot No.2", a subdivision of record; thence on an assumed bearing of South 00 degrees 07 minutes 30 seconds east on the prolongation of the west line of said Lot 75, 25.00 feet to the point of beginning of the tract more particularly described herein; thence North 88 degrees 49 minutes 39 seconds East, 78.43 feet to the boundary line of Lake Carlyle; thence South 03 degrees 34 minutes 16 seconds West on the boundary line of Lake Carlyle, 351.15 feet; thence South 76 degrees 24 minutes 11 seconds West on the boundary line of Lake Carlyle, 57.35 feet; thence North 00 degrees 07 minutes 30 seconds West on the prolonged west line of said Lot 75, 362.35 feet to the point of beginning, containing 0.547 acre or 28.828 square feet. Situated in Clinton County, Illinois.

**CASE 3:** Request for a map amendment (40-9-30) submitted by Clarence Collins, 2800 Rutz Rd, Trenton, IL 62293 to rezone 1.4 acres in Sugar Creek Township from Residential (R-1) to Agricultural (A) to allow for animals. Property is currently zoned R-1 and owned by Clarence Collins.

**Location:**

Commencing at the Northeast corner of said Southeast Quarter of Section 4; thence South 89 degrees 16 minutes 29 seconds West, (bearing assumed) along the North line of said Southeast Quarter, 882.34 feet to the point of beginning; thence South 02 degrees 14 minutes 31 seconds East, 522.56 feet; thence South 89 degrees 16 minutes 29 seconds West, 116.51 feet; thence North 02 degrees 19 minutes 03 seconds West, 522.57 feet to said North line of the Southeast Quarter; thence North 89 degrees 16 minutes 29 seconds East, along said North line of the Southeast Quarter, 117.20 feet to the point of beginning.

**CASE 4:** Request for a special use permit (40-4-3) and variance (40-3-6) submitted by Maurice Wiegmann, 17807 Ellwood Rd, Breese, IL 62230 to allow a new manufactured home for a farm office on property with an existing principal structure. Also, requesting to relax front setback from 100' to 70' from centerline of Ellwood Rd. Currently zoned Agricultural. Owned by Luke Wiegmann.

**Location:**

**Part of the Northeast Quarter of the Northeast Quarter of Section 28, Township 3 North, Range 4 West of the 3<sup>rd</sup> Principal Meridian, Clinton County, Illinois, being more particularly described as follows:**

**COMMENCING at an iron pin marking the northeast corner of said Section; thence southerly along the east line of said Section having an assumed bearing of S. 01°-42'-17" E. 1182.45 feet; thence N. 89°-56'-00" W. 35.02 feet to an iron pin and cap on the westerly right-of-way line of Ellwood Road (County Highway #12) marking the point of beginning; thence continuing N. 89°-56'-00" W. 128.25 feet to an iron pin and cap; thence N. 01°-42'-17" W. 110.34 feet to an iron pin and cap; thence S. 88°-17'-43" W. 59.42 feet to an iron pin and cap; thence N. 01°-42'-17" W. 155.42 feet to an iron pin and cap; thence N. 88°-17'-43" E. 187.60 feet to an iron pin and cap on said westerly right-of-way line; thence S. 01°-42'-17" E. along said westerly right-of-way line 269.73 feet to the point of beginning according to Plat of Survey prepared by Abacus Professional Services dated January 17, 2012 and recorded January 31, 2012 at 3:08:16 P.M. as Document No. 2012R00596 in Plat Env. 688.**

**CASE 5:** Request for a variance (40-3-6) submitted by Stanley Goebel, 2909 Periwinkle Ct, Highland, IL 62249 to relax the east setback from 25' to 10' to allow a storage shed. Property is located in St Rose Township on Gooding Fords Rd. Currently zoned Agricultural. Owned by Ralph Goebel.

**Location:**

The East Half of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter of Section Twenty-Four, Township Three North, Range Four West, Clinton County, Illinois and the East Half of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of Section Twenty-Four, Township Three North, Range Four West, Clinton County, Illinois.  
**EXCEPT** the coal underlying.

**CASE 6:** Request for a map amendment (40-9-30) submitted by Kyle & Michelle Ritzheimer, 529 S 2<sup>nd</sup> St, Breese, IL 62230 to rezone 24.83 acres from Agricultural (A) to Agricultural-Residential (A-R) to build a single family residence. Property is located at 10795 Old State Rd, Breese, IL, 62230 and currently zoned Agricultural. Owned by Kyle & Michelle Ritzheimer.

**Location:**

**Tract A:**

Part of the West 1/2 of the Northeast Quarter Section 2, Township 2 North, Range 4 West of the Third Principal Meridian, Clinton County, Illinois, described as follows:

Commencing at the N.E. corner of the West 1/2 of said Northeast Quarter of Section 2; thence, N. 88° 01' 15" W., (bearing assumed) along the North line of said N.E. 1/4, 50.03 feet to the point of beginning; thence, S. 00°05' 47" E., 2160.42 feet to the centerline of Old State Road; thence, S. 61° 36' 27" W. along said centerline of Old State Road, 11.36 feet; thence continuing N. 00° 05' 47" W., 1594.20 feet; thence N. 55° 02' 44" W., 244.15 feet; thence, N. 88° 01' 15" W., 712.93 feet; thence, N. 00° 05' 47" W. 439.00 feet to said North line of the N.E. 1/4; thence, S. 88° 01' 15" E., along said North line of the N.E. 1/4, 922.94 feet to the point of beginning and referenced as TRACT A on plat of survey prepared by Netemeyer Engineering and Associates, Inc. recorded November 21, 2008 as Document Number 2008R07172.

**Tract B:**

Part of the W 1/2 of the Northeast Quarter of Section 2, Township 2 North, Range 4 west of the Third Principal Meridian, Clinton County, Illinois, described as follows:

Commencing at the N.E. corner of the West 1/2 of said Northeast Quarter of Section 2; thence, N. 88° 01' 15" W., (bearing assumed) along the North line of said N.E. 1/4, 50.03 feet; thence, S. 00° 05' 47" E., 2160.42 feet to the centerline of Old State Road; thence, S. 61° 36' 27" W., along said centerline of Old State

Road, 11.36 feet to the point of beginning; thence, continuing, S. 61° 36' 27" W. along said centerline of Old State Road, 22.71 feet; thence N. 00° 05' 47" W., 1054.87 feet; thence, S. 89° 54' 13" W., 892.33 feet; thence, N. 00° 05' 47" W., 716.13 feet; thence, S. 88° 01' 15" E., 712.93 feet; thence S. 55° 02' 44" E., 244.15 feet; thence S. 00° 05' 47"E., 1594.20 feet to the point of beginning and referenced as TRACT B on plat of survey prepared by Netemeyer Engineering and Associates, Inc. recorded November 21, 2008 as Document Number 2008R07172.

**CASE 7:** Request for a map amendment (40-9-30) submitted by Ruth and Robert Rieger, 9213 Launius Dr, St Jacob, IL 62281 to rezone (+/-) 16.8 acres from Agricultural (A) to Agricultural-Residential (A-R) to build two single family dwellings. Property is located at 1819 Wesclin Rd, Trenton, IL 62293 and currently zoned Agricultural. Owned by Richard and Betty Erwin.

**Location:**

*Part of the Southeast Quarter of Section 32, Township 2 North, Range 5 West of the Third Principal Meridian, Clinton County, Illinois, described as follows:*

*Commencing at the Southwest corner of said Southeast 1/4; thence, N.89°37'34"E., (bearing assumed) along the South line of said Southeast 1/4, 1588.20 feet to the point of beginning; thence, continuing N.89°37'34"E., 414.00 feet to the Southeast corner of a tract of land deeded to Richard & Betty Erwin, recorded in Deed Book 142, Page 37 of the Clinton County, Illinois, Recorder's Office; thence, N.00°25'02"W., 866.40 feet to the Northeast corner of said Erwin tract; thence, S.89°37'34"W., along the North line of said Erwin tract, 1666.00 feet; thence, S.58°09'53"E., 200.00 feet; thence, S.68°16'10"E., 706.69 feet; thence, S.62°59'43"E., 476.10 feet; thence, S.01°36'26"E., 275.00 feet to the point of beginning, containing 16.8 acres, more or less.*

**CASE 8:** Request for a special use (40-4-3) submitted by Daniel & Cynthia Liening, 890 North Walnut St, Breese, IL 62230 to replace existing clubhouse with a new clubhouse. Property is located at 11333 Goodings Ford Rd, Carlyle, IL 62231 and is currently zoned Agricultural. Owned by Daniel & Cynthia Liening.

**Location:**

Commencing at an iron pin and cap marking the northeast corner of the Southwest Quarter of the Southeast Quarter of the Northwest Quarter of said Section; thence westerly along the north line of said Quarter Quarter Quarter having an assumed bearing of N. 88°-40'-46" W. 308.03 feet to the point of beginning; thence S. 01°-41'-44" E. 31.85 feet to an iron pin and cap thence S. 70°-41'-36" W. 23.08 feet; thence S. 76°-20'-43" W. 152.69 feet; thence S. 78°-14'-08" W. 54.94 feet; thence N. 48°-39'-23" W. 45.83 feet; thence N. 19°-15'-18" W. 29.62 feet; thence N. 22°-34'-25" E. 39.58 feet; thence N. 63°-15'-04" E. 39.05 feet; thence N. 57°-47'-49" E. 81.17 feet; thence N. 51°-31'-02" E. 34.28 feet; thence N. 67°-14'-43" E. 36.87 feet; thence N. 53°-34'-16" E. 18.47 feet; thence N. 78°-48'-42" E. 70.24 feet; thence S. 01°-41'-44" E. 129.16 feet to the point of beginning.

**CASE 9:** Request for a text amendment submitted by Clinton County Zoning Committee, 850 Fairfax, Carlyle, IL 62231 to amend the Clinton County Zoning Ordinance as follows:

**ARTICLE IX – BOARD OF APPEALS AND SPECIAL PROCEDURES**

**DIVISION III - SPECIAL USE PERMITS**

**DELETE THE FOLLOWING:**

**40-9-16      NATURE OF SPECIAL-USES.**

Such "special uses" require careful case-by-case review, and may be allowed only by the Clinton County Zoning Board of Appeals.

**40-9-19**        **FACTORS CONSIDERED.** The Zoning Board of Appeals shall consider the following factors in making their decision on whether to grant a Special Use Permit:

**40-9-20**        **FINDINGS OF FACT, TERMS OF RELIEF, REPORT OF RECORD.** The Zoning Board of Appeals shall render a decision on every Special Use Permit within a reasonable time after the public hearing on the application and a Report of Record shall be made and retained on file by the Zoning Administrator. A copy of the Report of Record shall be provided to the owner/applicant and copies transmitted to the County officials or other as required.

**ADD THE FOLLOWING:**

**40-9-16**        **NATURE OF SPECIAL-USES.**

Such "special uses" require careful case-by-case review by the Clinton County Zoning Board of Appeals. The Zoning Board of Appeals shall submit an advisory report to the County Board for the special use permit to be approved or rejected.

**40-9-19**        **FACTORS CONSIDERED.** The Zoning Board of Appeals shall consider the following factors in submitting their advisory report to the county board:

**40-9-20**        **ADVISORY REPORT.** Within a reasonable time after the public hearing, the Board of Appeals shall submit the advisory report to the County Board. Said advisory report shall include a recommendation regarding adoption or rejection of the proposed amendment, and the reasons therefor. If the proposed amendment involves a rezoning, the advisory report shall include findings of fact concerning each of the following matters:

- (A) Existing use(s) and zoning of the property in question;
- (B) Existing use(s) and zoning of other lots in the vicinity of the property in question;
- (C) Suitability of the property in question for uses already permitted under existing regulations;
- (D) Suitability of the property in question for the proposed use;
- (E) The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last rezoned;
- (F) The effect the proposed rezoning would have on implementation of the County Comprehensive Plan.

**ACTION BY COUNTY BOARD.** The County Board shall act on every special use at their next regularly scheduled meeting following submission of the aforementioned advisory reports. The County Board may grant the application hereinafter provided with or without conditions, deny the application, or refer the application back to the Zoning Board of Appeals for further study and consideration. Without further public hearing, the County Board may pass any proposed special use by simple majority vote.

**5. OTHER BUSINESS**

Discussion of proposed solar ordinance

**6. PUBLIC COMMENTS**

**7. ADJOURN**