

# CLINTON COUNTY ZONING BOARD OF APPEALS

Clinton County Board Room

(County Jail)

810 Franklin St.

Carlyle, IL 62231

## AGENDA

September 5, 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 #3T:** Request for a variance (40-3-14) submitted by Marvin Kampwerth, 12901 Slant Rd, Carlyle, IL 62231 to reduce setback in an agricultural zoned area from 25' to 10' on the north and east side setback to allow for a 30' x 40' shed. Currently zoned Agricultural (A). Owned by Marvin Kampwerth.

### Location of property:

Part of the Southeast quarter of the Northeast quarter of Section 25, Township 2 North, Range 3 West of the Third Principal Meridian, Clinton County, Illinois, more particularly described as follows:  
Beginning at an iron rod 540.0 feet West of the centerline of the present highway along the East line of Section 25, known as Illinois Route 127, and 40.0 feet North of the centerline of a highway known as State Bond Issue Route 161; thence Northerly parallel to the centerline of Illinois Route 127, a distance of 182.00 feet to an iron rod; thence Easterly parallel to the centerline of said State Bond Issue Route 161, a distance of 120.00 feet to an iron rod; thence Southerly parallel to the centerline of said Illinois Route 127 a distance of 182.00 feet to an iron rod located 40.0 feet North of the centerline of State Bond Issue Route 161; thence Westerly parallel to the said centerline of State Bond Issue Route 161, a distance of 120.00 feet to the Point of Beginning, and containing 0.5 Acre, more or less.

A tract of land in that part of the Southeast Quarter of the Northeast Quarter of Section 25, Township 2 North, Range 3 West of the Third Principal Meridian in Clinton County, Illinois and being more particularly described as:

Beginning at an iron rod 420.0 feet West of the centerline of the present highway along the East line of Section 25 known as Illinois Route 127 and 40.0 feet North of the centerline of a highway known as State Bond Issue Route 161; thence Northerly parallel to the centerline of Illinois Route 127, a distance of 182.0 feet to an iron rod; thence Easterly parallel to the centerline of said State Bond Issue Route 161, a distance of 45.0 feet; thence Southerly parallel to the centerline of said Illinois Route 127 a distance of 182.0 feet; thence Westerly parallel to the centerline of State Bond Issue Route 161 a distance of 45.0 feet to the point of beginning.

It is intended that this tract of land be adjacent to and east of the tract of land conveyed by deed recorded in Deed Record 168, at page 454, of the Clinton County, Illinois records, and that the west boundary line of the tract hereby conveyed, coincide with the east boundary line of the land described in said deed, and that the north and south boundary lines of the tract hereby conveyed coincide with the easterly extensions of the north and south boundary lines of the land described in said deed.

**CASE #1:** Request for a special use (40-9-16) submitted by Clinton Solar 1 LLC, Clinton Solar 1B LLC, 1536 Wynkoop St, Suite 400, Denver, CO 80202 for Operation of a Community Solar Garden. Property is 37.13 acres and is currently zoned Agricultural. Property is located on Highline Rd, Carlyle, IL 62231. Owned by Kevin Krebs, 16600 Highline Rd, Carlyle, IL 62231.

**Location of property:**

The Northwest Quarter of the Northeast Quarter of Section 26, Township 2 North, Range 3 West of the Third principal Meridian, Clinton County, Illinois, **RESERVING** unto himself and his heirs, assigns, legatees and devisees a 50 ' wide roadway and utility access easement for ingress and egress over the West 50 ' of the property for the benefit of the Southwest Quarter of the Northeast Quarter of said Section 26.

**Excluding:**

That part of the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) of Section 26, Township 2 North, Range 3 West of the Third Principal Meridian, Clinton County, Illinois, being more particularly described as follows:

Commencing at an iron pin marking the northwest corner of said Quarter Quarter Section; thence easterly along the north line of said Quarter Quarter Section having an assumed bearing of North 88°-36'-02" East 437.80 feet to an iron pin marking the point of beginning; thence continuing North 88°-36'-02" East along said north line 279.24 feet to an iron pin; thence South 01°-23'-58" East 446.88 feet to an iron pin; thence South 88°-36'-02" West 279.24 feet to an iron pin; thence North 01°-23'-58" West 446.88 feet to the point of beginning.

Containing 2.87 acres, more or less

**CASE #2:** Request for a variance (40-3-6) submitted by Kevin Krebs, 16600 Highline Rd, Carlyle, IL 62231 to reduce west setback from 25 ft to 5 ft to allow for solar panel. Property is 2.87 acres and is zoned Agricultural. Property is owned by Kevin Krebs.

**Location of property:**

That part of the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) of Section 26, Township 2 North, Range 3 West of the Third Principal Meridian, Clinton County, Illinois, being more particularly described as follows:

Commencing at an iron pin marking the northwest corner of said Quarter Quarter Section; thence easterly along the north line of said Quarter Quarter Section having an assumed bearing of North 88°-36'-02" East 437.80 feet to an iron pin marking the point of beginning; thence continuing North 88°-38'-02" East along said north line 279.24 feet to an iron pin; thence South 01°-23'-58" East 446.88 feet to an iron pin; thence South 88°-38'-02" West 279.24 feet to an iron pin; thence North 01°-23'-58" West 446.88 feet to the point of beginning.

Containing 2.87 acres, more or less

**CASE #3:** Request for a variance (40-3-13) submitted by Eddy L Smith, Jr and Lisa R Smith, 96 Sunset Ave, Glen Carbon, IL 62034 to allow for a carport without a principle Structure. Property is zoned R-3 and is located in Harbor Light Bay, 19604 Joy Ln, Carlyle, IL 62231. Owned by Eddy L Smith, Jr and Lisa R Smith.

**Location of property:** Lots 551, 552 and 553 in Harbor Light Bay No. 5, a subdivision of part of the Northeast Quarter of Section 15, Township 3 North, Range 2 West of the third Principal Meridian, Clinton County, Illinois.

**CASE #4:** Request for a special use (40-9-16) submitted by Rural Enterprises, Inc dba Rural Comm, 2491 E 750 Ave, Farina, IL 62838 to erect an internet tower. Property is zoned R-3 and is located on Outlot C in Forest Cove Estates, Dove Lane, Carlyle, IL 62231. Owned by Wm Warren Trust, 3300 Governors Dr, Carlyle, IL 62231.

**Location of property:** The North half of the Northwest quarter and the South half of the Northeast quarter of Sec. 10, Township 3 N, Range 2 W of the Third Principal Meridian. Outlot C of Forest Cove Estates Subdivision.

**CASE #5:** Request for a variance (40-3-13) submitted by Glenn Mank, 8023 Jefferson Rd, Freeburg, IL 62243 for portable shed on property without principle dwelling. Property is located at 19608 Kay Ln, Carlyle, IL 62231 and is zoned R-3. Property is owned by Glenn Mank.

**Location of property:** Lot 531 in Harbor light Bay No. 5 being a subdivision in part of the Northeast Quarter (NE ¼) of Section 15, Township 3 North, Range 2 West of the third Principal Meridian.

**CASE #6:** Request for a variance (40-3-6) submitted by William Hughes, 22827 US Highway 50, Carlyle, IL 62231 to relax the 25' building setback to a 15' building setback

due to a proposed property split. Property is zoned Agricultural and is owned by William Hughes.

**Location of property:** Part of the Southeast Quarter of the Southeast Quarter of Section 14, Township 2 North, Range 2 West of the third Principal Meridian. Also, from the Southwest corner of said Sec. 14, Measures North 223 Ft. to the Centerline of public Road know as S.B.I. Rte. 12 (marked As Rte. 50); thence along said centerline N 87°-25'-40" E" 4,510 ft. to the point of beginning; thence N 01°-29'-20" W; thence, N 87°-25' 40" E 538 Ft; thence, S 01°-29'-20" E 206 ft.; thence, S 87°-25'-40"W along said centerline to the point of beginning, containing 2.54 acres, more or less.

**CASE #7:** Request for a special use (40-9-16) submitted by SV CSG Aviston 1, LLC, N27 W24025 Paul Ct, Suite 100 Pewaukee WI 53072 for Operation of a Community Solar Garden. Property is currently zoned Agricultural and is located on the NW Corner of Aviston Rd and Court Rd, Germantown, IL 62245. Owned by Brenda K Gebhart Trust, 2227 Ole Castle Court, Chesterfield, MO 63017.

**Location of property:**

THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 1 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, IN CLINTON COUNTY, ILLINOIS.

**CASE #8:** Request for a special use (40-9-16) submitted by SV CSG Aviston 2, LLC, and SV CSG Aviston 4, LLC, N27 W24025 Paul Ct, Suite 100 Pewaukee WI 53072 for Operation of a Community Solar Gardens. Property is currently zoned Agricultural and is located on the SW Corner of Aviston Rd and Highline Rd, Germantown, IL 62245. Owned by Jeffrey J and Patrick J Gebhart Trust, 10620 Tank Rd, Trenton, IL 62293.

**Location of property:**

ALL THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, LYING NORTH OF LAKE BRANCH AS NOW LOCATED, LYING IN TOWNSHIP 2 NORTH, RANGE 5, WEST OF THE THIRD PRINCIPAL MERIDIAN, CLINTON COUNTY, ILLINOIS.

ALSO THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 2 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, CLINTON COUNTY, ILLINOIS, EXCEPTING THE FOLLOWING DESCRIBED TRACT: COMMENCING AT THE CORNER OF SAID SECTION 35; THENCE NORTH 89 DEGREES 35 MINUTES 05 SECONDS WEST, (BEARING ASSUMED) ALONG THE NORTH LINE OF SAID SECTION 35, 224.43 FEET TO THE POINT OF BEGINNING; THENCE ALONG SAID NORTH LINE, NORTH 89 DEGREES 35 MINUTES 05 SECONDS WEST, 475.00 FEET; THENCE SOUTH 01 DEGREE 22 MINUTES 32 SECONDS WEST, 45.59 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 05 SECONDS EAST, 475.00 FEET; THENCE, NORTH 01 DEGREE 22 MINUTES 32 SECONDS EAST, 458.59 FEET TO THE POINT OF BEGINNING;

ALSO, EXCEPTING THE FOLLOWING DESCRIBED TRACT:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE NORTH 89 DEGREES 35 MINUTES 05 SECONDS WEST, (BEARING ASSUMED) ALONG THE NORTH LINE OF SAID SECTION 35, 99.71 FEET TO THE POINT OF BEGINNING; THENCE, CONTINUING ALONG SAID NORTH LINE, NORTH 89 DEGREES 35 MINUTES 05 SECONDS WEST, 124.72 FEET; THENCE SOUTH 01 DEGREE 22 MINUTES 32 SECONDS WEST, 146.95 FEET; THENCE SOUTH 85 DEGREES 14 MINUTES 12 SECONDS EAST, 101.94 FEET; THENCE NORTH 09 DEGREES 47 MINUTES 33 SECONDS EAST, 156.75 FEET TO THE POINT OF BEGINNING;

ALSO EXCEPTING THE FOLLOWING DESCRIBED TRACT:

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35 AND PART OF THE NORTHWEST QUARTER OF THE NORTHWEST OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, CLINTON COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE NORTH 89 DEGREES 35 MINUTES 05 SECONDS WEST, (BEARING ASSUMED) ALONG THE NORTH LINE OF SAID SECTION 35, 99.71 FEET; THENCE, SOUTH 09 DEGREES 47 MINUTES 33 SECONDS WEST, 156.75 FEET; THENCE, NORTH 85 DEGREES 14 MINUTES 12 SECONDS WEST, 101.94 FEET; THENCE SOUTH 01 DEGREES 22 MINUTES 32 SECONDS WEST, 311.64 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 05 SECONDS EAST, 512.33 FEET; THENCE

**5 OTHER BUSINESS:**

**PERSONAL SOLAR IN AG ZONED AREAS**

**6 PUBLIC COMMENTS**

**7 ADJOURN**