

CASE # 2005-43 5-1
RESOLUTION NUMBER

**GRANTING A USE VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
3014 WOODWARD STREET
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 use variance to the Sangamon County Zoning Ordinance** with respect to the following described property, to-wit:

Belmont Park Gardens Lot 24, Block 4.

WHEREAS, the Petitioner, **Linda Akers**, has petitioned the Sangamon County Board for a **use variance to allow a small retail business in 816 sq. ft. out of the detached garage with the sale of flashlights, LED lights, bulbs, batteries, parts, switches, and holsters to law enforcement personnel, fire/rescue personnel and individuals by appointment only;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **July 21, 2005**, 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 use variance;** and

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

FILED

JUL 29 2005


Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 9th day of August, 2005 that the request for a use variance to allow a small retail business in 816 sq. ft. out of the detached garage with the sale of flashlights, LED lights, bulbs, batteries, parts, switches, and holsters to law enforcement personnel, fire/rescue personnel and individuals by appointment only on the above referenced property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 9th day of August, 2005.

Respectfully submitted,

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

Dan Vaughn

DAN VAUGHN, CHAIRMAN

ABE FORSYTH

BILL MOSS

TYRONE PACE

TIM MOORE

DON STEPHENS

ATTEST:

Joe Quillo

SANGAMON COUNTY CLERK

A. VanMet

COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 14 NAME: Joel Tjelmeland, Jr.

DOCKET NUMBER: 2005-43

ADDRESS: 3014 Woodward St., Springfield, IL. 62703

PETITIONER: Linda Akers

PRESENT ZONING CLASSIFICATION: "R-2" Single & Two Family Residence District

REQUESTED ZONING CLASSIFICATION: "R-2" Single & Two Family Residence District
with a use variance to allow a small retail
business in 816 sq. ft. out of the detached
garage with the sale of flashlights, LED lights,
bulbs, batteries, parts, switches, and holsters to
law enforcement personnel, fire/rescue
personnel and individuals by appointment
only.

AREA: .38 acre

COMMENTS: none

OBJECTORS: none

PLANNING COMMISSION RECOMMENDATION: **denial. The standards for use variations cannot be met. Allowing a retail business in a residential neighborhood is not appropriate.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION: **approval**

Randolph J. Armstrong
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2005-43
Linda Akers))
)	PROPERTY LOCATED AT:
)	3014 Woodward St.
)	Springfield, IL. 62703
))

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 **Use 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 **July 21, 2005** 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 or contract to purchase the property commonly known as **3014 Woodward St., Springfield, IL. 62703** and more particularly described as:

Belmont Park Gardens Lot 24, Block 4.

3. That the present zoning of said property is **“R-2” Single & Two Family Residence District with a use variance for an office in the garage.**
4. That the present land use of said property is **a Single Family Residence with a detached garage.**
5. That the proposed land use of said property is **a Single Family Residence with a detached garage to be used for the retail sale of flashlights, LED lights, bulbs, batteries, parts, switches, holsters to law enforcement personnel, fire/rescue personnel and individuals by appointment only.**
6. That the requested **use variance** of said property is: **to allow a small retail business in 816 sq. ft. out of the detached garage with the sale of flashlights, LED lights, bulbs, batteries, parts, switches, and holsters to law enforcement personnel, fire/rescue personnel and individuals by appointment only.**
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 **use 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 **use variance** be **approved.**

CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor** to recommend to the County Board that the petition be **approved**, which was duly seconded by **Donn Malwick**.

The vote of the Board was as follows:

YES: **Charles Chimento, Donn Malwick, John Goleman, Patrick Somers, Marvin Traylor**

NO:

ABSENT:

Randolph J. Armstrong

RECORDING SECRETARY