

CASE # 2005-85  
RESOLUTION NUMBER 10-1

**GRANTING A CONDITIONAL PERMITTED USE**  
FOR CERTAIN PROPERTY LOCATED AT  
**2062 OLD RIVER ROAD**  
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 Conditional Permitted Use** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See **EXHIBIT A**

WHEREAS, the Petitioner, **Sangamon County**, has petitioned the Sangamon County Board for a **Conditional Permitted Use to allow a public park**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **November 17, 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 Conditional Permitted Use**; and

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

**FILED**

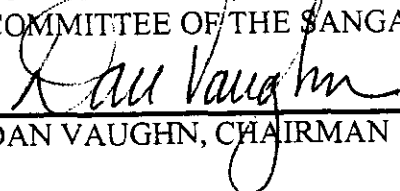
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*Joe Aiello*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 13<sup>th</sup> day of December, 2005 that the request for a **Conditional Permitted Use to allow a Public Park on the above referenced property is hereby approved.**

Signed and passed by the Sangamon County Board in session on this 13<sup>th</sup> day of December, 2005.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING  
COMMITTEE OF THE SANGAMON COUNTY BOARD  
  
\_\_\_\_\_  
DAN VAUGHN, CHAIRMAN

\_\_\_\_\_  
ABE FORSYTH

\_\_\_\_\_  
BILL MOSS

\_\_\_\_\_  
TYRONE PACE

\_\_\_\_\_  
TIM MOORE

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

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

**ATTEST:**

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

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

EXHIBIT A

The South half of Lot 9 of the Southwest Quarter of Section 16, Township 16 North, Range 4 West of the Third Principal Meridian except that part lying South and East of Southeasterly right of way line for Federal Aid Highway Route 59 as disclosed by warranty deed October 28, 1955 and recorded March 2, 1956 in Volume 500 of Deeds page 460 as Document Number 264287.

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 8 NAME: **Dennis Wieland**

DOCKET NUMBER: **2005-85**

ADDRESS: **2062 Old River Road, Springfield, IL. 62707**

PETITIONER: **Sangamon County By Dennis Wieland**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District**

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a Conditional Permitted Use to allow a Public Park.**

AREA: **8.76 acres**

COMMENTS: **None**

OBJECTORS: **Yes**

PLANNING COMMISSION RECOMMENDATION: **Approval**

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

  
\_\_\_\_\_  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2005-85</b>
<b>Sangamon County</b> )	
)	PROPERTY LOCATED AT:
)	<b>2062 Old River Road</b>
)	<b>Springfield, IL. 62707</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 **Conditional Permitted Use** 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 **November 17, 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 **2062 Old River Road, Springfield, IL. 62707** and more particularly described as:

See **EXHIBIT A**

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is **vacant land**.
- 5. That the proposed land use of said property is a **Public Park**.
- 6. That the requested **Conditional Permitted Use** of said property is: to allow a **Public Park**.
- 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 **Conditional Permitted Use** 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 **Conditional Permitted Use** be **approved**.

Charles Chimento *CC*  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Donn Malwick** 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 **Marvin Traylor**.

The vote of the Board was as follows:

YES: **Charles Chimento, Donn Malwick, Peggy Egizii, Patrick Somers, Marvin Traylor**

NO:

ABSENT:

RO Armstrong  
RECORDING SECRETARY

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CASE #: 2005-85  
 INDEX #: 15-16-300-008  
 DATE: 11-1-05  
 INSPECTED BY: DK LW

**ZONING AMENDMENT CHECK LIST**

PETITIONER: Sangamon County  
 ADDRESS: 2062 Old River Road TWP. 16N RANGE 4 W SEC. 16 ¼ SEC. SW  
 (OR NEAREST IDENTIFIABLE ROAD) TWP. \_\_\_\_\_ RANGE \_\_\_\_\_ W SEC. \_\_\_\_\_ ¼ SEC. \_\_\_\_\_  
 CITY OR VILLAGE OR NEAREST ONE: Riverton

EXISTING ZONING: A PROPOSED ZONING: A with CPU\*  
 LAND AREA: 8.76 acres ROAD FRONTAGE: 600 Lineal Ft. ROAD COND: Fair

EXISTING LAND USE: Vacant  
 PROPOSED LAND USE: Public Park

TYPE OF STRUCTURE: NA CONDITION OF STRUCTURE: NA

EXISTING YARDS: Front -- ft. Side -- ft. Rear -- ft.  
 SPOT ZONING: NA  
 Yes No

- NEARBY LAND USE:
- a. To North Private Club
  - b. To South Vacant
  - c. To East State Highway
  - d. To West Military Cemetery

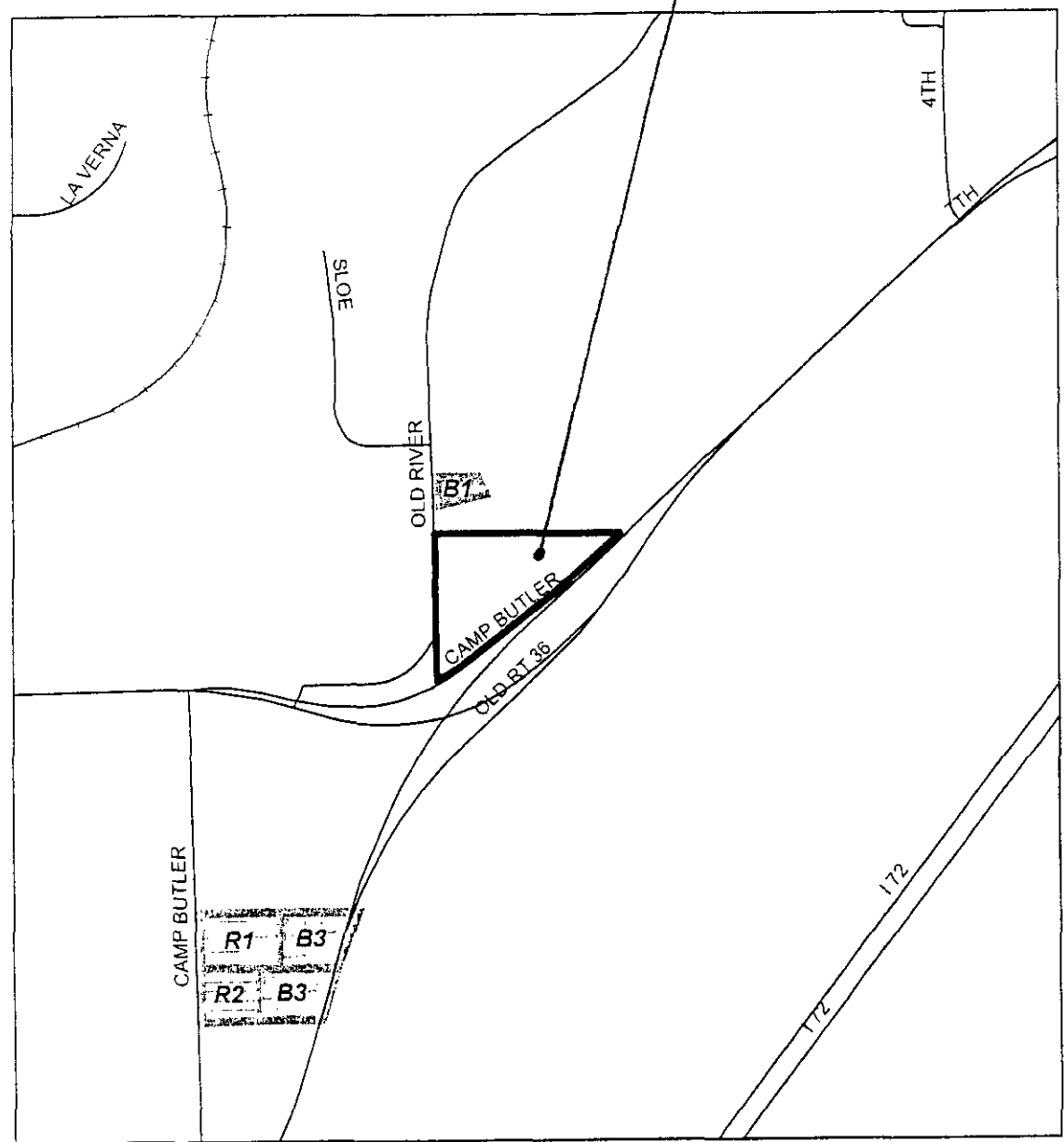
OTHER COMMENTS: \* A Conditional Permitted Use is requested to allow a public park.

Staff Estimate of the Effect of the Amendment on the Area		None	Slight	Mod.	Great
CONTRASTS: CURRENT VS. PROPOSED	land use		X		
	appearance	X			
	height	X			
	parking spaces	X			
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow	X			
WILL USE INCREASE	pop. density	X			
	dwellings, density	X			
	school pop.	X			
	traffic volume		X		



RECOMMENDATIONS: **Recommend approval.**

# County Zoning Case# 2005-085

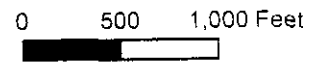


## County Zoning

	R1		B1
	R1a		B2
	R2		B3
	R3		I1
	RM-4		I2
	OFF		A

## City Zoning

	R1		H1		OFF
	R2		H2		PUD
	R3a		H3		B1
	R3b		S1		B2
	R4		S2		I1
	R5		S3		I2







**RECOMMENDED FINDINGS OF FACT  
FOR CONDITIONAL PERMITTED USES**

Case #: 2005-85

Address: 2062 Old River Road

No conditional permitted uses shall be granted by the County Board unless the conditional permitted use:

- (i) Is so proposed that the proposed location, design and method of operation of such use will minimize the adjacent effects on the character of the surrounding area.

**Yes. The park will be used for passive nature activities and will only be open during daylight hours.**

- (ii) Is so proposed to be operated, designed and located so that the public health, safety, and welfare will be protected.

**Yes**

- (iii) Will not cause substantial injury to the value of other property in the vicinity in which it is located.

**No. A park generally is an enhancement to property values.**

- (iv) In addition to the above general standards for all conditional permitted uses that may be allowed, no conditional permitted use listed below shall be granted unless the proposed use can meet the standards as noted:

- (a) Fairgrounds, public or private outdoor recreation centers - that the principal vehicle access for such use is located on a major thoroughfare or a secondary thoroughfare or within one-quarter mile of a major thoroughfare, that such use is so located as to draw a minimum of vehicular traffic to and through minor and collector streets in residential areas.

**NA**

- (b) Mobile home parks - must meet the requirements of Section III(R) Large Scale Development.

**NA**

- (c) Tourist home, motels, hotels - that the proposed use must be located on or within 400 feet of a major thoroughfare.

**NA**

- (d) Taverns and liquor stores - that the following distances be maintained: (1) schools - 100' from the property line of the school to the property line of the tavern or liquor store; (2) churches - 100' from the church building to the tavern or liquor store building; and (3) residences - 100' from the tavern or liquor store property line to the residential structure or institutional care facility.

**NA**