

CASE # 2005-80  
RESOLUTION NUMBER 8-1

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

**Lots 8 & 9 in Block 1 of the Town of Cantrall, situated in the County of Sangamon in the State of Illinois.**

WHEREAS, the Petitioners, **John & Mary Dawson**, have petitioned the Sangamon County Board for a **Use Variance to allow a drive-through coffee shop**; 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 use variance**; and

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

**FILED**

NOV 30 2005


*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 Use Variance to allow a Drive-Through Coffee Shop 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

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 11 NAME: **Dick Bond**

DOCKET NUMBER: **2005-80**

ADDRESS: **1 Holland St., Cantrall, IL. 62625**

PETITIONER: **John & Mary Dawson**

PRESENT ZONING CLASSIFICATION: **"R-1" Single Family Residence District**

REQUESTED ZONING CLASSIFICATION: **"R-1" Single Family Residence District with a Use Variance to allow a Drive-Through Coffee Shop.**

AREA: **.27 acre**

COMMENTS: **none**

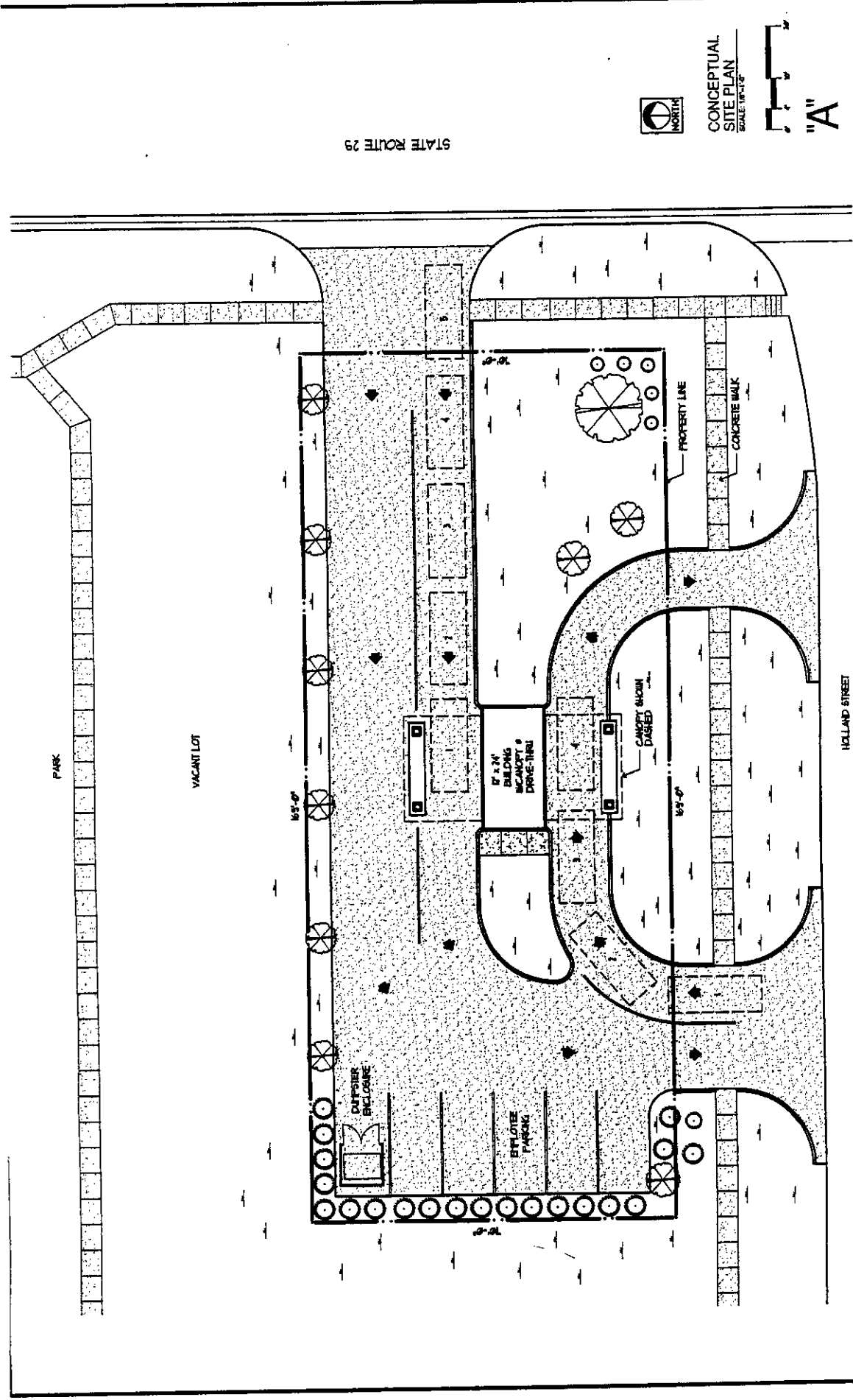
OBJECTORS: **none**

PLANNING COMMISSION RECOMMENDATION: **Approval**

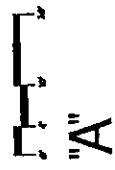
SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION: **Approval**

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

Sheet 8-4



CONCEPTUAL  
SITE PLAN  
SCALE: 1/8" = 1'-0"



"A"

PROJECT NO. 2024-05		CONCEPTUAL SITE PLAN - OPTION "A"	
DATE 10/15/24		PROPOSED DRIVE - THRU COFFEE SHOP CANTON, ILLINOIS	
DRAWN BY JLD		CHECKED BY JLD	
SCALE 1/8" = 1'-0"		SHEET NO. 1 OF 1	
NOTE: CONTRACTOR SHALL OBTAIN AND VERIFY ALL DIMENSIONS AND CONDITIONS AT JOB SITE AND BE FULLY RESPONSIBLE FOR SAME. © 2024 ALLIED DESIGN CONSULTANTS, INC. ALL RIGHTS RESERVED.			
ALLIED DESIGN CONSULTANTS, INC. 405 1/2 South Sixth Street Springfield, Illinois 62701 (217) 525-3355 FAX (217) 522-5570 <a href="mailto:alliedinc@ig.net">alliedinc@ig.net</a> Architecture · Design · Planning STATE OF ILLINOIS PROFESSIONAL OFFERING NUMBER 0143-000114			

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2005-80</b>
<b>John &amp; Mary Dawson</b> )	
)	PROPERTY LOCATED AT:
)	<b>1 Holland Street</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 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 **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 **1 Holland St., Cantrall, IL. 62625** and more particularly described as:

**Lots 8 & 9 in Block 1 of the Town of Cantrall, situated in the County of Sangamon in the State of Illinois.**

- 3. That the present zoning of said property is "R-1" Single Family Residence District.
- 4. That the present land use of said property is a Single Family Residence.
- 5. That the proposed land use of said property is a Drive-Through Coffee Shop.
- 6. That the requested Use Variance of said property is: to allow a Drive-Through Coffee Shop.
- 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 granted.

Charles Chimento *CC*  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Patrick Somers** 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:

AD Armstrong  
RECORDING SECRETARY



CASE #: 2005-80 S-7

INDEX #: 06-08-428-021

DATE: 11-1-05

INSPECTED BY: DK LW

**USE VARIANCE CHECK LIST**

PETITIONER: Dawson, John and Mary

ADDRESS: 1 Holland Street CITY OR VILLAGE OR NEAREST ONE: Cantrall

REQUEST DESCRIPTION: Use Variance to allow Drive-Through Coffee Shop

EXISTING ZONING: R-1

EXISTING LAND USE: Single Family Residence

PROPOSED LAND USE: Drive-Through Coffee Shop

LAND AREA: .27 acre ROAD FRONTAGE: 169 Lineal Ft. ROAD COND: Good  
State Rt. 29 - 71 Good

STRUCTURE DESIGNED FOR: Residence CONDITION OF STRUCTURE: Fair

EXISTING YARDS: Front 10 ft. Side 30/5 ft. Rear 100 ft.

NEARBY LAND USE:

- a. To North Park
- b. To South Single Family Residence, Carpet Sales
- c. To East Vacant, Post Office, Church, Single Family Residence
- d. To West Single Family Residence

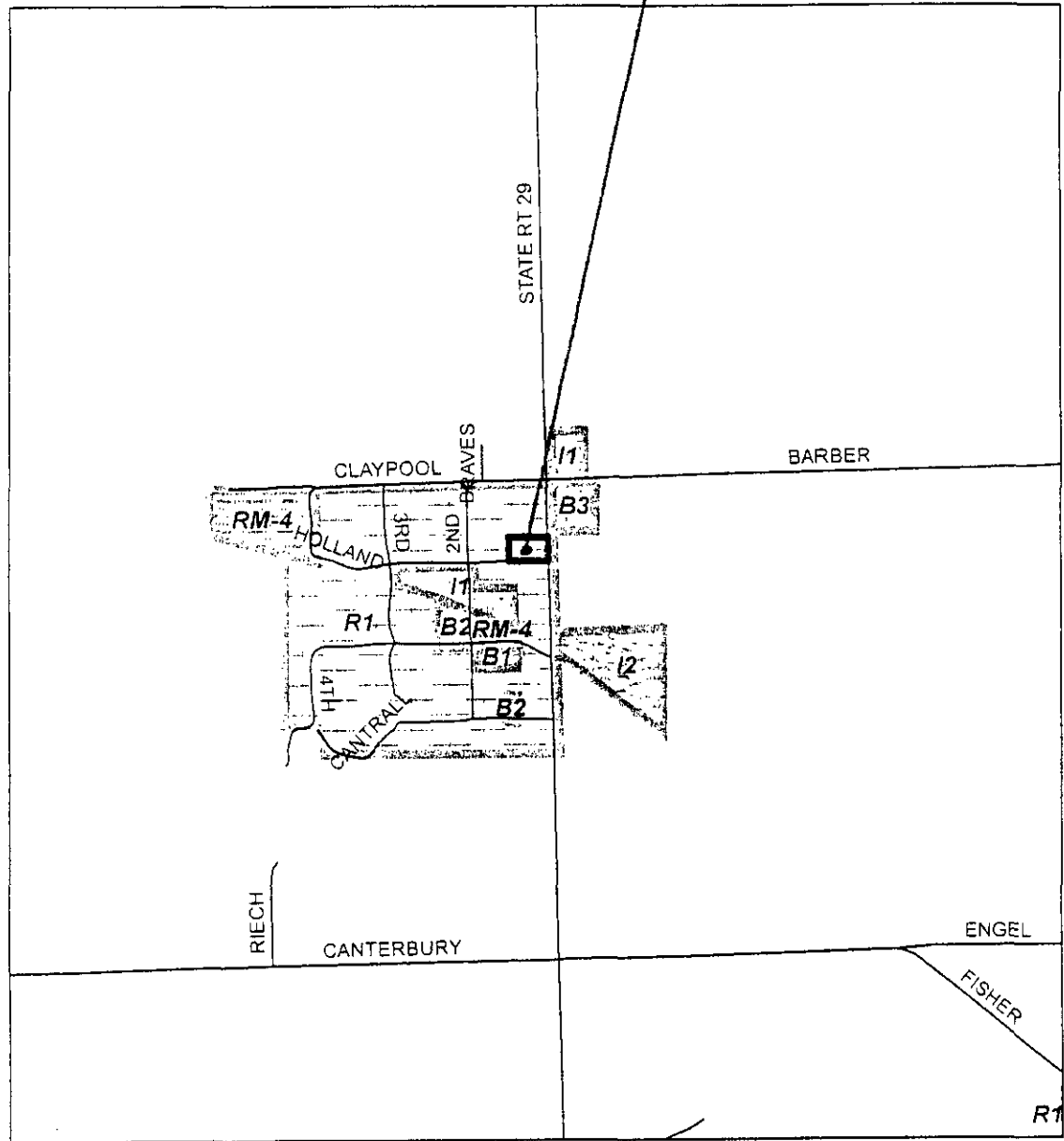
OTHER COMMENTS:

Staff Estimate of the Effect of the Use Variance 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			
	sawer	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# 2005-080

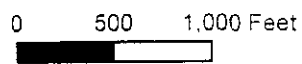


## County Zoning

	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 STANDARDS FOR USE VARIATIONS

Case #: **2005-80**

Address: **1 Holland Street**

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of the zoning ordinance be varied as authorized in Section 17.66.010 thereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the variance is justified by a showing of special circumstances demonstrating practical difficulties or particular hardship in the way of carrying out the strict letter of the Zoning Regulations.

**There is a vacant, older house on the property. The practicality of renovation of residential property along the state highway is questionable.**

- (ii) that the variance is compatible with the trend of development in the area.

**The property is located along the state highway with a park to the north, post office and church to the east and carpet sales to the south along with 3 residences.**

- (iii) that the variance will benefit the community and be in harmony with the general purpose and intent of the Zoning Regulations.

**Continued use of the property for residential purposes is questionable but the granting of commercial zoning would open the door to uses that may not be compatible with existing uses.**

- (iv) that the variance will not create a negative impact on the area, 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**