

FILED

JAN 28 2005

Joe Aiello
Sangamon County Clerk

CASE # 2005-02
RESOLUTION NUMBER 6-1

GRANTING A REZONING
FOR CERTAIN PROPERTY LOCATED AT
3000 SOUTH 11TH 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 an amendment** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

Lots 28, 29 & 30 of Block 9 of the Town of Mildred, excluding part of the Northwest Corner for street Right-Of-Way.

WHEREAS, the Petitioners, **Robert Luken, owner & Ned Riseman, contract purchaser**, have petitioned the Sangamon County Board for a rezoning from **"R-3" General Residence District to "B-2" Retail Business District**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **January 20, 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 rezoning**; and

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

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 8th day of February, 2005 that the request to rezone the above described property from "R-3" General Residence District to "B-2" Retail Business District is hereby approved.

Signed and passed by the Sangamon County Board in session on this 8th day of February, 2005.

Respectfully submitted,

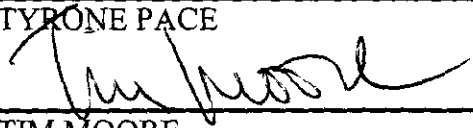
PUBLIC HEALTH, SAFETY & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD

DAN VAUGHN, CHAIRMAN

ABE FORSYTH

BILL MOSS

TYRONE PACE

for 

TIM MOORE

DON STEPHENS

ATTEST:



SANGAMON COUNTY CLERK



COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 21 NAME: Clyde E. Bunch

DOCKET NUMBER: 2005-02

ADDRESS: 3000 South 11th Street, Springfield, IL. 62703

PETITIONER: Robert Luken, owner & Ned Riseman, contract purchaser

PRESENT ZONING CLASSIFICATION: "R-3" General Residence District

REQUESTED ZONING CLASSIFICATION: "B-2" Retail Business District.

AREA: .46 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval due to similar zoning and uses in the area.**

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: 2005-02
Robert Luken, owner &)	
Ned Riseman, contract purchaser)	PROPERTY LOCATED AT:
)	3000 South 11th Street
)	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 an **amendment** 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 **January 20, 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 **3000 South 11th Street, Springfield, IL. 62703** and more particularly described as:

Lots 28, 29 & 30 of Block 9 of the Town and Mildred, excluding part of the Northwest Corner for street Right-Of-Way.

- 3. That the present zoning of said property is **"R-3" General Residence District.**
- 4. That the present land use of said property is **6 pad mobile home court.**
- 5. That the proposed land use of said property is **commercial office use.**
- 6. That the requested **rezoning** of said property is: **from "R-3" to "B-2".**
- 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 **rezoning** 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 **rezoning** be **approved.**

Charles Chimento
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **John Goleman** 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 **Patrick Somers.**

The vote of the Board was as follows:

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

NO:

ABSENT:

Art Armstrong
RECORDING SECRETARY

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CASE #: 2005-02
 INDEX #: 22-10-451-038, 002, 003
 DATE: 1-10-05
 INSPECTED BY: DK LW

ZONING AMENDMENT CHECK LIST

PETITIONER: Luken, Robert and Darco, Inc.
 ADDRESS: 3000 South 11th Street TWP. 15N RANGE 5 W SEC. 10 ¼ SEC. SE
 (OR NEAREST IDENTIFIABLE ROAD) TWP. _____ RANGE _____ W SEC. _____ ¼ SEC. _____
 CITY OR VILLAGE OR NEAREST ONE: Springfield

EXISTING ZONING: R-3 PROPOSED ZONING: B-2
 LAND AREA: .46 acre ROAD FRONTAGE: 120 Lineal Ft. ROAD COND: Good
Bruce St. - 169 Good

EXISTING LAND USE: Mobile Home Park
 PROPOSED LAND USE: Commercial Office Building

TYPE OF STRUCTURE: Residential CONDITION OF STRUCTURE: Poor - Fair

EXISTING YARDS: Front Varied ft. Side _____ ft. Rear _____ ft.

SPOT ZONING: X
 Yes No

- NEARBY LAND USE:
- a. To North Vacant, Single Family
 - b. To South Mobile Home Park, Single Family, Offices
 - c. To East Cake Bakery, Mobile Home, Single Family Residences
 - d. To West Vacant

OTHER COMMENTS:

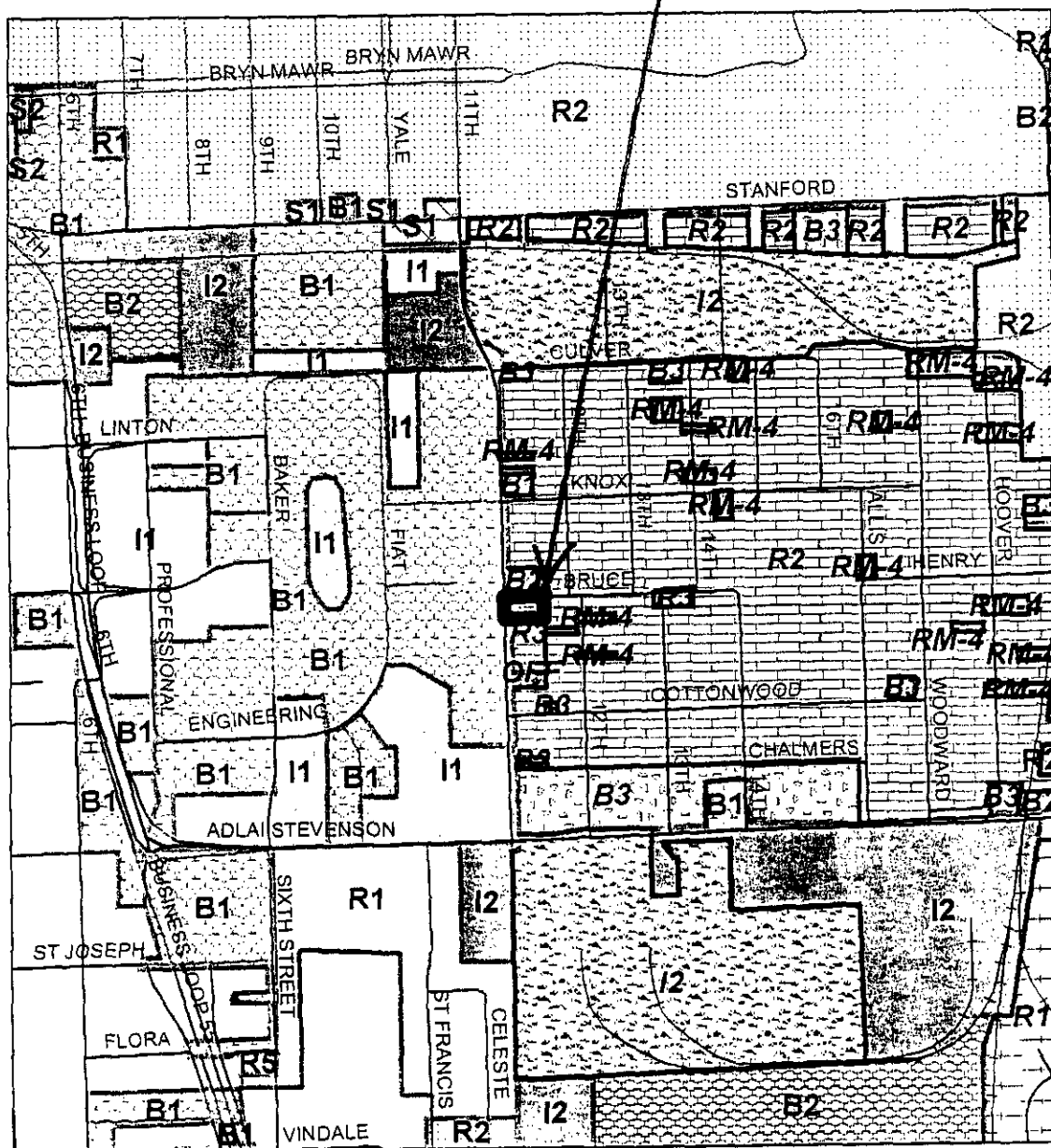
Staff Estimate of the Effect of the Amendment on the Area		None	Slight	Mod.	Great
CONTRASTS:	land use		X		
	appearance		X		
CURRENT VS. PROPOSED	Height	X			
	Parking spaces	X			
PROBLEMS FORESEEN	drainage	X			
	Sewer	X			
	traffic flow	X			
WILL USE INCREASE	pop. density	X			
	dwellings, density	X		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



RECOMMENDATIONS: **Recommend approval due to similar zoning and uses in the area.**

County Zoning

Case# 2005-02



County Zoning

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

City Zoning

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

0 500 1,000 Feet

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RECOMMENDED FINDINGS OF FACT

Case #: **2005-02**
Address: **3000 South 11th Street**

(i) Existing uses of property within the general area of the property in question.
To the north is vacant and single family. To the east is a cake bakery and residences. To the south is a mobile home park, single family and offices. To the west is vacant.

(ii) The zoning classification of property within the general area of the property in question.
To the north is B-2 and R-2. To the east is R-2. To the south is R-3. To the west is City B-1.

(iii) The suitability of the property in question to the uses permitted under the existing zoning classification.
Although zoned R-3 (General Residence District) the property is developed with a mobile home park that was "grandfathered in" as a non-conforming use. Any residential development in conformance with R-3 zoning is unlikely with the commercial/office trend in the area.

(iv) The trend of development, within the vicinity since the property was originally classified.
Property to the north was rezoned to B-2 in 1999. A use variance for a cake bakery was granted to the east in 1998. Properties further south were rezoned to O in 1994 and 1997.