

CASE # 2005-30  
RESOLUTION NUMBER 141

**GRANTING A REZONING  
FOR CERTAIN PROPERTY LOCATED AT  
1110 E. COTTONWOOD  
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:

See **EXHIBIT A**

WHEREAS, the Petitioner, **Carol Sue Buecker**, has petitioned the Sangamon County Board for a **rezoning from "R-2" Single & Two Family Residence District to "B-3" General Business District**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **May 19, 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 **approve the rezoning**; and

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

**FILED**

MAY 31 2005

*Joe Gill*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 14<sup>th</sup> day of June, 2005 that the request to rezone the above referenced property from "R-2" Single & Two Family Residence District to "B-3" General Business District is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14<sup>th</sup> day of June, 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

**ATTEST:**

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

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

EXHIBIT A

Lots 1 and 2, except the East 110.84 feet of Block 10 in the Town of Mildred, being a Subdivision of the West Half of the Southeast Quarter of Section 10, Township 15 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois; also,

Part of Lot 3 of said Block 10, described as follows:

Beginning at Northwest corner of said Lot 3, thence Southerly, along the West line of said Lot 3, 40.00 feet; thence Easterly, along the South line of said Lot 3, 41.00 feet; thence Northerly and parallel to the West line of said Lot 3m 7.00 feet; thence Easterly and parallel to the South line of said Lot 3, 11.44 feet; thence Northerly and parallel to the West line of said Lot 3, 18.00 feet; thence Easterly and parallel to the South line of said Lot 3, 6.00 feet to a point, said point being 110.84 feet West of the East line of said Lot 3, 15.00 feet to a point on the North line of said Lot 3; thence Westerly, along the North line of said Lot 3, 58.44 feet to the point of beginning.

**SANGAMON COUNTY  
RECOMMENDED - FINDINGS OF FACT  
▶ As Amended by the Board of Appeals ◀**

Case #: **2005-30**  
Address: **1110 East Cottonwood Street**

- (i) Existing uses of property within the general area of the property in question.  
**To the north east and south are single family residences. There is a commercial building to the north. To the west are a union hall and a residence.**
  
- (ii) The zoning classification of property within the general area of the property in question.  
**Most of the surrounding property is R-2. There is a small area of B-3 to the north and some commercial zoning along 11<sup>th</sup> Street.**
  
- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.  
**The property is improved with a commercial building and has been used for commercial purposes prior to the adoption of the zoning ordinance.**
  
- (iv) The trend of development, within the vicinity since the property was originally classified.  
**There is a commercial trend along 11<sup>th</sup> Street.**

14-5

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 21 NAME: **Clyde Bunch**

DOCKET NUMBER: **2005-30**

ADDRESS: **1110 E. Cottonwood, Springfield, IL. 62703**

PETITIONER: **Carol Sue Buecker**

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

REQUESTED ZONING CLASSIFICATION: **"B-3" General Business District**

AREA: **6,741 Sq. Ft.**

COMMENTS: **Allen Lower, representing the union hall, had questions**

OBJECTORS: **none**

PLANNING COMMISSION RECOMMENDATION: **Denial. Although presence of the existing commercial structure on the property makes use under residential zoning questionable, the proposed B-3 is too intensive for this residential area.**

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

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

14-6

SANGAMON COUNTY ZONING BOARD OF APPEALS  
SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: ) DOCKET NO: **2005-30**  
**Carol Sue Buecker** )  
)  
) PROPERTY LOCATED AT:  
) **1110 E. Cottonwood 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 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 **May 19, 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 **1110 E. Cottonwood St., Springfield, IL. 62703** and more particularly described as:

See EXHIBIT A

- 3. That the present zoning of said property is **“R-2” Single & Two Family Residence District.**
- 4. That the present land use of said property is **a vacant contractors shop.**
- 5. That the proposed land use of said property is **Unstated.**
- 6. That the requested **rezoning** of said property is: **from “R-2” Single Family Residence District to “B-3” General Business District.**
- 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.**

*Patrick Somers*  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Patrick Somers** 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: **Donn Malwick, John Goleman, Patrick Somers, Barbara Braner & Don Wulf**

NO:

ABSENT: **Charles Chimento & Marvin Traylor**

*Donn Malwick*  
RECORDING SECRETARY

14-8



CASE #: 2005-30  
 INDEX #: 22-10-454-040  
 DATE: 5-4-05  
 INSPECTED BY: DK LW

**ZONING AMENDMENT CHECK LIST**

PETITIONER: Buecker, Carol Sue  
 ADDRESS: 1110 East Cottonwood 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-2 PROPOSED ZONING: B-3

LAND AREA: 6,741 Sq. Ft. ROAD FRONTAGE: 58 Lineal Ft. ROAD COND: Good

EXISTING LAND USE: Vacant Contractors Shop  
 PROPOSED LAND USE: Unstated

TYPE OF STRUCTURE: Commercial CONDITION OF STRUCTURE: Fair

EXISTING YARDS: Front 30 ft. Side 25/2 ft. Rear 6 ft.

SPOT ZONING: X  
 Yes No

- NEARBY LAND USE:
- a. To North Single Family Residences
  - b. To South Single Family Residences
  - c. To East Single Family Residences
  - d. To West Union Hall, Single Family Residences

OTHER COMMENTS:

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		

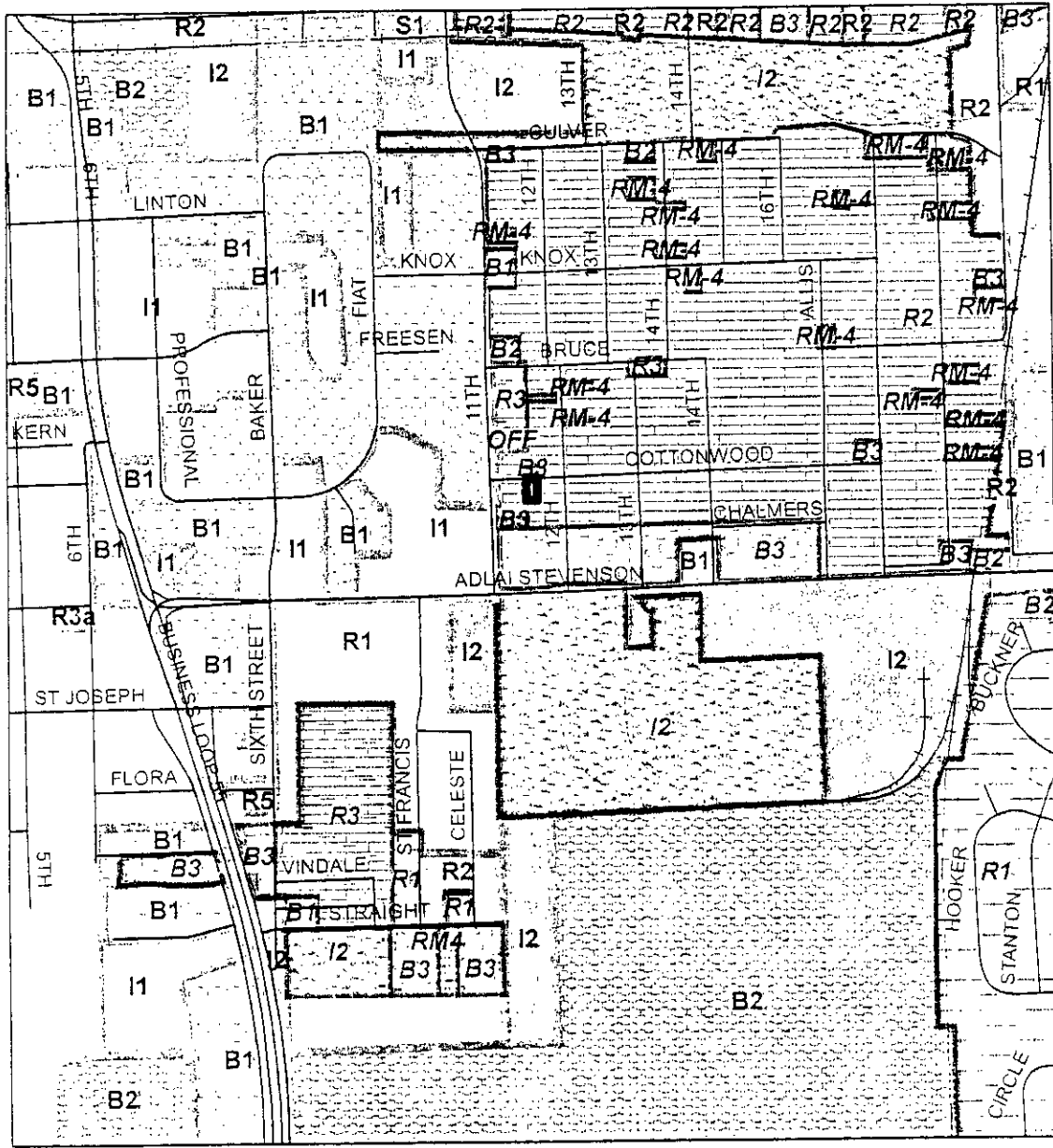


RECOMMENDATIONS: Recommend denial. Although presence of the existing commercial structure on the property makes use under residential zoning questionable, the proposed B-3 is too intensive for this residential area.



# County Zoning

## Case# 2005-030

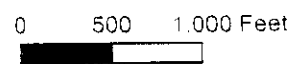


### County Zoning

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

### City Zoning

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





## RECOMMENDED FINDINGS OF FACT

Case #: **2005-30**  
Address: **1110 East Cottonwood Street**

- (i) Existing uses of property within the general area of the property in question.

**To the north, east and south are single family residences.**

**To the west is a union hall and single family residences.**

- (ii) The zoning classification of property within the general area of the property in question.

**The property is surrounded by R-2 zoning with a small spot of B-3 to the north.**

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

**There is an existing commercial structure on the property, however, the property is located in a residential area. Although a non-residential use may be appropriate because of the existing building, B-3 zoning is seen as too intensive for the area.**

- (iv) The trend of development, within the vicinity since the property was originally classified.

**A portion of the property to the north was rezoned to B-3 in 1985 to allow a bait shop in the garage. The property directly east was denied a rezoning to B-3 in 1995.**