

CASE # 2005-35
RESOLUTION NUMBER 19-1

**GRANTING A REZONING AND VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
620 WEST BROWNING 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 an amendment and variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See EXHIBIT A

WHEREAS, the Petitioners, **John & Sharon Murray**, have petitioned the Sangamon County Board for a **rezoning from "R-1" Single Family Residence District to "I-1" Restricted Industrial District with a variance to allow the lot depth to exceed 2 ½ times the lot width for one parcel**; 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 variance subject to FAA Height restrictions, and the variance**; and

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

FILED

MAY 20 2005

John Murray
Sangamon County Board

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14th day of June, 2005 that the request to rezone the above referenced parcel from "R-1" Single Family Residence District to "I-1" Restricted Industrial District subject to FAA height restrictions with a variance to allow the lot depth to exceed 2 ½ times the lot width for one parcel is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14th 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

Part of the Northwest Quarter of the Southeast Quarter of Section 16, Township 16 North, Range 5 West of the Third Principal Meridian in Sangamon County, Illinois, more particularly described as follows:

Commencing at a brass plate marking the Northwest corner of the Northwest Quarter of the Southeast Quarter of the aforesaid Section 16; thence North 89 degrees 00' 54" East along the North line of said Quarter Quarter Section 452.56 feet; thence South 01 degrees 13' 06" East 50.00 feet to the South Right-Of-Way line of Browning Road, the true point of beginning; thence along said South Right-Of-Way line North 89 degrees 00' 55" East 144.31 feet; thence South 79 degrees 40' 30" East 101.98 feet; thence North 89 degrees 00' 54" East 200.00 feet; thence North 78 degrees 58' 44" East 50.63 feet to the West line of the Grman property; thence South 00 degrees 59' 06" East 322.53 feet along said West line extended; thence North 89 degrees 00' 53" East 386.53 feet to the East line of the Northwest Quarter of the Southeast Quarter of said Section 16; thence South 01 degrees 08' 15" East along said East line 25.79 feet to the North Right-Of-Way line of FA Route 662 (Veterans Parkway); thence South 63 degrees 46' 58" West along said Right-Of-Way line 242.72 feet; thence South 08 degrees 49' 22" West 78.10 feet; thence South 38 degrees 14' 11" West 99.07 feet to the beginning of a curve to the right having a radius of 12,177.67 feet, a DLTA of 02 degrees 23' 08", an ARC length of 507.04 feet and a chord which bears South 54 degrees 20' 20" West for a distance of 507.00 feet to the East Right-Of-Way line of the Springfield Airport Authority runway extension; thence North 53 degrees 44' 10" West along said runway Right-Of-Way 227.45 feet; thence North 00 degrees 02' 02" West 767.56 feet to the point of beginning, containing 10.63 acres, more or less.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 17 NAME: **John Fulgenzi**

DOCKET NUMBER: **2005-35**

ADDRESS: **620 West Browning Rd., Springfield, IL. 62707**

PETITIONER: **John & Sharon Murray**

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

REQUESTED ZONING CLASSIFICATION: **"I-1" Restricted Industrial District with a variance to allow the lot depth to exceed 2 1/2 times the lot width for one parcel**

AREA: **10.63 acres**

COMMENTS: **none**

OBJECTORS: **none**

PLANNING COMMISSION RECOMMENDATION: **Because of similar zoning and uses in the area, the requested zoning could be supported, however, in such close proximity to the airport the unlimited building height allowed under I-1 zoning is a concern and approval is only recommended with a height limitation. The standards for variation are met.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

approval subject to FAA Height restrictions


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: **2005-35**
John & Sharon Murray)
))
)) PROPERTY LOCATED AT:
)) **620 West Browning Rd.**
)) **Springfield, IL. 62707**
))

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 and 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 **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 **620 West Browning Rd., Springfield, IL. 62707** and more particularly described as:

See **EXHIBIT A**

- 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 **vacant land.**
- 5. That the proposed land use of said property is a **Tack Shop & Excavating Business.**
- 6. That the requested **rezoning and variance** of said property is: **from "R-1" Single Family Residence District to "I-1" Restricted Industrial District with a variance to allow the lot depth to exceed 2 ½ times the lot width for one parcel.**
- 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 and 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 **rezoning and variance** be **approved subject to FAA Height restrictions.**



 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 subject to FAA Height restrictions**, 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



 RECORDING SECRETARY

12-7



CASE #: 2005-35
 INDEX #: 14-16-400-046 Pt.
 DATE: 5-9-05
 INSPECTED BY: DK LW

ZONING AMENDMENT CHECK LIST

PETITIONER: Murray, John R. & Sharon L.
 ADDRESS: 620 West Browning Road TWP. 16N RANGE 5 W SEC. 16 ¼ SEC. SE
 (OR NEAREST IDENTIFIABLE ROAD) TWP. _____ RANGE _____ W SEC. _____ ¼ SEC. _____
 CITY OR VILLAGE OR NEAREST ONE: Springfield

EXISTING ZONING: R-1 PROPOSED ZONING: I-1 with Variance*
 LAND AREA: 10.63 acres ROAD FRONTAGE: 497 Lineal Ft. ROAD COND: Good
Veterans Pkwy. - 927 Good

EXISTING LAND USE: Vacant
 PROPOSED LAND USE: Tack Shop & Excavating Business

TYPE OF STRUCTURE: NA CONDITION OF STRUCTURE: NA

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

- NEARBY LAND USE:
- a. To North Single Family Residences, Beauty Salon
 - b. To South Veterans Parkway, Vacant Floodplain
 - c. To East Motorcycle Repair, Single Family Residence
 - d. To West Heavy Equipment Sales

OTHER COMMENTS: * Variance to allow the lot depth to exceed 2 ½ times the lot width for one parcel.

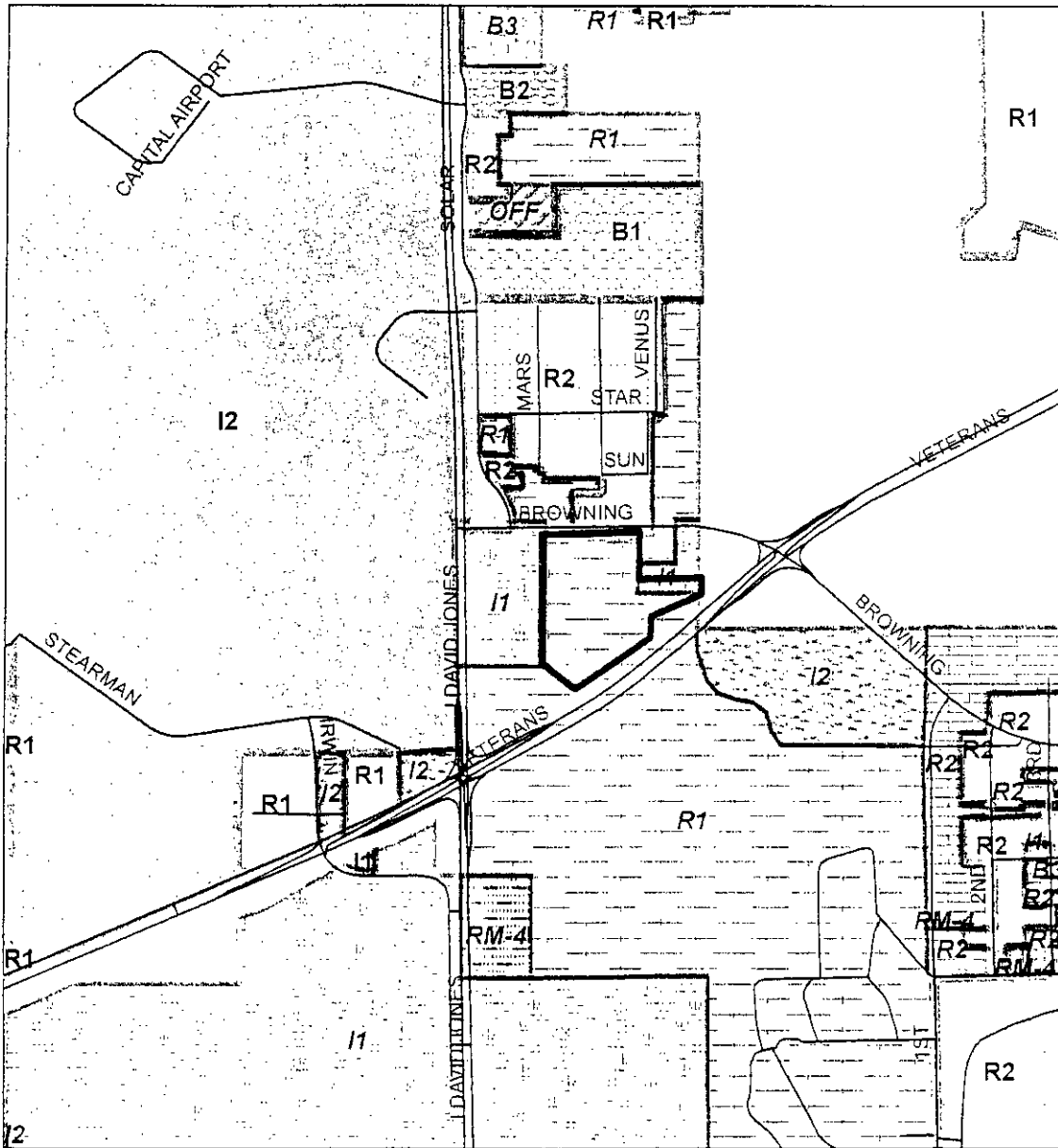
Staff Estimate of the Effect of the Amendment on the Area		None	Slight	Mod.	Great
CONTRASTS: CURRENT VS. PROPOSED	land use		X		
	appearance		X		
	height				X
	parking spaces	X			
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow	X			
WILL USE INCREASE	pop. density	X			
	dwelling, density	X		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



RECOMMENDATIONS: Because of similar zoning and uses in the area, the requested zoning could be supported, however, in such close proximity to the airport the unlimited building height allowed under I-1 zoning is a concern and approval is only recommended with a height limitation. The standards for variation are met.

County Zoning

Case# 2005-035

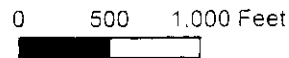


County Zoning

City Zoning

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

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





RECOMMENDED FINDINGS OF FACT

Case #: **2005-35**

Address: **620 West Browning Road**

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

To the north are single family residences and a beauty salon. To the east is motorcycle repair and a single family residence. To the south is a four-lane, divided highway and flood prone property. To the west is heavy equipment sales.

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

To the north is R-1 and City R-2. To the east is R-1, I-1 and A. To the south is R-1. To the west is R-1 and I-1.

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

The property was previously used as a junkyard but has been cleaned up. Being located between Veterans Parkway, J. David Jones Parkway and Browning Road and with heavy equipment sales to the west, the viability for residential development is questionable.

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

Property to the west was rezoned to I-1 in 1971. Property to the east was granted a use variance for a motorcycle repair shop in 1991. Another property to the east was rezoned to I-1 in 1974.



RECOMMENDED STANDARDS FOR VARIATIONS

Case #: **2005-35**

Address: **620 West Browning Road**

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of this ordinance be varied as authorized in F. (1) hereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the property in question cannot be economically used or yield a reasonable return, if permitted to be used only for the conditions allowed by the regulations.

The request is made to facilitate division of the property.

- (ii) that the plight of the owner is due to circumstances unique to the property and not generally applicable to other property in the area.

The property has an odd configuration which is partially due to Veterans Parkway dividing the original parcel.

- (iii) that the variation, if granted, 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