

CASE # 2005-74
RESOLUTION NUMBER 7-1

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
2817 ST. JAMES 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 Petitioners, **Gary & Lori Walker**, have petitioned the Sangamon County Board for a **Conditional Permitted Use to allow a lawn sprinkler & landscaping business with indoor storage only**; and

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

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

FILED

OCT 28 2005

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 8th day of November, 2005 that the request for a **Conditional Permitted Use to allow a lawn sprinkler and landscaping business with indoor storage only on the above referenced property is hereby approved.**

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

Part of the Northeast Quarter of the Northwest Quarter of Section 17, Township 16 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois bounded as follows:

Beginning at a point 200 feet West of the Southeast corner of said Quarter Quarter Section, and running thence West along the South line of said Quarter Quarter Section 182.5 feet; thence North parallel with the Half Section line, 341.57 feet; thence East 382.5 feet to the Half Section line; thence South along said Half Section line, 20 feet; thence West parallel to the South line of said Quarter Quarter Section line, 207 feet; thence South parallel with the Half Section line, 146.57 feet; thence East parallel with the South line of said Quarter Quarter Section 7 feet; and thence South parallel with the Half Section line, 175 feet to the place of beginning.

**SANGAMON COUNTY - RECOMMENDED FINDINGS OF FACT
FOR CONDITIONAL PERMITTED USES**

► As Recommended by the Zoning Board of Appeals ◀

Case #: **2005-74**

Address: **2817 St. James 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.

Material and equipment will be stored inside. Hours will be limited.

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

Yes, see above.

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

The property has been cleaned up since it was used in connection with a farming operation and all equipment and all storage will be inside.

(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:

NA

RECAP
(For County Board Use)

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

DOCKET NUMBER: **2005-74**

ADDRESS: **2817 St. James Rd., Springfield, IL. 62707**

PETITIONER: **Gary & Lori Walker**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a Conditional Permitted Use to allow a lawn sprinkler and landscaping business with indoor storage only.**

AREA: **1.5 acres**

COMMENTS: **none**

OBJECTORS: **none**

PLANNING COMMISSION RECOMMENDATION: **denial due to residential character of the area and close proximity of homes.**

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



RECORDING SECRETARY

7-6

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2005-74
Gary & Lori Walker)	
)	PROPERTY LOCATED AT:
)	2817 St. James 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 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 **October 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 **2817 St. James Rd., 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 a **Single Family Residence, Lawn Sprinkler & Landscaping Business.**
5. That the proposed land use of said property is a **Single Family Residence, Lawnsprinkler and Landscaping Business with indoor storage only.**
6. That the requested **Conditional Permitted Use** of said property is: **to allow a lawn sprinkler & landscaping business with indoor storage only.**
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
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor**, based on the amended findings 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: **Charles Chimento, Donn Malwick, Patrick Somers, Marvin Traylor, Don Wulf**

NO:

ABSENT: **Peggy Egizii**

RJ Armstrong
RECORDING SECRETARY



CASE #: 2005-74 7-8
 INDEX #: 15-17-126-004
 DATE: 10-5-05
 INSPECTED BY: DK LW

ZONING AMENDMENT CHECK LIST

PETITIONER: Walker, Gary & Lori
 ADDRESS: 2817 St. James Road TWP. 16N RANGE 4 W SEC. 17 ¼ SEC. NW
 (OR NEAREST IDENTIFIABLE ROAD) TWP. _____ RANGE _____ W SEC. _____ ¼ SEC. _____
 CITY OR VILLAGE OR NEAREST ONE: Springfield

EXISTING ZONING: A PROPOSED ZONING: A with CPU*

LAND AREA: 1.5 acres ROAD FRONTAGE: 20 Lineal Ft. ROAD COND: Fair

EXISTING LAND USE: Single Family Residence, Lawnsprinkler & Landscaping Business.

PROPOSED LAND USE: Single Family Residence, Lawnsprinkler & Landscaping Business

TYPE OF STRUCTURE: Residential/Commercial CONDITION OF STRUCTURE: Good

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

SPOT ZONING: NA
 Yes No

NEARBY LAND USE:

- a. To North Cropland, Single Family Residences
- b. To South Single Family Residences
- c. To East Single Family Residences
- d. To West Cropland

OTHER COMMENTS: * **A Conditional Permitted Use is requested for lawn sprinkling business with indoor storage of vehicles and trailers.**

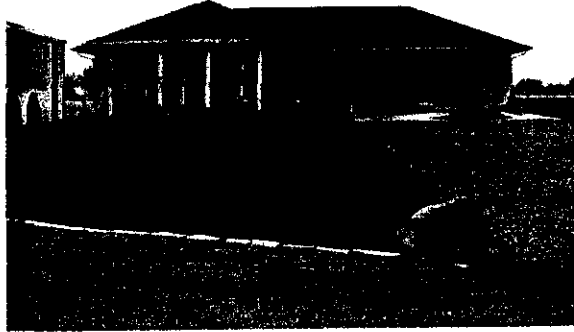
Staff Estimate of the Effect of the Amendment on the Area		None	Slight	Mod.	Great
CONTRASTS: CURRENT VS. PROPOSED	land use				X
	Appearance				X
	height	X			
	parking spaces			X	
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow	x			
WILL USE INCREASE	pop. density	X			
	dwellings, density	X	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

SEE ATTACHED PHOTOS

RECOMMENDATIONS: **Recommend denial due to residential character of the area and close proximity of homes.**

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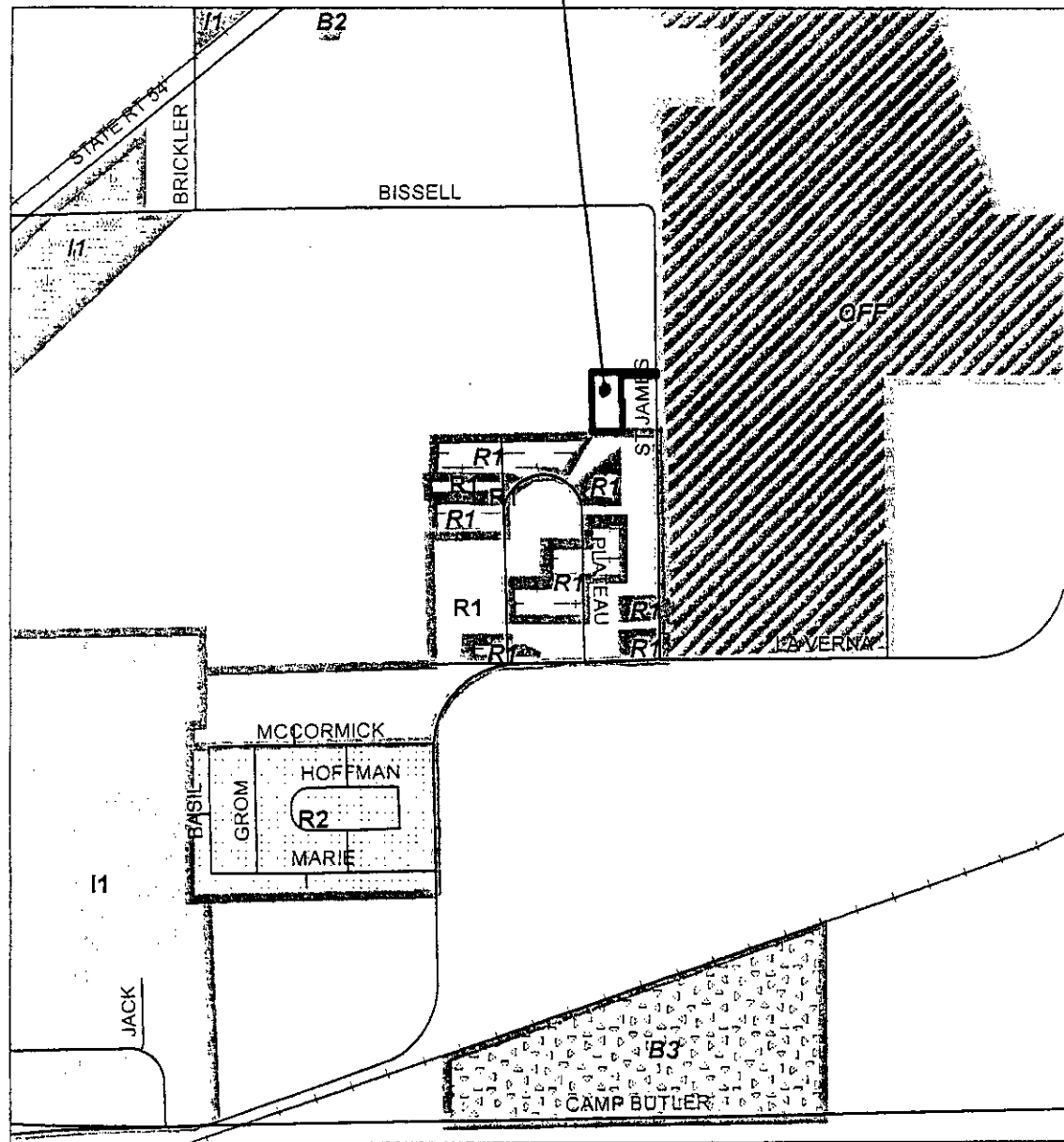
Residence on Property



Storage Structures on Property

County Zoning

Case# 2005-074

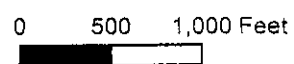


County Zoning

	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



7-11



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

Case #: **2005-74**

Address: **2817 St. James 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.

The property is located in a residential area with houses in very close proximity.

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

During the site visit there was equipment and material being stored outside the building.

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

There is a concern with the houses located in close proximity.

- (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