

CASE # 2005-62 5-1
RESOLUTION NUMBER

GRANTING A REZONING
FOR CERTAIN PROPERTY LOCATED AT
1223 WEST MILLER
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:

Lot 67, Elmhurst Addition

WHEREAS, the Petitioner, **Michael Huesing**, 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 **September 15, 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.

FILED

SEP 20 2005

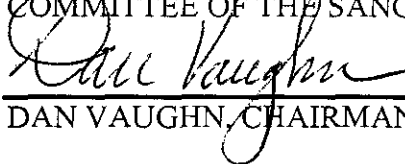
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 11th day of October, 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 11th day of October, 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: **2005-62**

ADDRESS: **1223 W. Miller, Springfield, IL. 62703**

PETITIONER: **Michael Huesing**

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

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

AREA: **6,400 sq. ft.**

COMMENTS: **none**

OBJECTORS: **yes**

PLANNING COMMISSION RECOMMENDATION: **approval due to similar zoning and topography separating property from residential 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: 2005-62
Michael Huesing)
)
) PROPERTY LOCATED AT:
) 1223 W. Miller
) 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 **September 15, 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 and more particularly described as:

Lot 67, Elmhurst Addition

- 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 **Vacant.**
- 5. That the proposed land use of said property is **a contractor’s office.**
- 6. That the requested **rezoning** of said property is: **from “R-2” Single & Two 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.**


 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 **Donn Malwick.**

The vote of the Board was as follows:

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

NO:

ABSENT:


 RECORDING SECRETARY

5-6



CASE #: 2005-62
 INDEX #: 14-29-281-005
 DATE: 8-30-05
 INSPECTED BY: DK LW

ZONING AMENDMENT CHECK LIST

PETITIONER: Huesing, Michael
 ADDRESS: 1223 West Miller Street TWP. 16N RANGE 5 W SEC. 29 ¼ SEC. NE
 (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: 6,400 Sq. Ft. ROAD FRONTAGE: 48 Lineal Ft. ROAD COND: Fair
Park - 133

EXISTING LAND USE: Vacant
 PROPOSED LAND USE: Contractor's Office

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 Residence
- b. To South Single Family Residences
- c. To East Sign Business, Beauty Supplies
- d. To West Single Family Residences

OTHER COMMENTS:

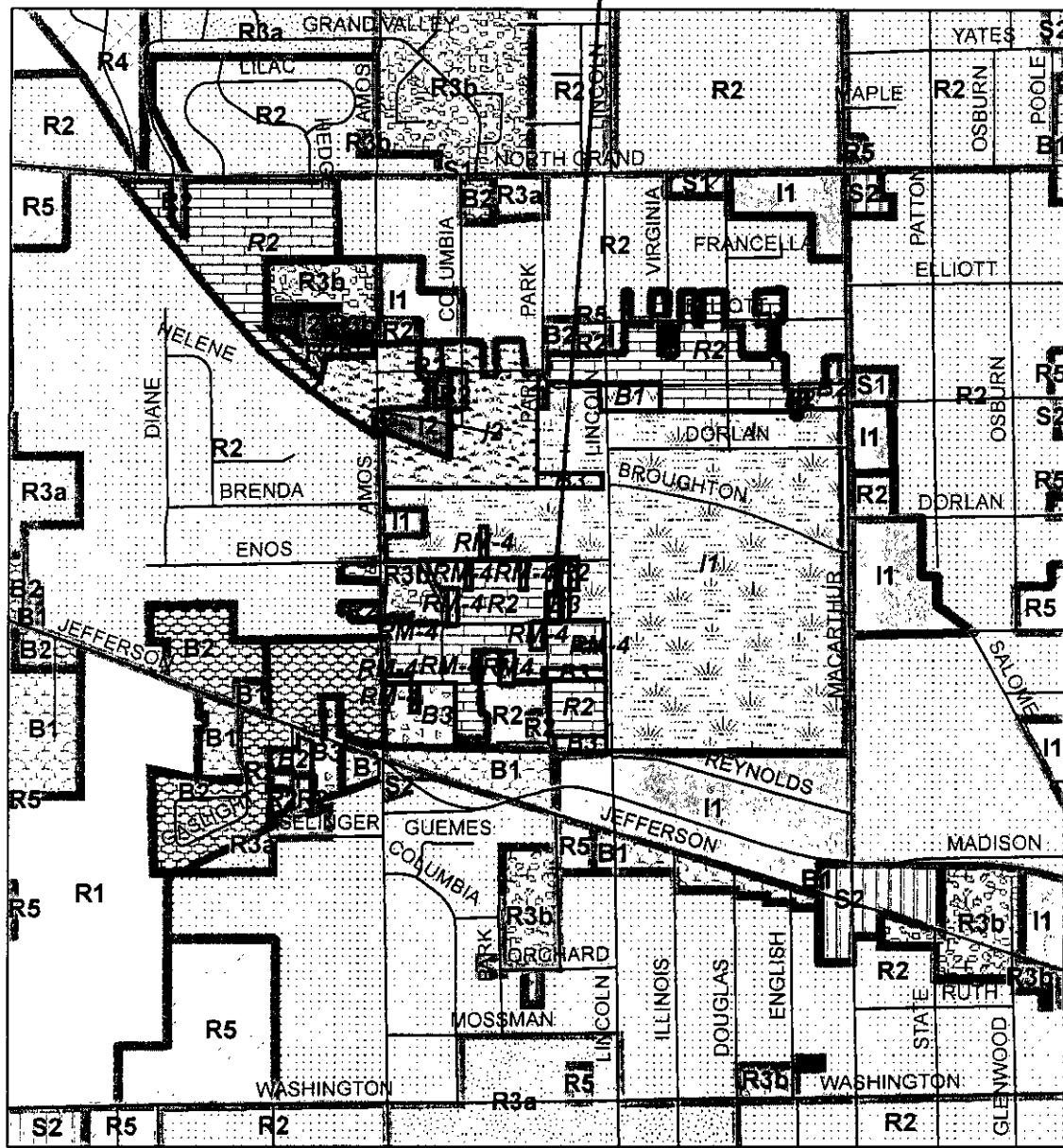
Staff Estimate of the Effect of the Amendment on the Area		None	Slight	Mod.	Great
CONTRASTS: CURRENT VS. PROPOSED	land use	X			
	appearance	X			
	height	X			
	parking spaces	X			
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow	X			
WILL USE INCREASE	pop. density	X			
	dwellings, density	X	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



RECOMMENDATIONS: **Recommend approval due to similar zoning and topography separating property from residential area.**

County Zoning

Case# 2005-062

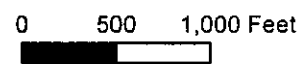


County Zoning

	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 #: **2005-62**

Address: **1223 West Miller Street**

- (i) Existing uses of property within the general area of the property in question.
**To the north, south and west are single family residences.
To the east is a sign business and beauty supplies business.**
- (ii) The zoning classification of property within the general area of the property in question.
**To the north is R-2 and RM-4. To the east is B-3 and I-1.
To the south and west is R-2 and RM-4.**
- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.
The current R-2 zoning is not suitable. The property is adjoined to the east by commercial and industrial zoning and is physically removed from the residential area by elevation.
- (iv) The trend of development, within the vicinity since the property was originally classified.
Property to the east was rezoned to B-3 in 1973 and the second lot east was rezoned to I-1 in 1989. In the residential areas north, south and west there have been several rezonings to RM-4 and a use variance for a ceramic shop granted.