

CASE # 2006-43
RESOLUTION NUMBER 10-1

DENYING A REZONING
FOR CERTAIN PROPERTY LOCATED AT
3304 & 3240 SOUTH DOUGLAS, SPRINGFIELD
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 **deny an amendment** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

Lots A & B of the Harmony City Subdivision and the South ½ of lot 44 Pierik Place Subdivision.

WHEREAS, the Petitioner, **The Estate of Nick L. Miller and Mary J. Miller**, has petitioned the Sangamon County Board for a **rezoning from "R1" Single Family Residence to "B3" General Business District**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **July 20, 2006**, 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 **deny the rezoning**; and

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

FILED

JUL 28 2006

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 August, 2006 that the request to rezone the above described property from "R1" Single Family Residence to "B3" General Business District is hereby denied.

Signed and passed by the Sangamon County Board in session on this 8th day of August, 2006.

Respectfully submitted,

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

Dan Vaughn

DAN VAUGHN, CHAIRMAN

ABE FORSYTH

BILL MOSS

TYRONE PACE

TIM MOORE

DON STEPHENS

DAVID MENDENHALL

ATTEST:

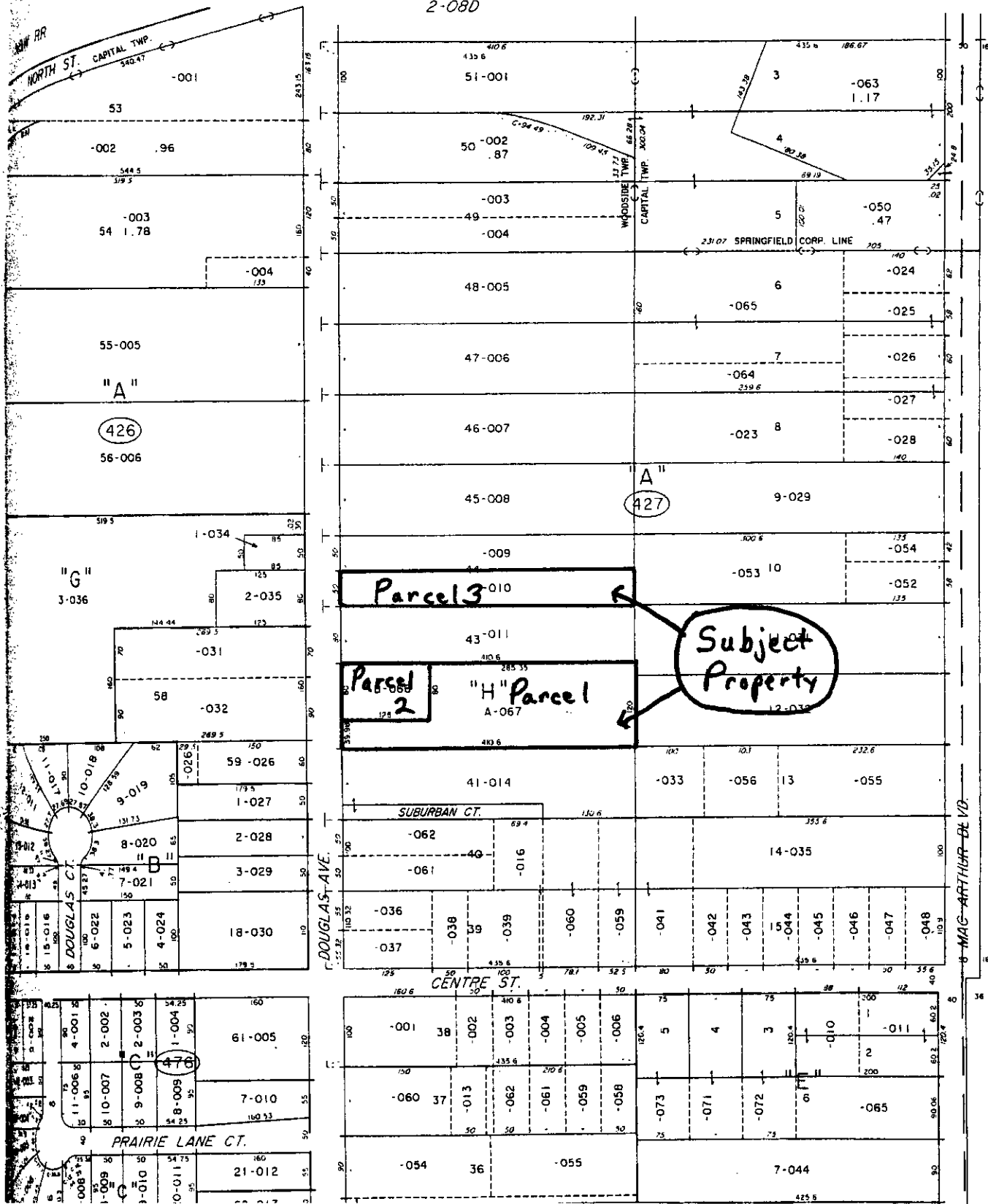
Joe Gallo

SANGAMON COUNTY CLERK

A. [Signature]

COUNTY BOARD CHAIRMAN

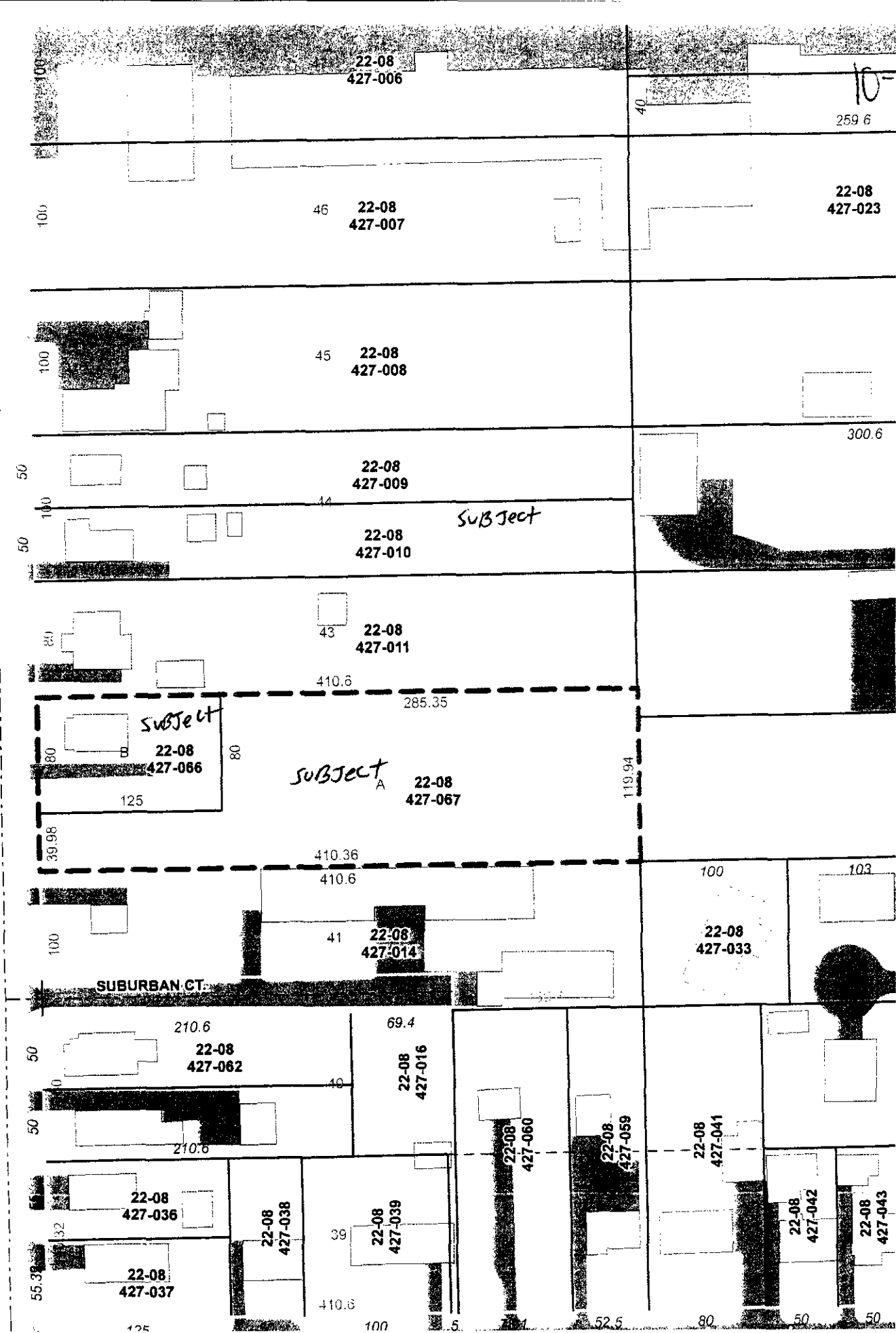
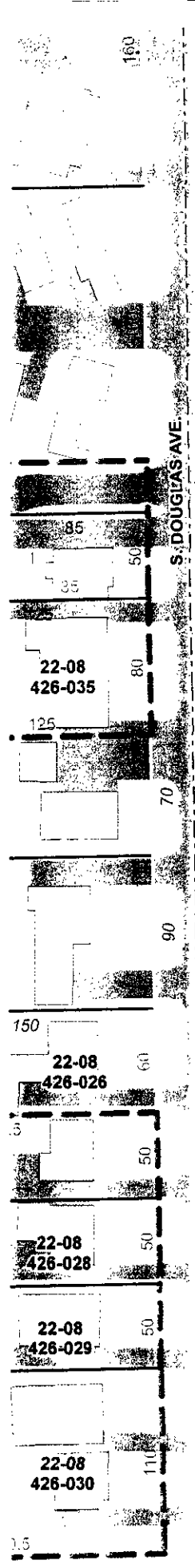
2-08D



- "A" MERIK PL.
- "B" DOUGLAS
- "C" CENTRE S
- "D" MERIK PL
- "E" SIMS, J.D
- "F" GOODWIN
- "G" VILLAGE
- "H" HARMONY

22-C

Exhibit A



10-4

259.6

22-08
427-023

300.6

22-08
427-006

46 22-08
427-007

45 22-08
427-008

22-08
427-009

22-08
427-010

43 22-08
427-011

410.6 285.35

subject

22-08
427-066

subject

22-08
427-067

410.36 410.6

41 22-08
427-014

22-08
427-033

SUBURBAN CT.

210.6 22-08
427-062

69.4 22-08
427-016

22-08
426-028

22-08
426-029

22-08
426-030

22-08
427-036

22-08
427-038

39 22-08
427-039

22-08
427-037

22-08
427-060

22-08
427-059

22-08
427-041

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427-042

22-08
427-043

410.6

125

100

5

7.1

52.5

80

50

50

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 12 NAME: **Cathy Scaife**

DOCKET NUMBER: **2006-43**

ADDRESS: **3304 & 3240 South Douglas, Springfield, IL 62704**

PETITIONER: **The Estate of Nick L. Miller and Mary J. Miller**

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

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

AREA: **1.1 Acre**

COMMENTS: **None**

OBJECTORS: **Yes**

PLANNING COMMISSION RECOMMENDATION: **Recommend denial. A "B-3" spot zoning surrounded by residential uses would deteriorate the neighborhood.**

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



RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2006-43
The Estate of Nick L. Miller)	
and Mary J. Miller)	PROPERTY LOCATED AT:
)	3304 & 3240 South Douglas
)	Springfield, IL 62704
)	

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 **July 20, 2006** 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 **3304 & 3240 South Douglas, Springfield, IL 62704** and more particularly described as:

Lots A & B of the Harmony City Subdivision and the South 1/2 of lot 44 Pierik Place Subdivision.

- 3. That the present zoning of said property is **"R-1" Single Family Residence.**
- 4. That the present land use of said property is **Single Family Residence on Parcels 2 & 3 and unimproved on parcel 1.**
- 5. That the proposed land use of said property is **Heating and air conditioner contractor, plumbing shop, and lawn irrigation business.**
- 6. That the requested **rezoning** of said property is **from "R1" Single Family Residence to "B3" 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 not** 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 **denied**.


 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor** to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **denied**, which was duly seconded by **Patrick Somers**.

The vote of the Board was as follows:

YES: Donn Malwick, Peggy Egizii, Patrick Somers, Marvin Traylor

NO: Charles Chimento

ABSENT:


 RECORDING SECRETARY

10-8



CASE #: 2006-43
 INDEX #: 22-08-427-067, 066, 010
 DATE: 7/7/06
 INSPECTED BY: LW JH

ZONING AMENDMENT CHECK LIST

PETITIONER: The Estate of Nick L. Miller and Mary J. Miller
 ADDRESS: 3304 So. Douglas (parcels 1 & 2)
& 3240 So. Douglas (parcel 3) TWP. 15N RANGE 5 W SEC. 8 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: B-3

LAND AREA: (1&2) - 1.1 acre ROAD FRONTAGE: (1&2) - 120' Lineal Ft. ROAD COND: Good
(3) - 20,500 sq. ft. (3) - 50'

EXISTING LAND USE: Single family residences
 PROPOSED LAND USE: Heating and air conditioner contractor, plumbing shop, store and showroom

TYPE OF STRUCTURE: Residential CONDITION OF STRUCTURE: Fair

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

SPOT ZONING: X
 Yes No

- NEARBY LAND USE:
- a. To North Single family residence, businesses
 - b. To South Single family residences, apartments
 - c. To East Single family residences, construction contractor, vacant home, upholstery shop
 - d. To West Manufactured homes, 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. A B-3 spot zoning surrounded by residential uses would deteriorate the neighborhood.



RECOMMENDED FINDINGS OF FACT

Case #: **2006-43**

Address: **3304 South Douglas & 3240 South Douglas**

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

There are single family residences in each direction with just beyond that business to the north, apartments to the south, a construction contractor, upholstery shop and vacant home to the east and manufactured homes to the west.

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

There is R-1 then I-1 and B-3 to the north, R-1 to the east, R-1 and R-3 to the south and west.

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

The property currently has single family homes in an R-1 zoning classification which is suitable. There is a vacant house zoned residential located between the two subject parcels.

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

In August, 1993 and October, 2004 changes from R-1 to B-3 were approved in the 3100 block of South Douglas which is further north of the subject property; however in November, 2003 a change from R-1 to B-3 was denied for 3328 South Douglas. The trend would seem to be to maintain residential zoning south of the existing commercially/industrially zoned area.

Case #: 2006-43

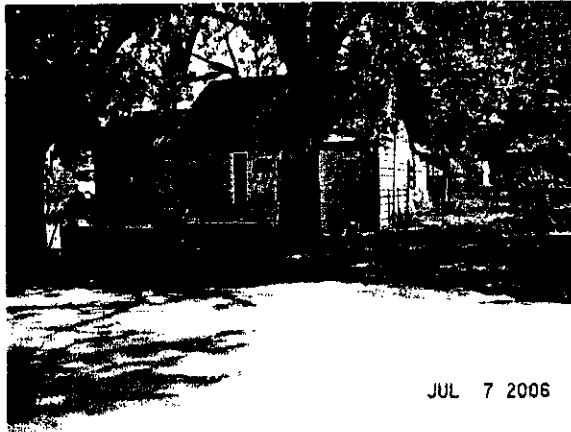
10-10

Address: 3304 S. Douglas and 3240 S. Douglas



JUL 7 2006

3304 S. Douglas

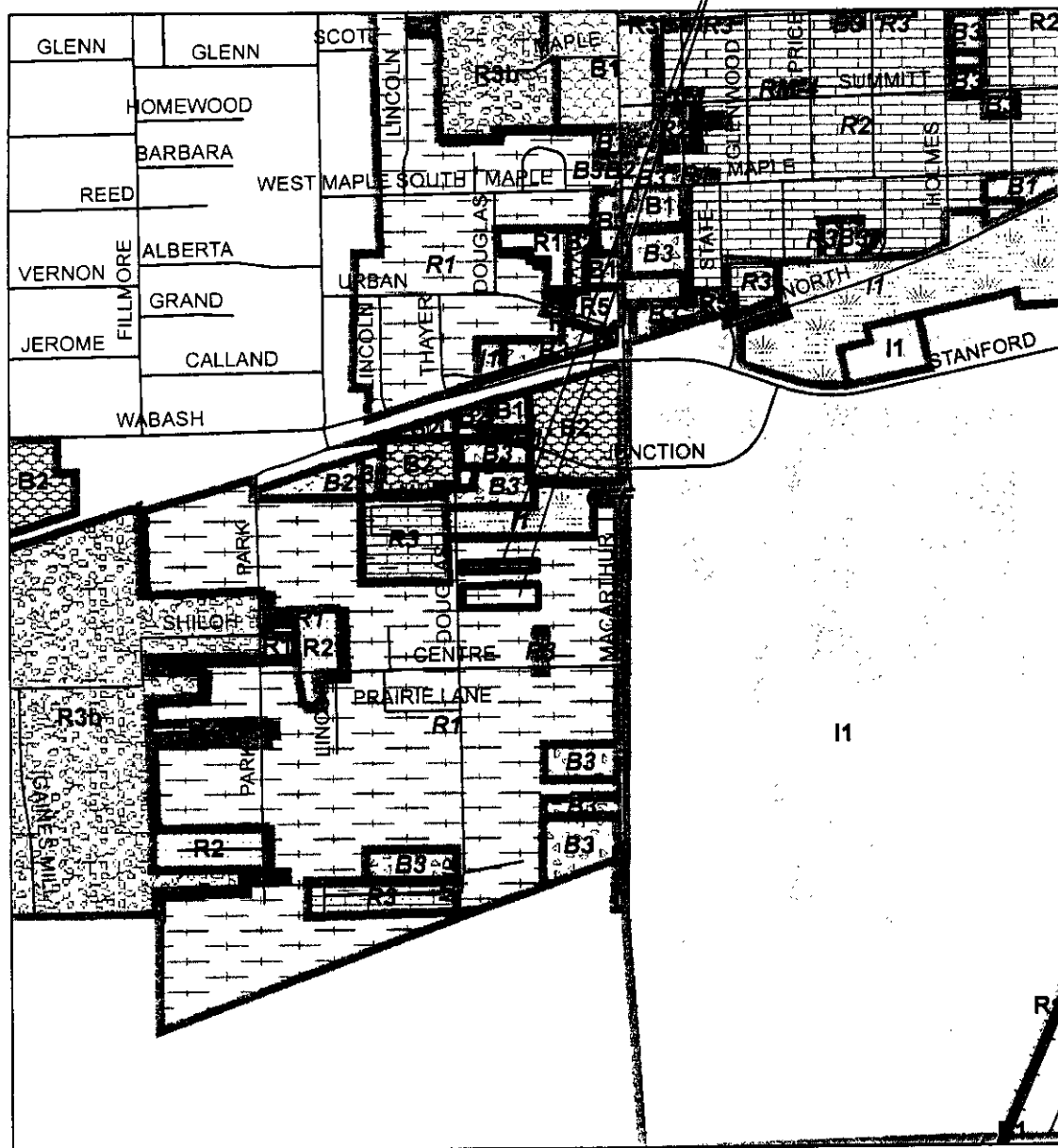


JUL 7 2006

3240 S. Douglas

10-11

County Zoning Case# 2006-43



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

