

CASE # 2006-27 8-1
RESOLUTION NUMBER

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
304 N. DIRKSEN PARKWAY, SPRINGFIELD, IL 62702
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 variance to the Sangamon County Zoning Ordinance** with respect to the following described property, to-wit:

See EXHIBIT A

WHEREAS, the Petitioner, **Kantilal Chintamani Bhai**, has petitioned the Sangamon County Board for a **variance to permit a North perimeter yard of 2' instead of the required 25' to allow the construction of a 15 unit motel**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **June 15, 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 **grant the variance**; and

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

FILED

JUN 30 2006

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 July, 2006 that the requested variance to permit a North perimeter yard of 2' instead of the required 25' to allow the construction of a 15 unit motel, on the above described property is hereby granted.

Signed and passed by the Sangamon County Board in session on this 11th day of July, 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 DiIullo

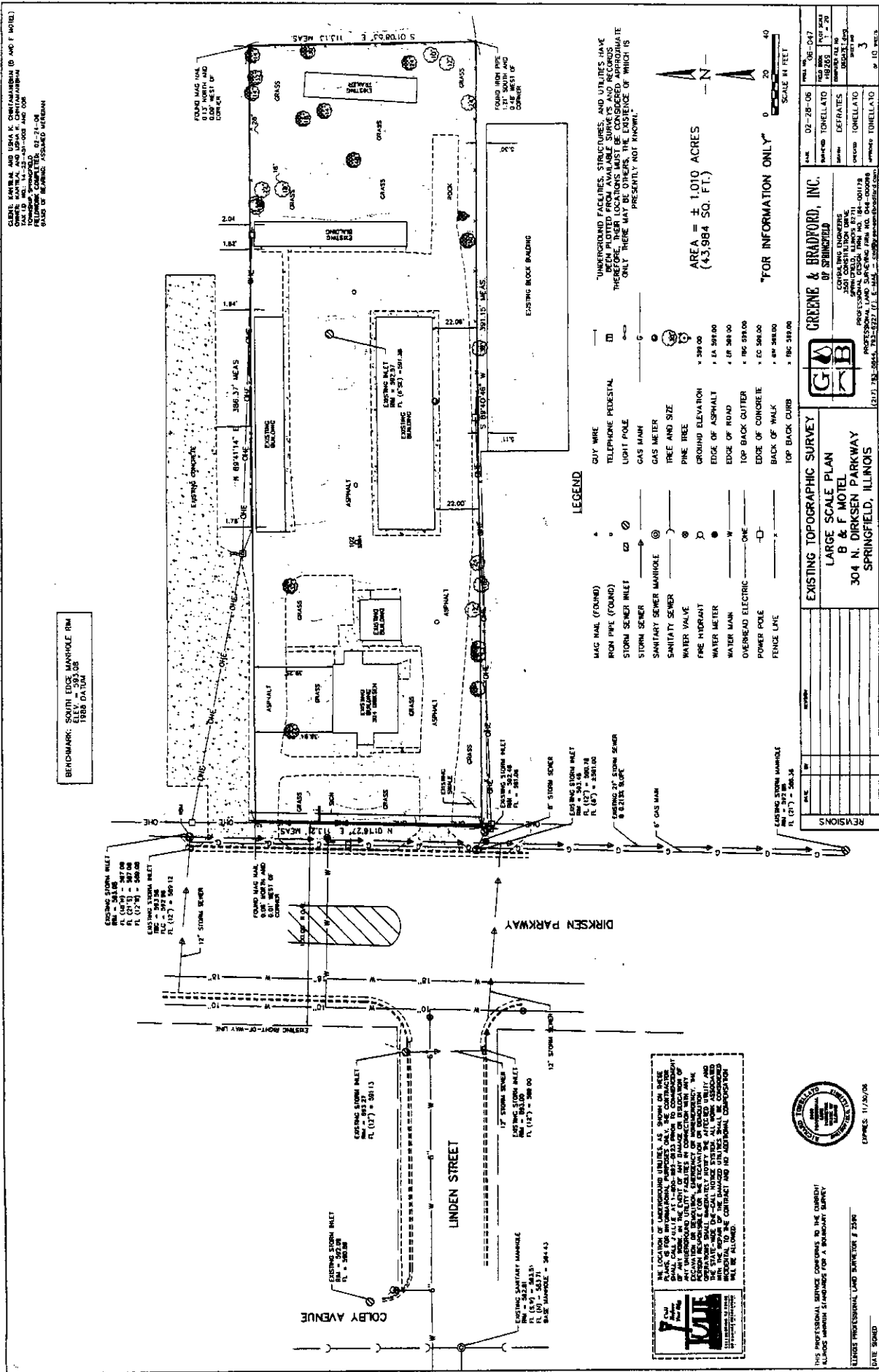
SANGAMON COUNTY CLERK

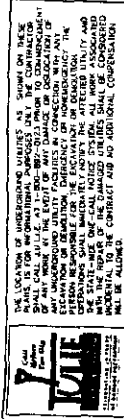
A. Vaughn

COUNTY BOARD CHAIRMAN

Exhibit A

Part of the Southwest Quarter of the Southeast Quarter of Section 25, Township 16 North, Range 5 West of the Third Principal Meridian described as: Beginning at a stone located in the Northeast corner of said Quarter Quarter Section; thence running West 857.98 feet to an iron pipe; thence South 344.775 feet to the place of beginning; thence West 385.03 feet to an iron pin; thence South 113.22 feet and thence East 389.44 feet; thence North 113.135 feet to the place of beginning





THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN ON THESE SHEETS IS BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. ANY UNDISCOVERED UTILITIES SHALL BE STOPPED IMMEDIATELY AND THE LOCATION AND DEPTH OF SUCH UTILITIES SHALL BE REPORTED TO THE ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

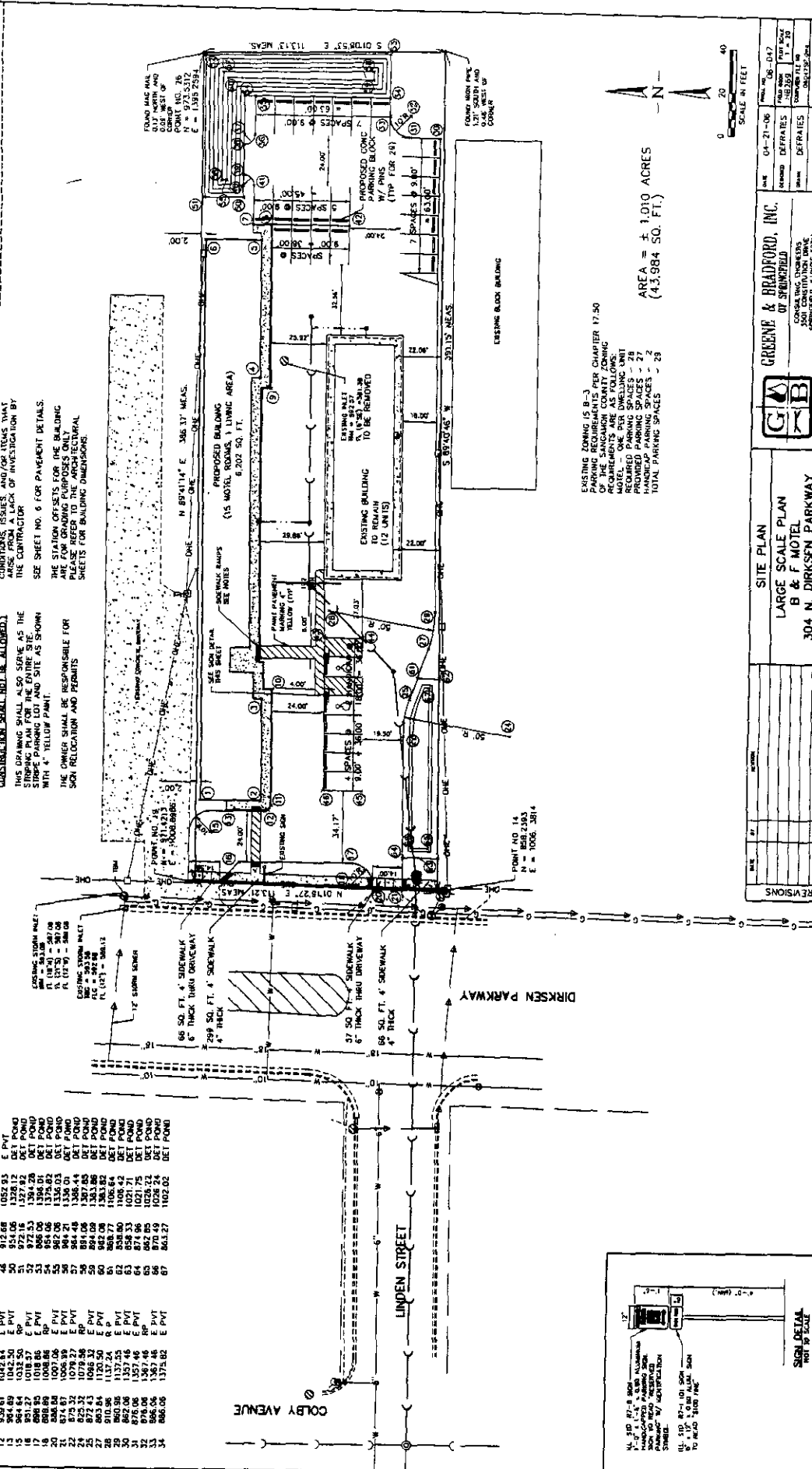
THESE PLANS ARE A REPRESENTATION OF THE KNOWN ITEMS FOR THE PROJECT. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. ANY UNDISCOVERED UTILITIES SHALL BE STOPPED IMMEDIATELY AND THE LOCATION AND DEPTH OF SUCH UTILITIES SHALL BE REPORTED TO THE ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

THIS DRAWING SHALL ALSO SHOW AS THE STRIPING PLAN FOR THE ENTIRE SITE AS SHOWN WITH 4" YELLOW PAINT. THE OWNER SHALL BE RESPONSIBLE FOR SIGN RELOCATION AND PERMITS.

THE STATION OFFSETS FOR THE BUILDING ARE FOR GRADING PURPOSES ONLY. PLEASE REFER TO THE ARCHITECTURAL SHEETS FOR BUILDING DIMENSIONS.

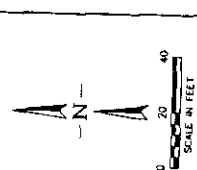
FOUND AND BOUNDARY POINT NO. 76
N = 97.5317
E = 1349.9912

FOUND AND BOUNDARY POINT NO. 75
N = 1349.9912
E = 97.5317



EXISTING ZONING IS B-3
PARKING REQUIREMENTS PER CHAPTER 17-50
REQUIREMENTS ARE AS FOLLOWS:
MOTEL - ONE PER DWELLING UNIT
RESIDENTIAL - 2 PER DWELLING UNIT
PREPARED PARKING SPACES - 2
HANDICAP PARKING SPACES - 2
TOTAL PARKING SPACES - 23

AREA = ± 1.010 ACRES
(43,984 SQ. FT.)



POINT	NORTH	EAST	DESC.
1	989.63	1047.47	B.L.C. COR
2	941.89	1095.63	B.L.C. COR
3	941.89	1095.63	B.L.C. COR
4	941.89	1095.63	B.L.C. COR
5	941.89	1095.63	B.L.C. COR
6	941.89	1095.63	B.L.C. COR
7	941.89	1095.63	B.L.C. COR
8	941.89	1095.63	B.L.C. COR
9	941.89	1095.63	B.L.C. COR
10	941.89	1095.63	B.L.C. COR
11	941.89	1095.63	B.L.C. COR
12	941.89	1095.63	B.L.C. COR
13	941.89	1095.63	B.L.C. COR
14	941.89	1095.63	B.L.C. COR
15	941.89	1095.63	B.L.C. COR
16	941.89	1095.63	B.L.C. COR
17	941.89	1095.63	B.L.C. COR
18	941.89	1095.63	B.L.C. COR
19	941.89	1095.63	B.L.C. COR
20	941.89	1095.63	B.L.C. COR
21	941.89	1095.63	B.L.C. COR
22	941.89	1095.63	B.L.C. COR
23	941.89	1095.63	B.L.C. COR
24	941.89	1095.63	B.L.C. COR
25	941.89	1095.63	B.L.C. COR
26	941.89	1095.63	B.L.C. COR
27	941.89	1095.63	B.L.C. COR
28	941.89	1095.63	B.L.C. COR
29	941.89	1095.63	B.L.C. COR
30	941.89	1095.63	B.L.C. COR
31	941.89	1095.63	B.L.C. COR
32	941.89	1095.63	B.L.C. COR
33	941.89	1095.63	B.L.C. COR
34	941.89	1095.63	B.L.C. COR

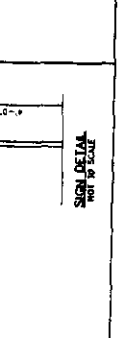
NO.	DATE	BY	DESCRIPTION
1	04-21-08	MM	PREPARED
2	04-21-08	MM	PREPARED
3	04-21-08	MM	PREPARED
4	04-21-08	MM	PREPARED
5	04-21-08	MM	PREPARED

GKB
GREENE & BRADFORD, INC.
CONSULTING ENGINEERS
304 N. DIRKSEN PARKWAY
SPRINGFIELD, ILLINOIS

SITE PLAN
LARGE SCALE PLAN
B & F MOTEL
304 N. DIRKSEN PARKWAY
SPRINGFIELD, ILLINOIS

NO.	DATE	BY	DESCRIPTION
1	04-21-08	MM	PREPARED
2	04-21-08	MM	PREPARED
3	04-21-08	MM	PREPARED
4	04-21-08	MM	PREPARED
5	04-21-08	MM	PREPARED

SIGN DETAIL
NOT TO SCALE



8-6

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #9 NAME: Sara Musgrave

DOCKET NUMBER: 2006-27

ADDRESS: 304 N. Dirksen Parkway, Springfield, IL 62702

PETITIONER: Kantilal Chintamani Bhai

PRESENT ZONING CLASSIFICATION: "B3" General Business District

REQUESTED ZONING CLASSIFICATION: "B3" General Business District with a variance to permit a North perimeter yard of 2' instead of the required 25' to allow the construction of a 15 unit motel.

AREA: 1 acre


COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. This case falls under the large scale development requirements because of multiple buildings on the property. Being located in a B-3 zoning district there would otherwise be no side yard requirement and with the side yard in question contiguous to an I-1 zoning district no adverse impact is anticipated.**

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: **2006-27**
Kantilal Chintamani Bhai)
))
)) **PROPERTY LOCATED AT:**
)) **304 N. Dirksen Parkway**
)) **Springfield, IL 62702**
))

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 **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 **June 15, 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 **304 N. Dirksen Parkway, Springfield, IL 62702** and more particularly described as:

See **EXHIBIT A**

- 3. That the present zoning of said property is **"B3" General Business District.**
- 4. That the present land use of said property is **Motel.**
- 5. That the proposed land use of said property is **Motel.**
- 6. That the requested **variance** of said property is **to permit a North perimeter yard of 2' instead of the required 25' to allow the construction of a 15 unit motel.**
- 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 **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 **variance** be **approved.**


 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Donn Malwick** 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 **Patrick Somers.**

The vote of the Board was as follows:

YES: Charles Chimento, Donn Malwick, Peggy Egizii, Patrick Somers, and Marvin Traylor

NO:

ABSENT:


 RECORDING SECRETARY

Exhibit A

Part of the Southwest Quarter of the Southeast Quarter of Section 25, Township 16 North, Range 5 West of the Third Principal Meridian described as: Beginning at a stone located in the Northeast corner of said Quarter Quarter Section; thence running West 857.98 feet to an iron pipe; thence South 344.775 feet to the place of beginning; thence West 385.03 feet to an iron pin; thence South 113.22 feet and thence East 389.44 feet; thence North 113.135 feet to the place of beginning

810

SANGAMON COUNTY, ILLINOIS

PETITION FOR

AMENDMENT, X VARIANCE,
CONDITIONAL PERMITTED USE

FOR ZONING OFFICE USE ONLY	
DATE FILED:	<u>5-9-06</u>
HEARING DATE:	<u>6-15-06</u>
DOCKET #:	<u>2006-27</u>
SANG. CO. INDEX # 14-25-0-451-005, 006	
CO. BOARD DISTRICT	<u>9</u> NAME: <u>Sarah Musgrave</u>

TO THE HONORABLE COUNTY BOARD OF SANGAMON COUNTY, ILLINOIS, AND TO THE ZONING BOARD OF APPEALS OF SANGAMON COUNTY, ILLINOIS:

Your Petitioner(s), Kantilal Chintamani Bhai, respectfully petitions the Sangamon County Board for the above referenced relief with respect to certain real estate situated in Sangamon County, Illinois, legally described as follows:

See Exhibit A

SE ¼ of Section 25, Township 16 North, Range 5 West Current Zoning B-3

1. Petitioner is the X Fee owner, _____ Contract purchaser or _____ Other
(if other specify: _____) of the above described property

2. The common street address of said property is 304 N. Dirksen Parkway, Springfield, IL 62702

3. Petitioner's address 304 N. Dirksen Parkway, Springfield, IL 62702
Daytime Phone # 217-544-5080

4. Fee owner's (if different from petitioner) name _____
Address _____
Daytime Phone # _____

5. The existing land use is Motel

6. The proposed land use is Motel

7. Petitioner plans to modify the property as follows (explain and/or attach sketch):

Construction Remove four of the five existing structures and build a new 15 unit motel.

Additions _____

Division of Land _____

Other _____

8. Is public water available on the site? Yes X No _____

If yes, who is provider? CWLP

9. Is public sanitary sewer available on site? * Yes _____ No _____

***Plans & permits are in IEPA for review.**

If yes, who is provider? Springfield Metro Sanitary District

10. Give an explanation of why this request is being made: We are requesting a variance from Chapter 17.48.040

Spacing. Current Requirements require a 25 foot perimeter setback of the development. Due to site constraints and fire safety issues, we need to obtain a variance to construct this project. This parcel is surrounded by commercial development.

FOR REZONING(if applicable)

(X) NA

11. Petitioner and fee owner wish to have the property rezoned from _____ District to _____ District.

12. Explain why the rezoning is appropriate:

(A) Are there similar nearby uses? _____

(B) Is the same or more intense zoning classification present in the area? _____

(C) Why is the existing classification inappropriate? _____

(D) Is there a trend toward the type of use proposed? _____

8-12

FOR VARIANCE (if applicable)

() NA

13. The following bulk requirement variances are requested (specify proposed yards to the nearest foot):

A Variance of Chapter 17.48.040 – Large Scale Development Spacing, to permit a north perimeter yard of 2'
instead of the required 25'.

14. Explain why the requested bulk requirement variance is appropriate:

(A) Can the land in question be put to a reasonable use if it is used in compliance with the ordinance?

No – Fire safety issue, emergency vehicle access.

(B) Are there circumstances unique to the property which are not applicable to other property in the area which justify the bulk requirement variance?

Yes – To build the new building and maintain fire safety standards we need to obtain a variance from Section 17.48.040.

(C) Would the granting of the bulk requirement variance cause any adverse impact on surrounding property or alter the essential character of the area?

No – The existing building is +/- 1.8 feet off of the property line. The property is surrounded by commercial development.

FOR CONDITIONAL PERMITTED USE (if applicable)

(X) NA

15. The following CPU is requested: _____

16. Explain why the CPU is appropriate:

(A) Is the CPU so proposed that the proposed location, design and method of operation will minimize the adjacent affects on the character of the surrounding area?

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

(C) Will the CPU cause substantial injury to the value of other property in the vicinity in which it is located?

(D) Special Findings for Conditional Permitted Uses:

(1) Fairgrounds, public or private outdoor recreation center: Will the principal vehicle access for such use be 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?

(2) Mobile home parks: Will the requirements for Large Scale Developments of Section 111 ® be met?

(3) Tourist homes, motels and hotels: Will the use be located within 400 feet of a major thoroughfare?

(4) Taverns and liquor stores: Will 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; 3) residences – 100’ from the tavern or liquor store property line to the residential structure or institutional care facility?

Signed: Signature on File

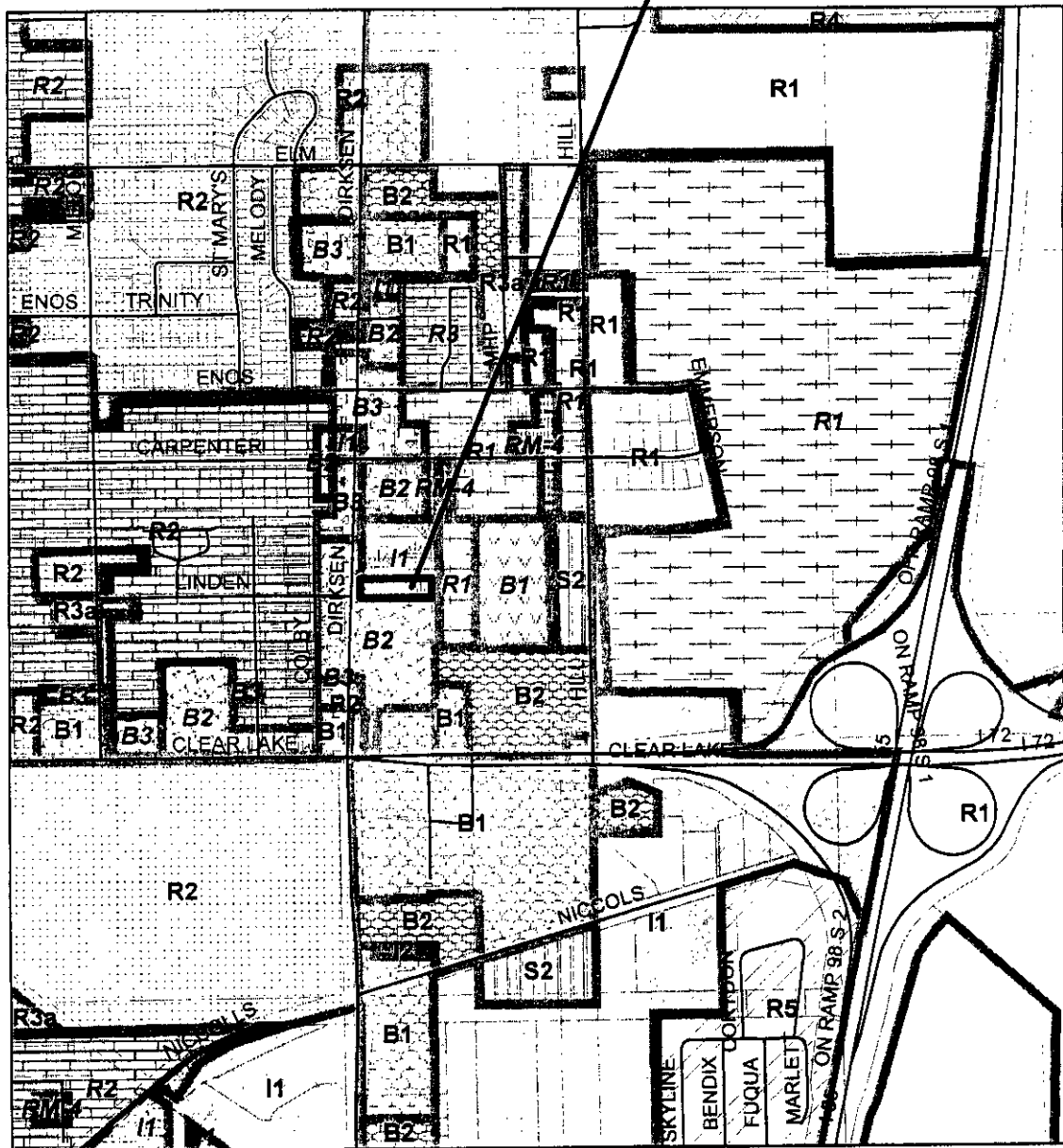
Date: 5-9-06

8-14

Exhibit A

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County Zoning Case# 2006-27



County Zoning

City Zoning

	R1		B1		R1		H1		OFF
	R1a		B2		R2		H2		PUD
	R2		B3		R3a		H3		B1
	R3		I1		R3b		S1		B2
	RM-4		I2		R4		S2		I1
	OFF		A		R5		S3		I2

