

**FILED**

FEB 28 2006

*Joe Diello*  
Sangamon County Clerk

CASE # 2006-10  
RESOLUTION NUMBER 8-1

**GRANTING A REZONING**  
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 an amendment** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See **EXHIBIT A**

WHEREAS, the Petitioners, **Kantilal & Usha K. Chintamanibhai**, have petitioned the Sangamon County Board for a **rezoning from "B2" Retail Business District to "B3" General Business District**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **February 16, 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 zoning**; and

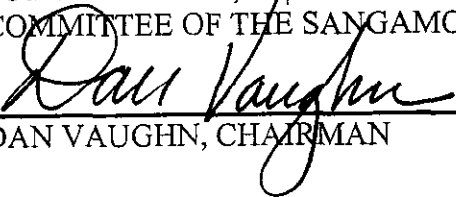
WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14<sup>th</sup> day of March, 2006 that the request to rezone the above described property from "B2" Retail Business District to "B3" General Business District is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14<sup>th</sup> day of March, 2006.

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 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

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: #9 NAME: Sara Musgrave

DOCKET NUMBER: 2006-10

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

PETITIONER: Kantilal & Usha K. Chintamanibhai

PRESENT ZONING CLASSIFICATION: "B2" Retail Business District

REQUESTED ZONING CLASSIFICATION: "B3" General Business District

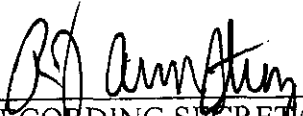
AREA: 1 acre

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval due to location on a state highway, commercial development in the area, and similar or more intensive zoning in the 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: 2006-10  
**Kantilal & Usha K. Chintamanibhai** )  
) )  
) ) 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 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 **February 16, 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**

Page 2

- 3. That the present zoning of said property is **"B2" Retail Business District.**
- 4. That the present land use of said property is **Motel & Manufactured Home.**
- 5. That the proposed land use of said property is **Motel.**
- 6. That the requested zoning of said property is **"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** 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 **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 **Marvin Traylor**.

The vote of the Board was as follows:

YES: **Donn Malwick, Patrick Somers, Marvin Traylor, Don Wulf**

NO:

ABSENT: **Charles Chimento, Peggy Egizii**

  
 \_\_\_\_\_  
 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

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14-25  
451-002

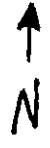
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451-003

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451-004

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451-006

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451-005

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451-034



14-25  
451-038

*SUBJECT PROPERTY*

IL. 54 N. DIRKSEN PKWY.

14-25  
451-001



8-9



CASE #: 2006-10

INDEX #: 14-25-451-005 & 006

DATE: 1-31-06

INSPECTED BY: DK LW

**ZONING AMENDMENT CHECK LIST**

PETITIONER: Chintmanibhai, Kantilal and Usha K.

ADDRESS: 304 North Dirksen Parkway TWP. 16N RANGE 5 W SEC. 25 ¼ SEC. SE  
 (OR NEAREST IDENTIFIABLE ROAD) TWP. \_\_\_\_\_ RANGE \_\_\_\_\_ W SEC. \_\_\_\_\_ ¼ SEC. \_\_\_\_\_

CITY OR VILLAGE OR NEAREST ONE: Springfield

EXISTING ZONING: B-2 PROPOSED ZONING: B-3

LAND AREA: 1 acre ROAD FRONTAGE: 113 Lineal Ft. ROAD COND: Good

EXISTING LAND USE: Motel and Manufactured Home

PROPOSED LAND USE: Motel

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

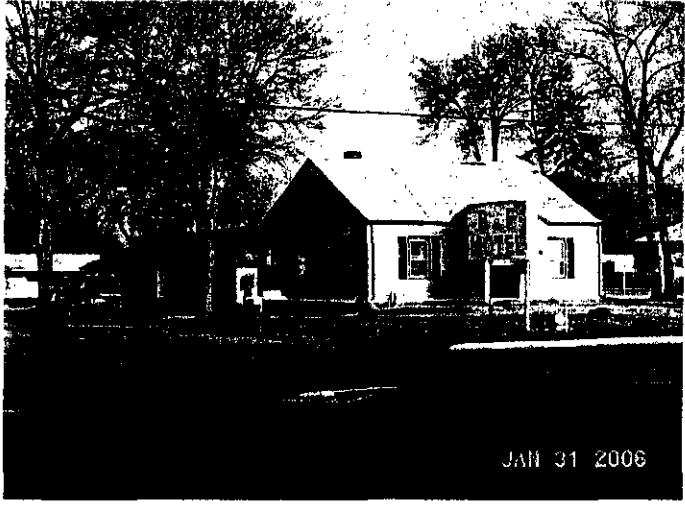
EXISTING YARDS: Front Varied ft. Side \_\_\_\_\_ ft. Rear \_\_\_\_\_ ft.

SPOT ZONING: \_\_\_\_\_ X  
 Yes No

- NEARBY LAND USE:
- a. To North Office/ Resale Shop, Food Sales, Loan Business
  - b. To South Used Car Sales, Semi-Trailers & Equipment Sales
  - c. To East Cropland
  - d. To West Tavern. Cigarette Shop

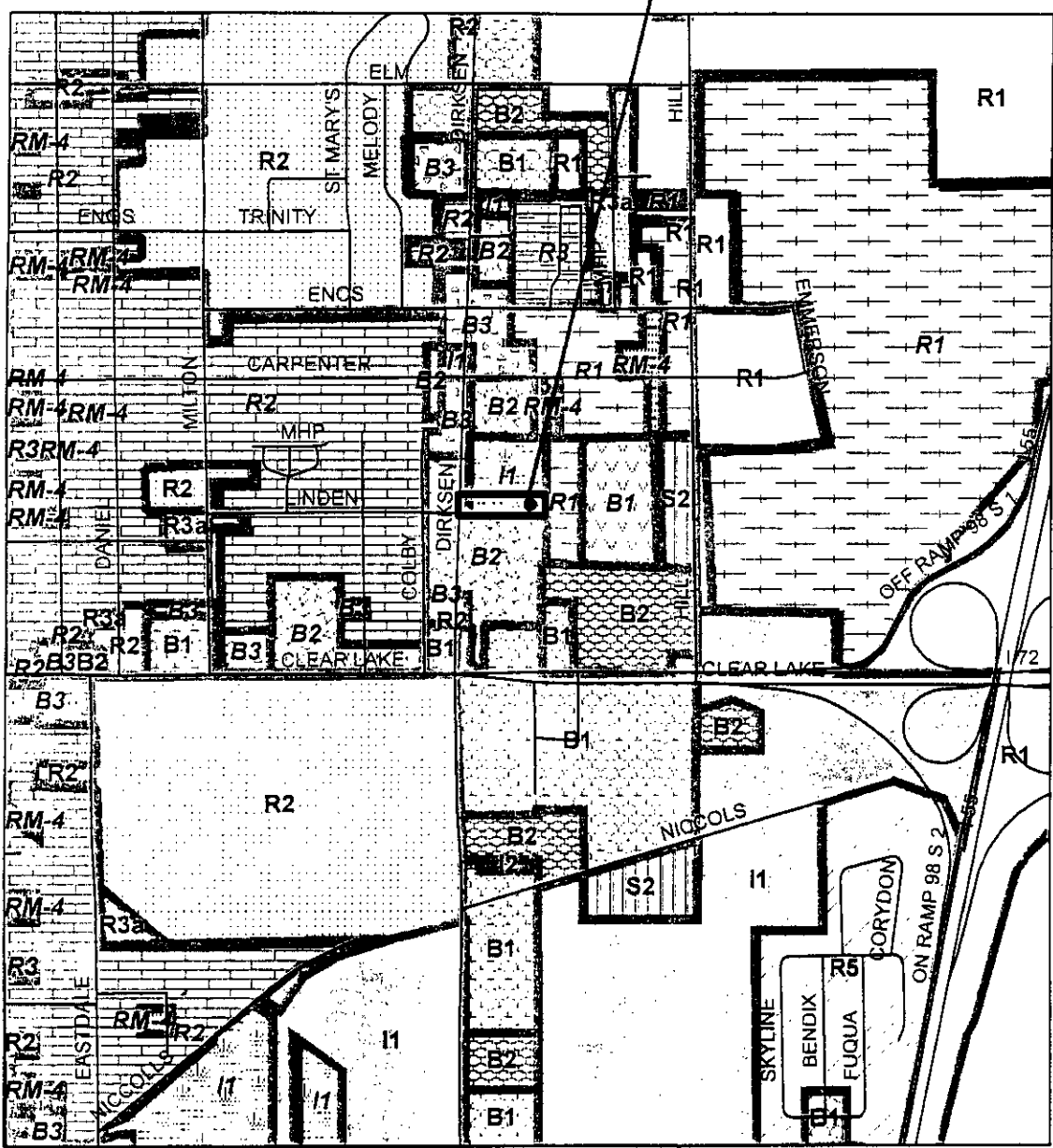
OTHER COMMENTS: **Note: There is no public sewer at the property and the proposed use may not be operable on a septic system.**

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 location on a state highway, commercial development in the area, and similar or more intensive zoning in the area.**

# County Zoning Case# 2006-10

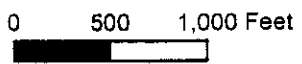


## County Zoning

	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





## RECOMMENDED FINDINGS OF FACT

Case #: **2006-10**  
Address: **304 North Dirksen Parkway**

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

**To the north is the Habitat for Humanity office and associated resale shop of building materials, meat sales and a loan business. To the east is cropland. To the south is used car sales and semi-trailers and equipment sales. To the west is a tavern and cigarette shop.**

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

**To the north is I-1. To the east is R-1 and B-1.  
To the south is B-2. To the west is B-2 and B-3.**

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

**There is a long-existing motel on the property although this is not a permitted use in the existing B-2 zoning.**

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

**The properties along Dirksen Parkway have developed commercially under a mixture of commercial and industrial zoning.**