

CASE # 2007-04
RESOLUTION NUMBER 6-1

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
16550 OLD JACKSONVILLE ROAD, NEW BERLIN
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 Petitioner, **Gregg S. Humphrey Trust**, has petitioned the Sangamon County Board for a **Conditional Permitted Use to allow for a banquet hall in "A" Agricultural District**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **March 15, 2007**, 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 with the hours of operation being limited to 8:00 AM to 10:00 PM**; and

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

FILED

MAR 29 2007


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 April, 2007 that the request for a condition permitted use to allow for a banquet hall in "A" Agricultural District on the above described property is hereby approved with the hours of operation being limited to 8:00 AM to 10:00 PM.

Signed and passed by the Sangamon County Board in session on this 11th day of April, 2007.

Respectfully submitted,

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


TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

CATHY SCAIFE

TYRONE PACE

SAM SNELL

DON STEPHENS

DAVID MENDENHALL

ATTEST:


SANGAMON COUNTY CLERK


COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of the West Half of Section 11, Township 15 North, Range 8 West of the Third Principal Meridian, described as follows:

From the center of said Section 11, North on the Quarter Section line 134.75 feet to the point of beginning; thence deflecting to the left 88 degrees 38 minutes 45 seconds for a distance of 547.68 feet; thence deflecting to the right 87 degrees 11 minutes for a distance of 396.86 feet to the South right of way line of the County Highway known as the Old Jacksonville Road, thence deflecting to the right 97 degrees 22 minutes 15 seconds along aforesaid right of way line 173.83 feet; thence deflecting to the left 4 degrees 12 minutes 30 seconds along aforesaid right of way line 171.85 feet; thence deflecting to the left 6 degrees 11 minutes 30 seconds along aforesaid right of way line 206.56 feet to the Quarter Section line; thence South on the Quarter Section line 403.00 feet to the point of beginning.

4-4

400

428.67

19-11
100-013

19-11
100-007

OLD JACKSONVILLE Road

CLR-1719.1

129.33

173.83

171.85

206.56

Bed + Breakfast

19-11
100-009

396.86

Proposed
BANQUET
HALL

403

547.68

PETERS RD.

19-11
100-010

19-11
400-003

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #7 NAME: **Craig Hall**

DOCKET NUMBER: **2007-04**

ADDRESS: **16550 Old Jacksonville Road, New Berlin**

PETITIONER: **Gregg S. Humphrey Trust**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a Conditional Permitted Use to allow for a banquet hall**

AREA: **4.95 Acres**

COMMENTS:

OBJECTORS: **Yes**

PLANNING COMMISSION RECOMMENDATION:

Recommend approval if restrictions are placed on hours of operation and activities producing noise. It is felt the historic nature of the property creates a unique situation but that consideration should be extended to residents in the area.

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION:

Approval with the hours of operation being limited to 8:00 AM to 10:00 PM.



RECORDING SECRETARY

66

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2007-04
Gregg S. Humphrey Trust)	
)	PROPERTY LOCATED AT:
)	16550 Old Jacksonville Road
)	New Berlin, IL 62670
)	

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 **March 15, 2007** 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 **16550 Old Jacksonville Road, New Berlin, IL 62670** and more particularly described as:

See **EXHIBIT A**

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- 3. That the present zoning of said property is **"A" Agricultural District**
- 4. That the present land use of said property is **Bed & Breakfast**
- 5. That the proposed land use of said property is **Bed & Breakfast and Banquet Hall**
- 6. That the requested **conditional permitted use** of said property is **to allow for a banquet hall.**
- 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 with the hours of operation being limited to 8:00 AM to 10:00 PM.**

Charlie Chimento
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 **approved with the hours of operation being limited to 8:00 AM to 10:00 PM**, which was duly seconded by **Donn Malwick**.

The vote of the Board was as follows:

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

NO:

ABSENT:

B.J. Armstrong
RECORDING SECRETARY

6-8

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