

CASE # 2007-03
RESOLUTION NUMBER 12-1

GRANTING A REZONING AND CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED IN THE
3000 BLOCK OF COLT ROAD
SANGAMON COUNTY, ILLINOIS

WHEREAS, the Zoning Board of Appeals has presented to the Sangamon County Board, Sangamon County, Illinois, its Finding of Facts and recommendation that the Sangamon County Board **grant a rezoning and conditional permitted use** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Andrew Goleash**, has petitioned the Sangamon County Board for a **zoning amendment from "A" Agriculture to "I-1" Restricted Industrial District and a Conditional Permitted Use to allow for an auto body shop including spray painting; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **January 18, 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 rezoning and conditional permitted use; and**

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

FILED

FEB 01 2007

Joe Uebler
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13th day of February, 2007 that the request for a rezoning from "A" Agriculture to "I-1" Restricted Industrial District and a Conditional Permitted Use to allow for an auto body shop including spray painting on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13th day of February, 2007.

Respectfully submitted,

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

TIM MOORE, CHAIRMAN

Abe Forsyth

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 Southwest Quarter of the Northeast Quarter and part of the Northwest Quarter of the Northeast Quarter of Section 18, Township 16 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, being more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 18, thence North 00 degrees 48 minutes 49 seconds West, along the East line of the Southwest Quarter of the Northeast Quarter of Section 18, a distance of 1,235.94 feet to the point of beginning; thence South 88 degrees 11 minutes 00 seconds West, 456.77 feet to the Easterly right-of-way line of FAI-55-34-2-2-T48 (U.S. Route 54) and a point on a 3,411.00 foot radius curve, the center of circle of curve bears South 69 degrees 29 minutes 50 seconds East; thence Northerly along the curve and the Easterly right-of-way line, a distance of 118.72 feet, through a central angle of 01 degrees 59 minutes 39 seconds, to the South line of the Northwest Quarter of the Northeast Quarter of Section 18; thence continuing along the curve and the Easterly right-of-way line, 562.79 feet, through a central angle of 09 degrees 27 minutes 12 seconds; thence North 75 degrees 22 minutes 41 seconds East, along the Easterly right-of-way line, 23.30 feet to a point on a 404.00 foot radius curve, the center of circle of curve bears South 47 degrees 39 minutes 37 seconds West; thence along the curve and the Westerly right-of-way line of Colt Road, 289.80 feet through a central angle of 41 degrees 06 minutes 00 seconds; thence South 01 degree 14 minutes 24 seconds East, along the westerly right-of-way line of Colt Road 2.38 feet; thence North 88 degrees 45 minutes 35 seconds East, 23.21 feet to the East line of the Northwest Quarter of the Northeast Quarter of Section 18; thence South 00 degrees 48 minutes 49 seconds East, along the East line of the Northwest Quarter of the Northeast Quarter of Section 18, a distance of 21.84 feet; thence South 88 degrees 36 minutes 39 seconds West, 104.37 feet; thence South 00 degrees 48 minutes 49 seconds East, 208.73 feet to the south line of the Northwest Quarter of the Northeast Quarter of Section 18; thence North 88 degrees 36 minutes 39 seconds East, along the south line of the Northwest Quarter of the Northeast Quarter of Section 18, 104.37 feet to the Southeast corner of the Northwest Quarter of the Northeast Quarter of Section 18; thence South 00 degrees 48 minutes 49 seconds East, along the East line of the Southwest Quarter of the Northeast Quarter of Section 18, 105.97 feet to the point of beginning containing 3.516 acres, more or less.

**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT
▶ As Amended by the Board of Appeals ◀**

Case #: 2007-03
Address: 3000 Block of Colt Road

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

To the north is US 54 and a mechanical contractor. To the east is a cemetery, a church, a residence and farmland. To the south is farmland and an industrial park. To the west is farmland.

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

To the north is "A" and "I-1". In all other directions is "A". To the south a short distance is a large area of city "I-1".

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

The property is better suited to industrial use due the increasing industrial development in the area.

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

There is an industrial trend in the area.

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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #8 NAME: **Dennis Wieland**

DOCKET NUMBER: **2007-03**

ADDRESS: **3000 Block of Colt Road, Springfield, IL 62707**

PETITIONER: **Andrew Goleash**

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

REQUESTED ZONING CLASSIFICATION: **"I-1" Restricted Industrial District with a Conditional Permitted Use to allow for an auto body shop including spray painting**

AREA: **3.516 Acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend denial. The Land Elevation and Site Assessment Score of 186 reflects the lack of infrastructure and rural character of the northern area of Colt Road.**

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: **2007-03**
Andrew Goleash)
)
) PROPERTY LOCATED AT:
) **3000 Block of Colt Road**
) **Springfield, IL 62707**
)

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 **rezoning and 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 **January 18, 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 **the 3000 Block of Colt Road, Springfield**, and more particularly described as:

See Exhibit A

- 3. That the present zoning of said property is **"A" Agricultural District.**
- 4. That the present land use of said property is **Agricultural.**
- 5. That the proposed land use of said property is **auto body shop including spray painting.**
- 6. That the requested **rezoning** of said property is: **from "A" Agriculture to "I-1" Restricted Industrial District and a Conditional Permitted Use to allow for an auto body shop including spray painting.**
- 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 and 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 **rezoning and conditional permitted use** be approved.

Charles 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 amended findings of fact and recommend to the County Board that the petition be **approved**, which was duly seconded by **Don Wulf**.

The vote of the Board was as follows:

YES: Charles Chimento, Donn Malwick, Peggy Egizii, Marvin Traylor, Don Wulf

NO:

ABSENT: Patrick Somers, Barbara Braner

AD Armstrong
RECORDING SECRETARY

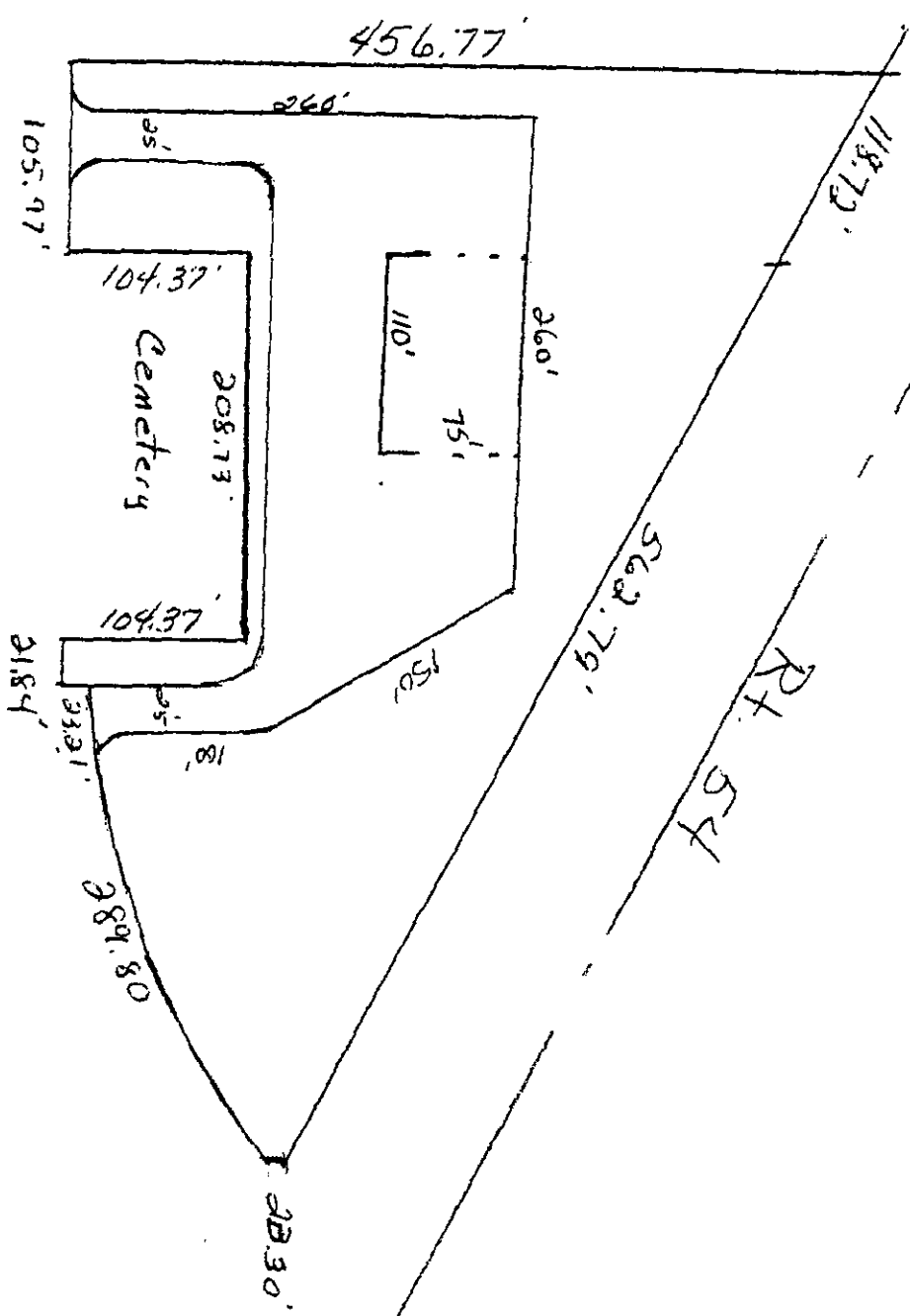
EXHIBIT A

Part of the Southwest Quarter of the Northeast Quarter and part of the Northwest Quarter of the Northeast Quarter of Section 18, Township 16 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, being more particularly described as follows:

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MBC Collision

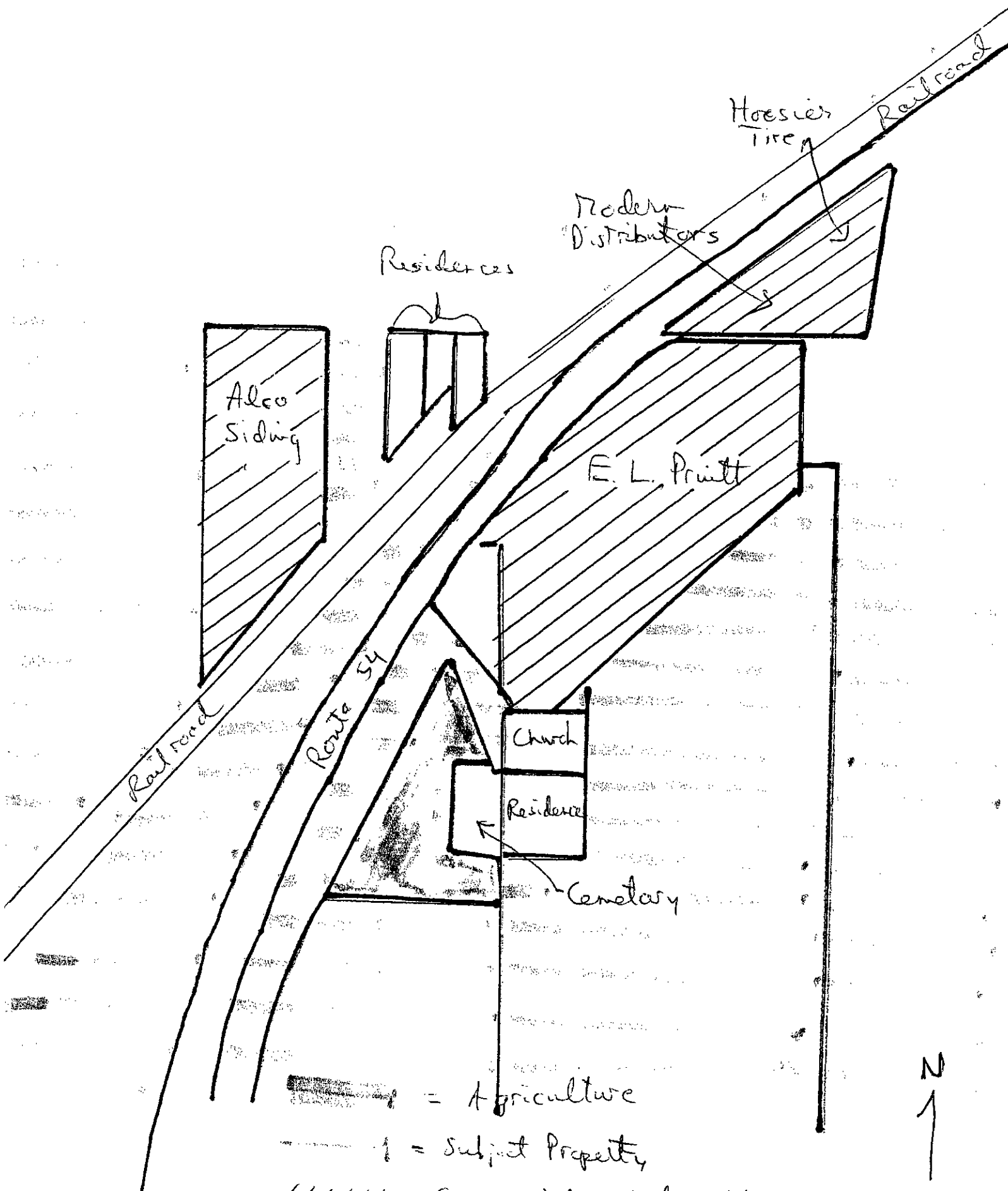
Colt. Rd.



1/4" = 25'

Exhibit "E"
(Subject Property and North)

12-10



11-2

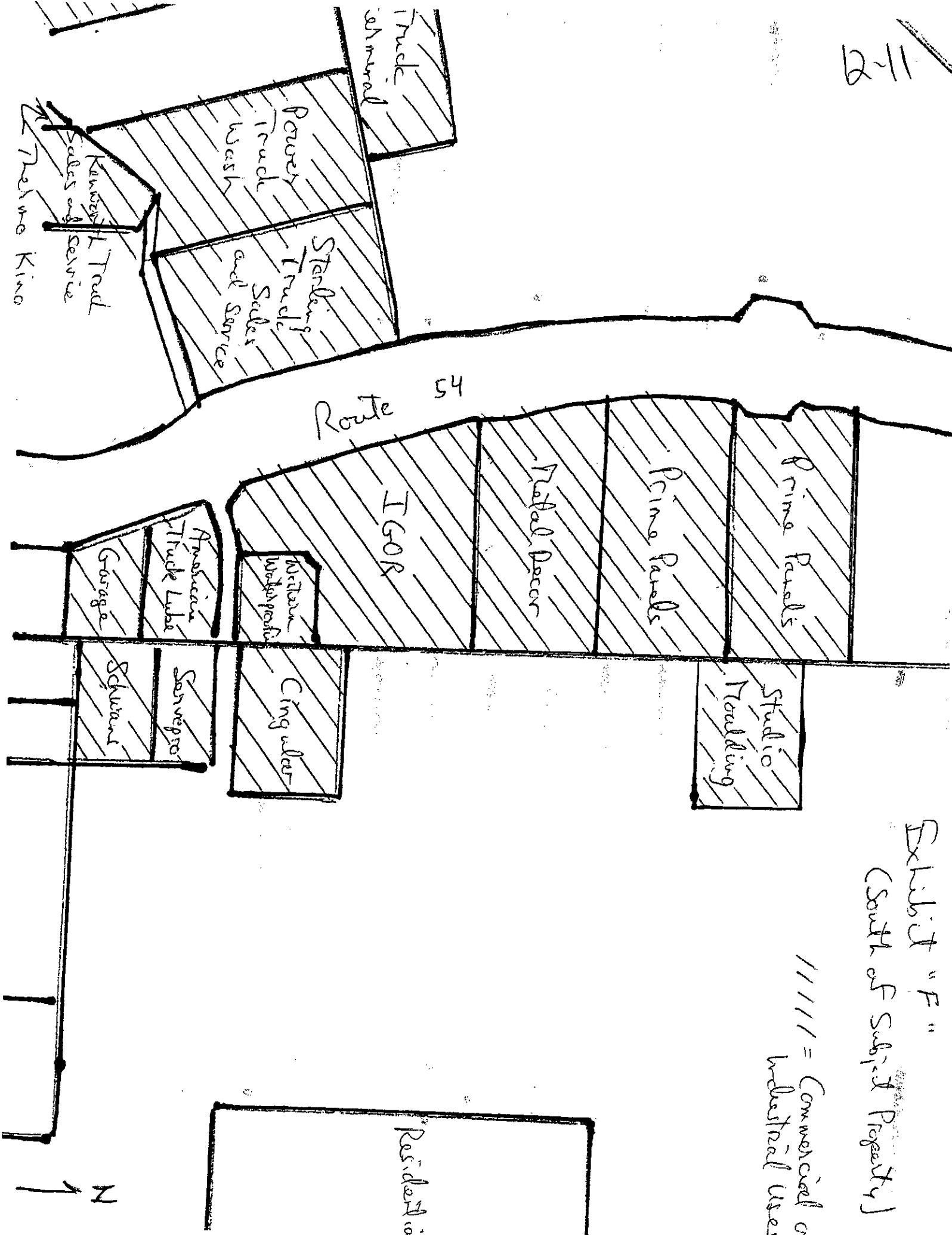


Exhibit "F"
 (South of Subject Property)

////// = Commercial or Industrial Uses

Residential

N

1212



CASE #: 2007-03

INDEX #: 15-18-200-039

DATE: 1/2/07

INSPECTED BY: LW

ZONING AMENDMENT CHECK LIST

PETITIONER: Goleash, Andrew M.

ADDRESS: 3000 Block of Colt Road TWP. 16 RANGE 4 W SEC. 18 ¼ SEC. NE
 (OR NEAREST IDENTIFIABLE ROAD) TWP. _____ RANGE _____ W SEC. _____ ¼ SEC. _____
 CITY OR VILLAGE OR NEAREST ONE: Springfield

EXISTING ZONING: A PROPOSED ZONING: I-1 w/CPU*

LAND AREA: 3.516 acres ROAD FRONTAGE: Colt - 425 Lineal Ft. ROAD COND: Fair
Rt. 54 - 681 Good

EXISTING LAND USE: Cropland

PROPOSED LAND USE: Autobody shop including spray painting

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 Vacant, mechanical contractor including fabrication
- b. To South Cropland
- c. To East Cemetery, church, single family residence, cropland
- d. To West State highway, cropland

OTHER COMMENTS: *A conditional permitted use is requested to allow an autobody shop including spray painting.

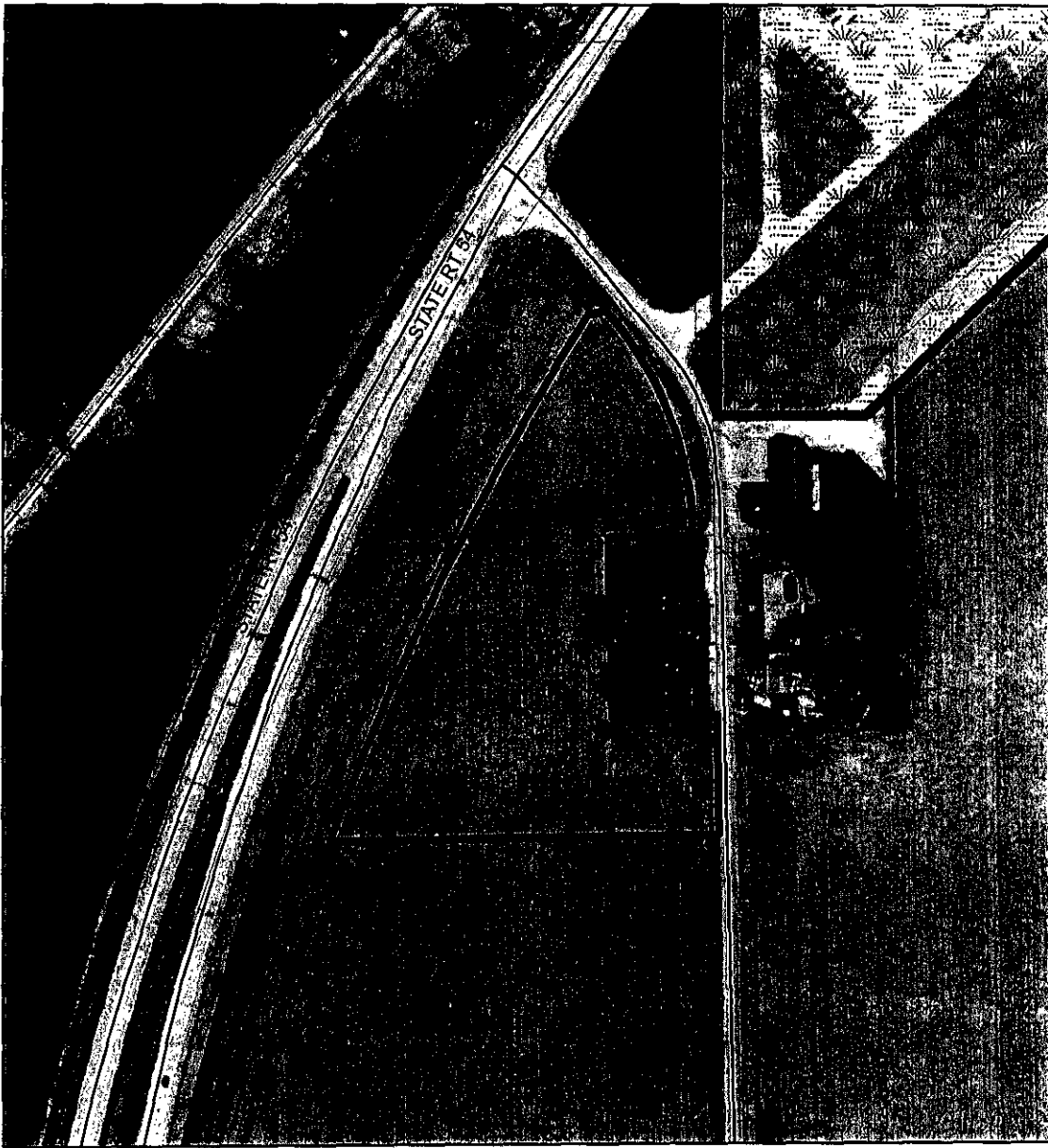
Staff Estimate of the Effect of the Amendment on the Area		None	Slight	Mod.	Great
CONTRASTS: CURRENT VS. PROPOSED	land use			X	
	appearance			X	
	height	X			
	parking spaces		X		
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow		X		
WILL USE INCREASE	pop. density	X			
	dwelling, density	X		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



RECOMMENDATIONS: Recommend denial. The Land Evaluation and Site Assessment Score of 186 reflects the lack of infrastructure and rural character of the northern area of Colt Road.

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County Zoning Case# 2007-03



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 #: 2007-03

Address: 3000 Block of Colt Road

(i) Existing uses of property within the general area of the property in question.
To the north is vacant and northeast is a mechanical contractor. To the east is a cemetery, church, single family residence, and cropland. To the south is cropland. To the west is State Route 54 and cropland.

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

To the northeast is a parcel of I-1. All other property is zoned A.

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

The Land Evaluation and Site Assessment Score of 186 indicates the property should remain in the A zoning district.

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

This northern area of Colt Road has remained stable with the cemetery, church and residence existing for many years.



**RECOMMENDED FINDINGS OF FACT
FOR CONDITIONAL PERMITTED USES**

Case #: **2007-03**

Address: **3000 Block of Colt Road**

No conditional permitted uses shall be granted by the County Board unless the conditional permitted use:

- (i) Is so proposed that the proposed location, design and method of operation of such use will minimize the adjacent effects on the character of the surrounding area.

There is a concern with the effect of noise, odor, aesthetics and additional traffic on the nearby cemetery, residence and church.

- (ii) Is so proposed to be operated, designed and located so that the public health, safety, and welfare will be protected.

The petition states that performance standards will be met.

- (iii) Will not cause substantial injury to the value of other property in the vicinity in which it is located.

There is a concern with the nearby church & residence.

- (iv) In addition to the above general standards for all conditional permitted uses that may be allowed, no conditional permitted use listed below shall be granted unless the proposed use can meet the standards as noted:

- (a) Fairgrounds, public or private outdoor recreation centers - that the principal vehicle access for such use is 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.

NA

- (b) Mobile home parks - must meet the requirements of Section III(R) Large Scale Development.

NA

- (c) Tourist home, motels, hotels - that the proposed use must be located on or within 400 feet of a major thoroughfare.

NA

- (d) Taverns and liquor stores - that 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; and (3) residences - 100' from the tavern or liquor store property line to the residential structure or institutional care facility.

NA

LAND EVALUATION AND SITE ASSESSMENT

Part 1: Site Assessment

	Available Points	Points
<u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u>		
90% or more	20	
75-89%	10	10
50-74%	5	
Under 50%	0	
<u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u>		
90% or more	20	
75-89%	10	5
50-74%	5	
Under 50%	0	
<u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u>		
75-100%	10	10
50-74%	5	
Under 50%	0	
<u>COUNTY SECTOR</u>		
Rural	20	
0.5 mile from incorporated area	10	10
incorporated area	0	
<u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u>		
75% or more	20	
50-74%	10	5
25-49%	5	
Less than 25% or sewer available	0	
<u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u>		
Negative impact	15	
Little or none with protective measures	5	0
Little or none	0	
<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	
No impact	0	0
<u>CONDITION OF ROAD</u>		
unpaved, <40' ROW, or < 16' pavement	20	
16'-18' pavement, 40' ROW	15	15
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

12-1-11

<u>AVAILABILITY OF PUBLIC SEWER</u>		
Not available	15	
Sewer over 600'-1200' away	8	15
Private central sewage system	5	
Sewer 600' or less away and available	0	

<u>AVAILABILITY OF PUBLIC WATER</u>		
Not available	20	
1,000-1,500' away	15	15
Less than 1,000' away	5	
Public water available at site	0	

<u>DISTANCE FROM RESPONDING FIREHOUSE</u>		
Not in fire protection district	20	
More than 5 miles or fire protection by assignment	10	5
2.6-5 miles	5	
0-2.5 miles	0	

<u>DRIVING TIME TO HIGH SCHOOL</u>		
Over 30 minutes	10	
15-30 minutes	5	0
Less than 15 minutes	0	

SITE ASSESSMENT TOTAL	90
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Part 2: Agricultural Land Evaluation (Based on Sangamon County Soil Survey)

<u>Soil</u>	<u>Name</u>	<u>Type</u>	<u>%</u>	<u>Relative Value</u>	<u>Points</u>
8D3	Hickory	Important		55	
8E	Hickory	Important		55	
8E3	Hickory	Non-prime		52	
8F	Hickory	Non-prime		0	
17	Keomah	Prime		77	
19C2	Sylvan	Important		72	
19D	Sylvan	Important		72	
19D3	Sylvan	Important		55	
19E3	Sylvan	Non-prime		52	
36A	Tama	Prime		100	
36B	Tama	Prime	57	95	54
36C2	Tama	Prime	14	90	13
36D2	Tama	Important		72	
43	Ipava	Prime	29	100	29
45	Denny	Prime		77	
50	Virden	Prime		87	
67	Harpster	Prime		87	
68	Sable	Prime		95	
73	Ross	Prime		95	

74	Radford	Prime*	87
77	Huntsville	Prime*	95
107	Sawmill	Prime*	87
112	Cowden	Prime	77
119D	Elco	Important	72
119D3	Elco	Important	55
119E3	Elco	Non-prime	52
131C	Alvin	Prime	77
131D	Alvin	Prime	77
131E2	Alvin	Important	55
134A	Camden	Prime	90
134B	Camden	Prime	77
134C2	Camden	Important	72
134D3	Camden	Important	55
138	Shiloh	Prime	87
198	Elburn	Prime	100
199A	Plano	Prime	95
199B	Plano	Prime	90
208	Sexton	Prime	77
212D3	Thebes	Important	55
242	Kendall	Prime	77
244	Hartsburg	Prime	87
249	Edinburg	Prime	77
259C	Assumption	Prime	77
259D2	Assumption	Important	72
280B	Fayette	Prime	77
280C2	Fayette	Important	72
280D2	Fayette	Important	72
280D3	Fayette	Important	55
284	Tice	Prime*	90
451	Lawson	Prime*	95
551F	Gosport	Non-prime	0
567C	Elkhart	Prime	77
567D2	Elkhart	Important	72
684B	Broadwell	Prime	87
684C2	Broadwell	Prime	77
685B	Middletown	Prime	77
685C2	Middletown	Important	72
801	Orthents	Non-prime	0

*subject to flooding

AGRICULTURAL LAND EVALUATION TOTAL	96
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GRAND TOTAL	186
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Fewer than 150 points shall be deemed acceptable for non-agricultural development.

From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.

Greater than 175 points shall be considered suitable for agricultural use only.