

CASE # 2006-64
RESOLUTION NUMBER 51

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
4132 & 4136 PEORIA ROAD & 2400 ARDMORE AVE. 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 **grant a Conditional Permitted Use** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

The North 126 feet of lot 13 of Michael Burke's subdivision and lot 10 in Michael Burke's subdivision, except the east 65.15 feet.

WHEREAS, the Petitioners, **Gemini Properties, LLC, Jim Johnson, Phil Zinn**, have petitioned the Sangamon County Board for a **Conditional Permitted Use for private outdoor recreation to allow volleyball courts and wiffle ball fields**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **December 21, 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 Conditional Permitted Use**; and

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

FILED

DEC 20 2006

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **9th day of January, 2007** that the request for a **Conditional Permitted Use to allow outdoor volleyball courts and wiffle ball fields on the above described property is hereby approved.**

Signed and passed by the Sangamon County Board in session on this **9th day of January, 2007.**

Respectfully submitted,

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

ABE FORSYTH

BILL MOSS

TYRONE PACE



TIM MOORE

DON STEPHENS

DAVID MENDENHALL

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

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

► As Recommended by the Board of Appeals ◀

Case #: **2006-64**

Address: **4132 & 4136 Peoria Road & 2400 Ardmore Avenue**

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.
Hours will be limited and an 8' fence will be constructed to screen the residences to the south and east. Much of the surrounding land is in commercial use.
- (ii) Is so proposed to be operated, designed and located so that the public health, safety, and welfare will be protected.
The residences will be screened by an 8' fence. Minimal lighting will be used on the volleyball court. The wiffle ball fields will not be illuminated. Hours will be limited.
- (iii) Will not cause substantial injury to the value of other property in the vicinity in which it is located.
The one additional use will have little affect on property values. Much of the surrounding property is zoned B-3 as is the subject property. B-3 property could be used for many business ventures.
- (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.

Yes.

BUS 165 PEORIA RD

F4-5

ARDMORE AVE

14-11
278-017

14-11
278-012

132.1

14-11
278-019

14-11
278-020

14-11
278-007

14-11
278-008

50

14-11
278-024

14-11
278-005

14-11
278-012

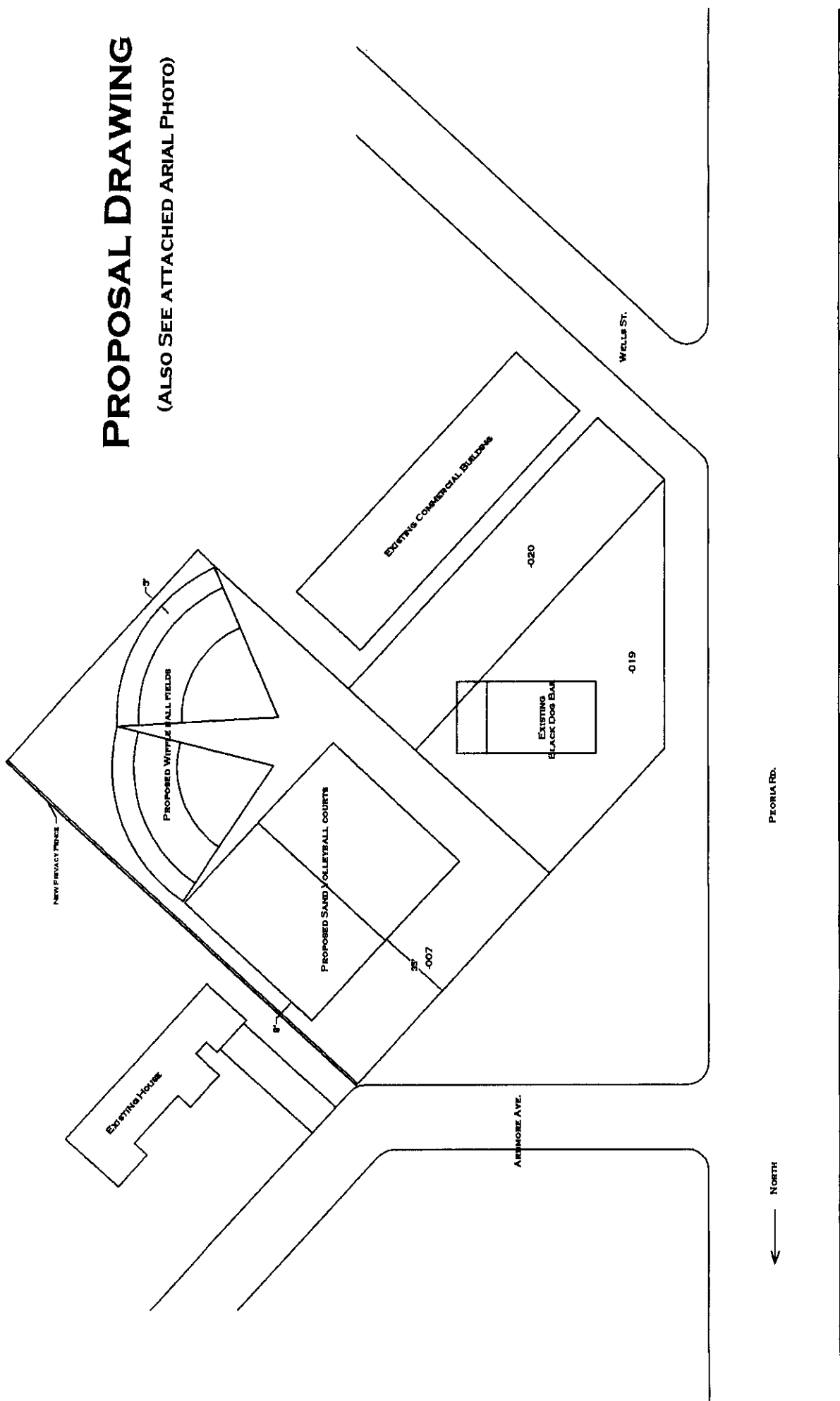
14-11
278-006

WR



PROPOSAL DRAWING

(ALSO SEE ATTACHED ARIAL PHOTO)



← NORTH

PEORIA RD.

WELLS ST.

ALBEMORE AVE.

020

019

007

PROPOSED WIFFLE BALL FIELDS

PROPOSED SAND VOLLEYBALL COURTS

EXISTING COMMERCIAL BUILDING

EXISTING BLACK DOG BUS

EXISTING HOUSE

NEW FENCY FENCE

b-6

RECAP
(For County Board Use)

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

DOCKET NUMBER: **2006-64**

ADDRESS: **4132 & 4136 Peoria Road & 2400 Ardmore Ave. Springfield, IL**

PETITIONER: **Gemini Properties, LLC, Jim Johnson, Phil Zinn**

PRESENT ZONING CLASSIFICATION: **"B3" General Business District**

REQUESTED ZONING CLASSIFICATION: **"B3" General Business District with a Conditional Permitted Use for private outdoor recreation to allow outdoor volleyball courts and wiffle ball fields.**

AREA: **1.1 acre**

COMMENTS: **None**

OBJECTORS: **Yes**

PLANNING COMMISSION RECOMMENDATION: **Recommend denial of the CPU and variance due to impact on nearby residential properties.**

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION: **Approval subject to submitting a parking and lighting plan for County Board Review.**



RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2006-64
Gemini Properties, LLC, Jim Johnson, Phil Zinn)	
)	PROPERTY LOCATED AT:
)	4132 & 4136 Peoria Road & 2400 Ardmore Ave.
)	Springfield, IL
)	

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 **December 21, 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 **4132 & 4136 Peoria Road & 2400 Ardmore Ave. Springfield, IL** and more particularly described as:

The North 126 feet of lot 13 of Michael Burke's subdivision and lot 10 in Michael Burke's subdivision, except the east 65.15 feet.

- 3. That the present zoning of said property is **"B3" General Business District.**
- 4. That the present land use of said property is **Tavern, Vacant Land.**
- 5. That the proposed land use of said property is **Tavern with volleyball courts and wiffle ball fields.**
- 6. That the requested **Conditional Permitted Use** of said property is: **to allow outdoor volleyball courts and wiffle ball fields.**
- 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 **granted**.

Charles Chimento

 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor** based on the amended findings of fact to recommend to the County Board that the petition be **approved**, which was duly seconded by **Donn Malwick**.

The vote of the Board was as follows:

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

NO:

ABSENT:

RJ Armstrong

 RECORDING SECRETARY