

CASE # 2007-22
RESOLUTION NUMBER 8-1

GRANTING A REZONING
FOR CERTAIN PROPERTY LOCATED AT
300 S. BRADFORDTON ROAD, 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 an amendment to the Sangamon County Zoning Ordinance** with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Midwest Financial Holdings LLC**, has petitioned the Sangamon County Board for a rezoning from "A" **Agricultural District** to "O" **Office District**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **April 19, 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

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

FILED

APR 27 2007

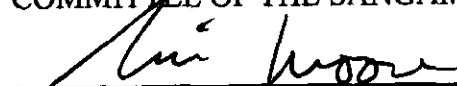
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 8th day of May, 2007 that the request to rezone the above described property from "A" Agricultural District to "O" Office District is hereby granted.

Signed and passed by the Sangamon County Board in session on this 8th day of May, 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

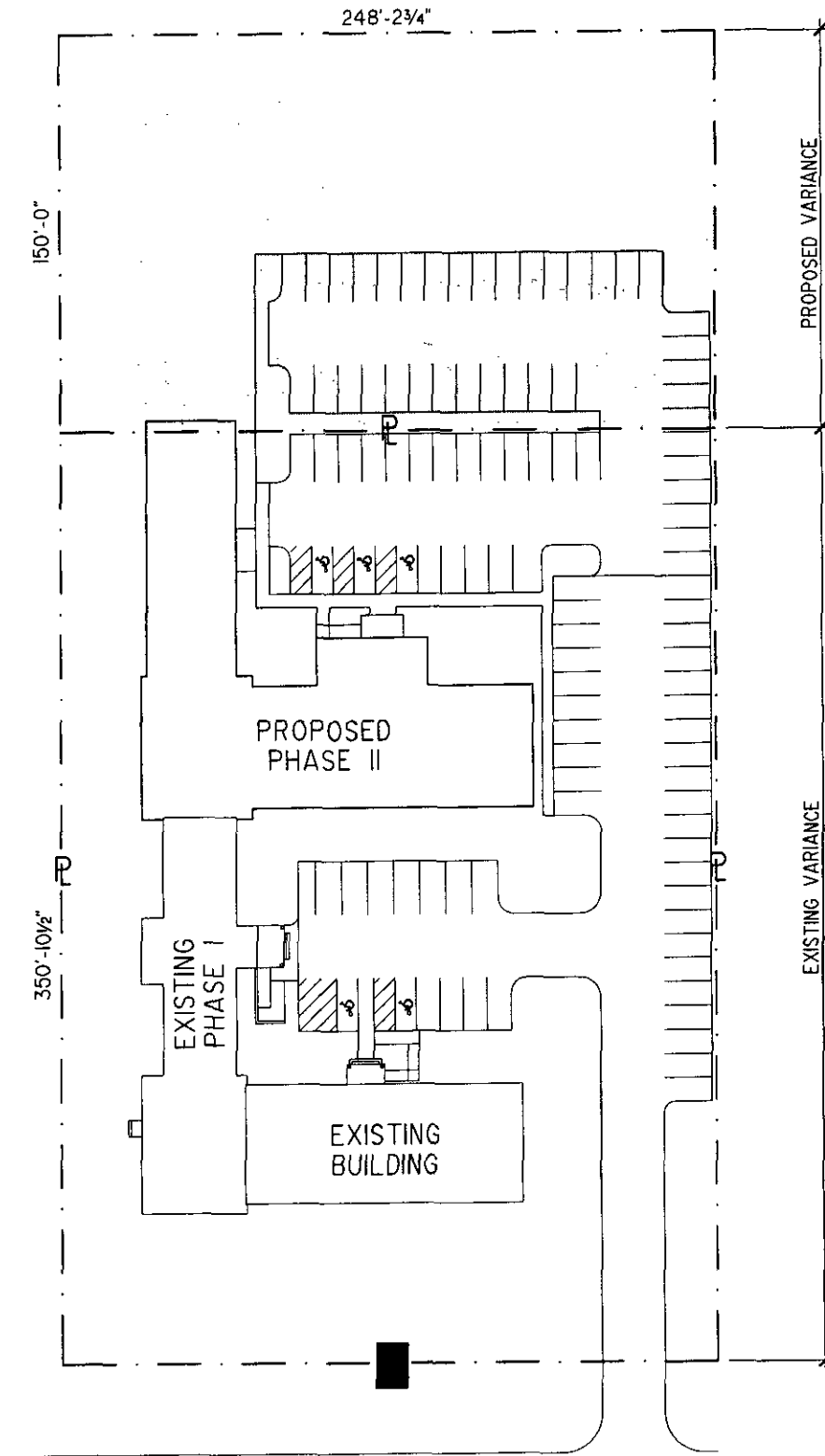
8-9

EXHIBIT A

Part of the North Half of the South Half of the South Half of Lot 5 of the partition of the estate of Robert Archer, deceased, recorded in the office of the Clerk of the Circuit Court of Sangamon County, Illinois, in Book "Y" at Page 444 being described as follows:

Commencing at the northwest corner of the Northeast Quarter of Section 35, Township 16 North, Range 6 West of the Third Principal Meridian in Sangamon County, Illinois (also the northwest corner of said Lot 5); thence South 00 degrees 48 minutes 37 seconds East, a distance of 1,489.39 feet along the west line of said Quarter Section; thence (leaving said line) North 89 degrees 32 minutes 28 seconds East, a distance of 54.77 feet to the east right of way line of Bradfordton Road and the point of beginning; thence continuing North 89 degrees 32 minutes 28 seconds East, a distance of 500.96 feet; thence South 00 degrees 44 minutes 51 seconds East, a distance of 248.23 feet; thence South 89 degrees 32 ,minutes 28 seconds West, a distance of 500.96 feet to a point on the east right of way line of Bradfordton Road; thence North 00 degrees 44 minutes 51 seconds West along said east right of way line, a distance of 248.23 feet to the point of beginning.

84



BRADFORDTON ROAD



SITE PLAN

1/64" = 1'-0"

<p>MIDWEST INSURANCE CO. PHASE II SPRINGFIELD, ILLINOIS</p>	<p>JOHN SHAFER & ASSOCIATES, INC. 1204 S. FIFTH ST. SPRINGFIELD, ILLINOIS 62703</p>	<p>SHEET X-1 26/MAR/07</p>
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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 27 NAME: Abe Forsyth

DOCKET NUMBER: 2007-22

ADDRESS: 300 S. Bradfordton Road, Springfield, Il 62711

PETITIONER: Midwest Financial Holdings LLC

PRESENT ZONING CLASSIFICATION: "A" Agricultural

REQUESTED ZONING CLASSIFICATION: "O" Office District

AREA: 2.9 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION:

Recommend approval. Since the use variance to allow the existing office building had been granted the proposed Office zoning would now appear to be appropriate at this location.

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: **2007-22**
Midwest Financial Holdings LLC)
)
) **PROPERTY LOCATED AT:**
) **300 S. Bradfordton Road**
) **Springfield, IL 62711**
)

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 **April 19, 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 **300 S. Bradfordton Road, Springfield, IL 62711** and more particularly described as:

See Exhibit A

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- 3. That the present zoning of said property is **"A" Agricultural.**
- 4. That the present land use of said property is **Office, vacant land.**
- 5. That the proposed land use of said property is **expand office.**
- 6. That the requested **rezoning** of said property is: **from "A" Agricultural District to "O" Office 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 **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**, which was duly seconded by **Peggy Egizii.**

The vote of the Board was as follows:

YES: **Charles Chimento, Peggy Egizii, Judith Johnson, Patrick Somers, Marvin Traylor**

NO:

ABSENT:


 RECORDING SECRETARY

EXHIBIT A

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SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 4/4/07 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-22
 ADDRESS 300 S. Bradfordton Road
 Property Index # 13-35-200-054 Pt.

PETITIONER Midwest Financial Holdings LLC

REQUESTED ZONING O

PROPOSED LAND USE Expand office

EXISTING:

ZONING A with Use Variance for an office building

LAND USE Office

ROAD FRONTAGE S. Bradfordton Rd. 288.23' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Business

CONDITION OF STRUCTURE Good

LOT AREA 2.9 acres

FRONT YARD 95'

SIDE YARDS 80'/60'

REAR YARD 700'



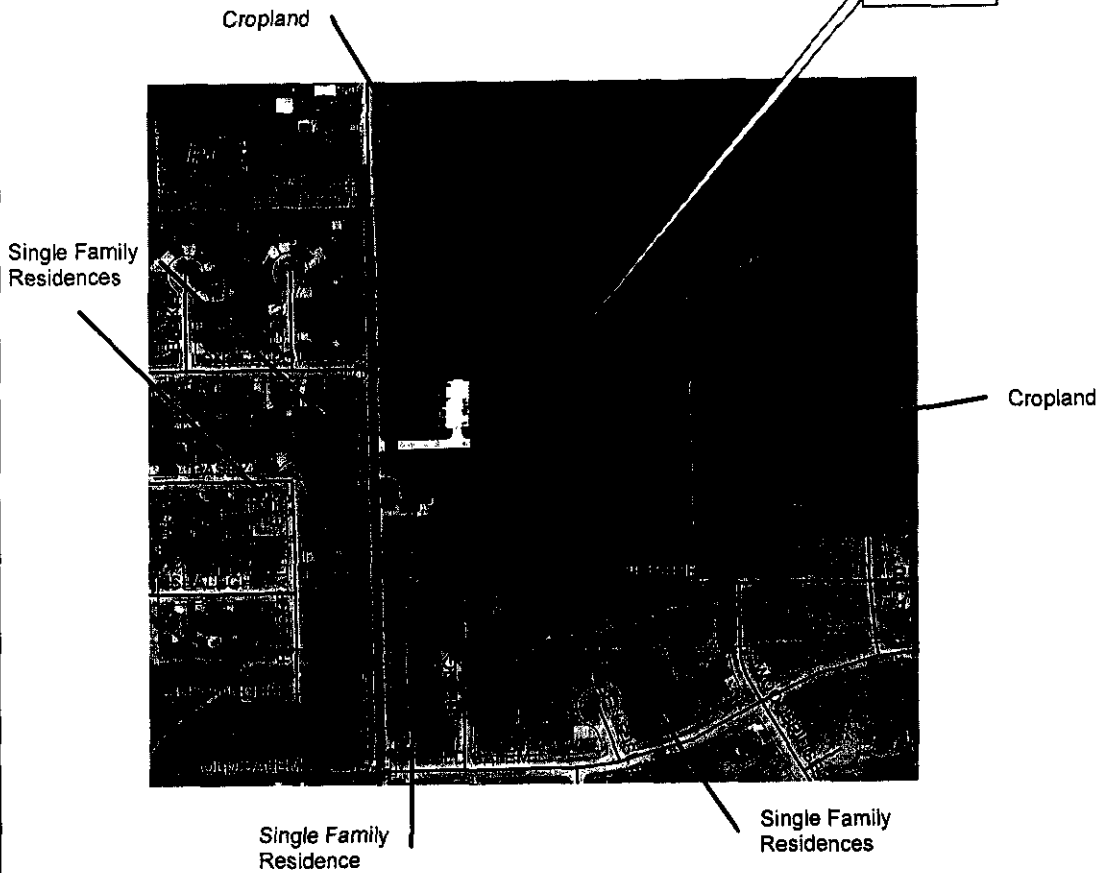
Would the proposed zoning be spot zoning? Yes

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval. Since the use variance to allow the existing office building had been granted the proposed Office zoning would now appear to be appropriate at this location.

County Zoning

Case# 2007-22

Requested:
OFF



County Zoning

	RM-4		I1
	R3		I2
	R2		B3
	R1a		B2
	R1		B1
	OFF		A

City Zoning

	R5		H1		OFF
	R1		H2		PUD
	R2		H3		B1
	R3a		S1		B2
	R3b		S2		I1
	R4		S3		I2



**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

Case #: **2007-22**

Address: **300 S. Bradfordton Road**

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

There are single family residences to the south and west. To the north and east is cropland.

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

To the south is A and City R-1. To the west is zoned City R-1. To the north and east 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 145 indicates the property is acceptable for non-agricultural development. With the existing office building on the property, allowed by the Use variance in 2000, continued economic use of the property at this location cannot occur under agricultural zoning.

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

Properties to the west across Bradfordton Road were rezoned to R-1 in 1999 to allow a residential subdivision. Properties directly south were rezoned to R-1 in 2001. In 2000, the subject property was denied rezoning to OFF and was granted a use variance for an office building.

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	0
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	
50-74%	5	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	20
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	0
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

<u>AVAILABILITY OF PUBLIC SEWER</u>		
Not available	15	
Sewer over 600'-1200' away	8	0
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	0
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	45
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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		95	
36C2	Tama	Prime		90	
36D2	Tama	Important		72	
43	Ipava	Prime	100	100	100
45	Denny	Prime		77	
50	Virden	Prime		87	
67	Harpster	Prime		87	
68	Sable	Prime		95	
73	Ross	Prime		95	

8-14

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	100
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GRAND TOTAL	145
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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.