

CASE # 2007-63  
RESOLUTION NUMBER 6-1  
**GRANTING A USE VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**1514 WEST JEFFERSON, 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 use variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**Lot 29 & the East ½ of a vacated alley lying East of lots 30 & 32 in Henry Selinger Estate Subdivision.**

WHEREAS, the Petitioner, **D&M Mapes Partnership**, has petitioned the Sangamon County Board for a **use variance to allow an auto body shop with spray painting booth with storage of wrecked or inoperable vehicles limited to the fenced area immediately south of the building on the property; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **October 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 use variance; and**

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

**FILED**

NOV 02 2007

*Joe Aiello*  
SANGAMON COUNTY CLERK

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13<sup>th</sup> day of November, 2007 that the request for a use variance to allow an auto body shop with spray painting booth with storage of wrecked or inoperable vehicles limited to the fenced area immediately south of the building on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13<sup>th</sup> day of November, 2007.

Respectfully submitted,

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

  
TIM MOORE, CHAIRMAN

\_\_\_\_\_  
ABE FORSYTH, VICE CHAIRMAN

\_\_\_\_\_  
JENNIFER DILLMAN

\_\_\_\_\_  
DAVID MENDENHALL

\_\_\_\_\_  
GEORGE PRECKWINKLE

\_\_\_\_\_  
SAM SNELL

\_\_\_\_\_  
DON STEPHENS

\_\_\_\_\_  
LINDA DOUGLAS WILLIAMS

**ATTEST:**

  
SANGAMON COUNTY CLERK

  
COUNTY BOARD CHAIRMAN

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR USE VARIATIONS  
▶ As Recommended by the Board of Appeals ◀**

Case #: 2007-63

Address: 1514 W. Jefferson Street

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of the zoning ordinance be varied as authorized in Section 17.66.010 thereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the variance is justified by a showing of special circumstances demonstrating practical difficulties or particular hardship in the way of carrying out the strict letter of the Zoning Regulations.

**The use variance is justified since improvements in the technology of paint booths have decreased the impact of automotive painting. As a result the use is appropriate in B-3 areas where automotive repair is permitted.**

- (ii) that the variance is compatible with the trend of development in the area.

**There is a business trend along West Jefferson Street.**

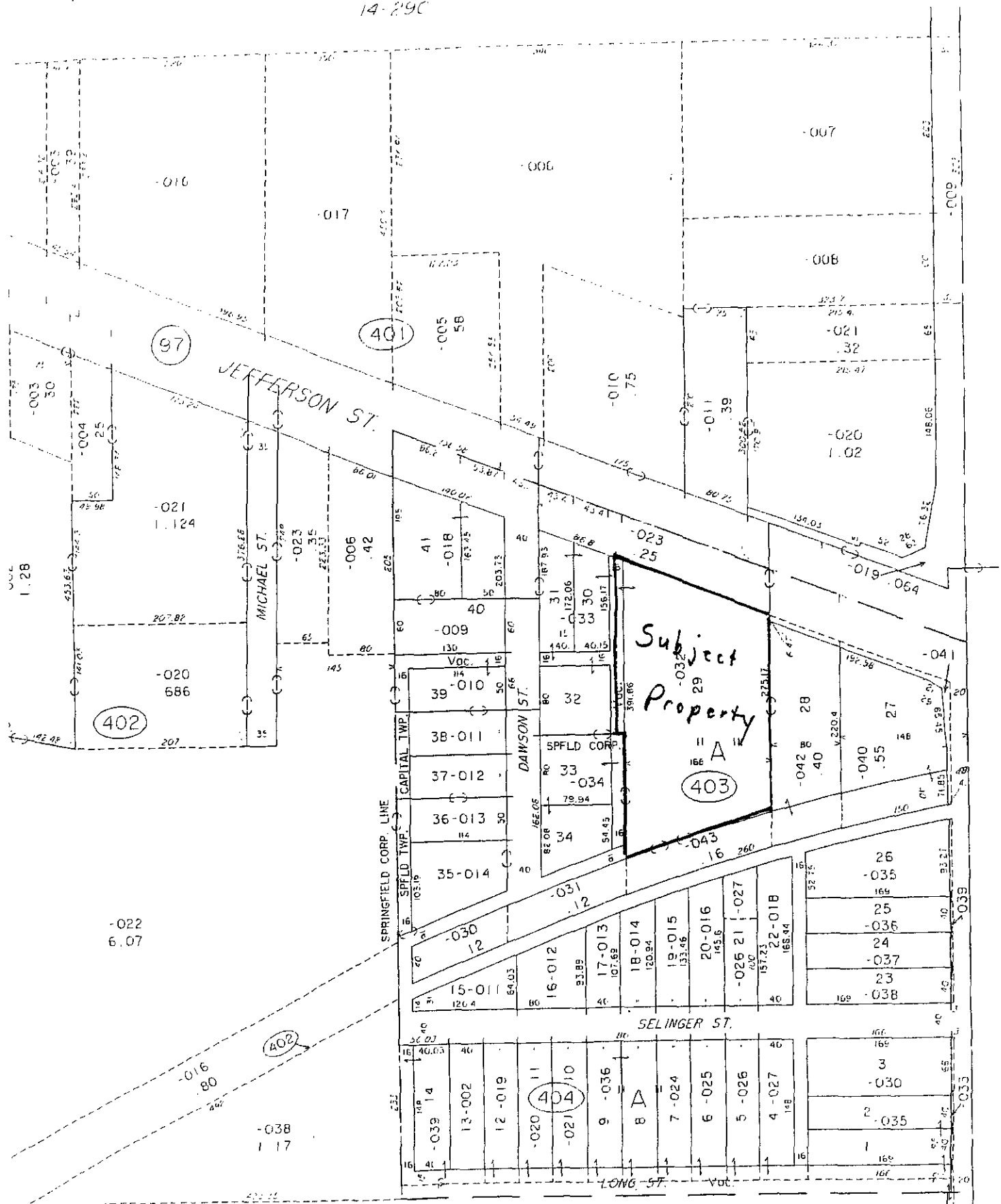
- (iii) that the variance will benefit the community and be in harmony with the general purpose and intent of the Zoning Regulations.

**Yes, West Jefferson is a viable business location and there is a demand for the service. New jobs will be created.**

- (iv) that the variance will not create a negative impact on the area, will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality.

**No. The use will be contained in the building except for a fenced in storage area that is behind the building and is not visible from the street..**

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**EXHIBIT**

    A

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 11                      NAME: Mike Sullivan

DOCKET NUMBER:                      2007-63

ADDRESS:                      1514 West Jefferson, Springfield, Illinois, 62702

PETITIONER:                      D&M Mapes Partnership

PRESENT ZONING CLASSIFICATION: "B-3" General Business District

REQUESTED ZONING CLASSIFICATION: "B-3" General Business District with a use variance to allow an auto body shop with spray painting booth with storage of wrecked or inoperable vehicles limited to the fenced area immediately south of the building on the property

AREA:                      1.5 acres

COMMENTS:

OBJECTORS:                      None

PLANNING COMMISSION RECOMMENDATION:                      **Recommend denial of requested use variance. The standards for use variations are not met and there is a particular concern with the impact of the proposed use, which includes outside storage of wrecked vehicles, on the residence to the South.**

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION:                      **Approval of a use variance to allow an auto body shop with spray painting booth with storage of wrecked or inoperable vehicles limited to the fenced area immediately south of the building on the property**

  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:	)	DOCKET NO: <b>2007-63</b>
<b>D&amp;M Mapes Partnership</b>	)	
	)	PROPERTY LOCATED AT:
	)	<b>1514 West Jefferson</b>
	)	<b>Springfield, Illinois, 62702</b>
	)	

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 **use variance** 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 **October 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 **1514 West Jefferson, Springfield, Illinois, 62702** and more particularly described as:

**Lot 29 & the East 1/2 of a vacated alley lying East of lots 30 & 32 in Henry Selinger Estate Subdivision.**

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3. That the present zoning of said property is "B-3" General Business District.
4. That the present land use of said property is vacant commercial building and lot.
5. That the proposed land use of said property is an auto body shop with spray painting booth with storage of wrecked or inoperable vehicles limited to the fenced area immediately south of the building on the property.
6. That the requested use variance of said property is: to allow an auto body shop with spray painting booth with storage of wrecked or inoperable vehicles limited to the fenced area immediately south of the building on the property.
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 use variance 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 use variance 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 amended findings of fact and recommend to the County Board that the petition be **approved**, which was duly seconded by **Byron Deaner**.

The vote of the Board was as follows:

YES: **Charles Chimento, Peggy Egizii, Byron Deaner, Judith Johnson, Marvin Traylor**

NO:

ABSENT:

  
 RECORDING SECRETARY

**SSCRPC** Springfield Sangamon County Regional Planning Commission

**Staff Findings and Recommendation**  
 (inspected 10/1/07 by AJ)

SANGAMON COUNTY ZONING CASE # 2007-63  
 ADDRESS 1514 W. Jefferson  
 Property Index # 14-29-403-032

PETITIONER D & M Mapes Partnership

REQUESTED ZONING A use variance to allow for an auto body shop with a spray painting booth with storage of wrecked or inoperable vehicles limited to the fenced area immediately south of the building on the property.

PROPOSED LAND USE Auto body shop with spray painting booth with storage of wrecked or inoperable vehicles limited to the fenced area immediately south of the building on the property.

EXISTING:

ZONING B-3

LAND USE Vacant building

ROAD FRONTAGE W. Jefferson 185'      CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Business

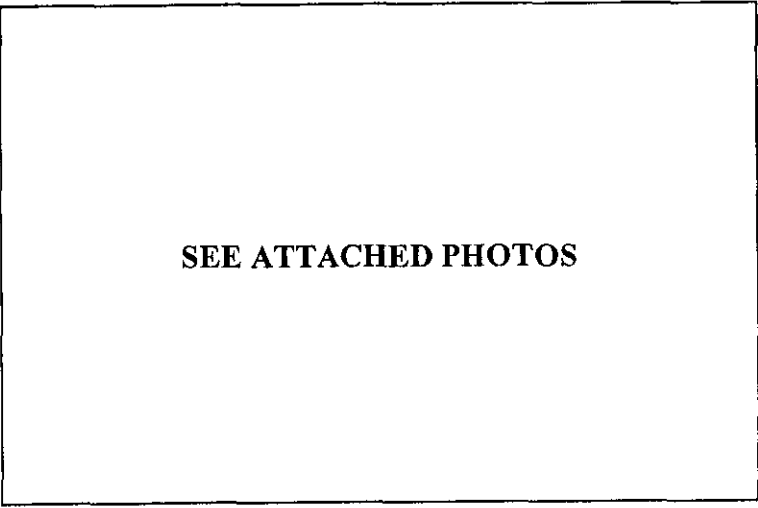
CONDITION OF STRUCTURE Good

LOT AREA 1.5 acres

FRONT YARD 30'

SIDE YARDS 108' / 0'

REAR YARD 50'



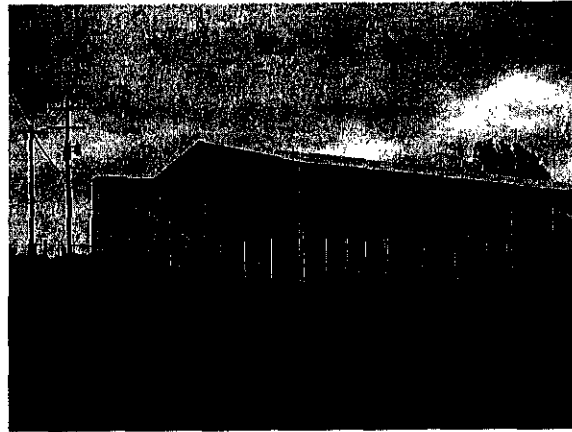
Would the proposed zoning be spot zoning? NA

**PLANNING COMMISSION STAFF RECOMMENDATION: Recommend denial of requested use variance. The standards for use variations are not met and there is a particular concern with the impact of the proposed use, which includes outside storage of wrecked vehicles, on the residences to the south.**



Case #: 2007-63

Address: 1514 W. Jefferson



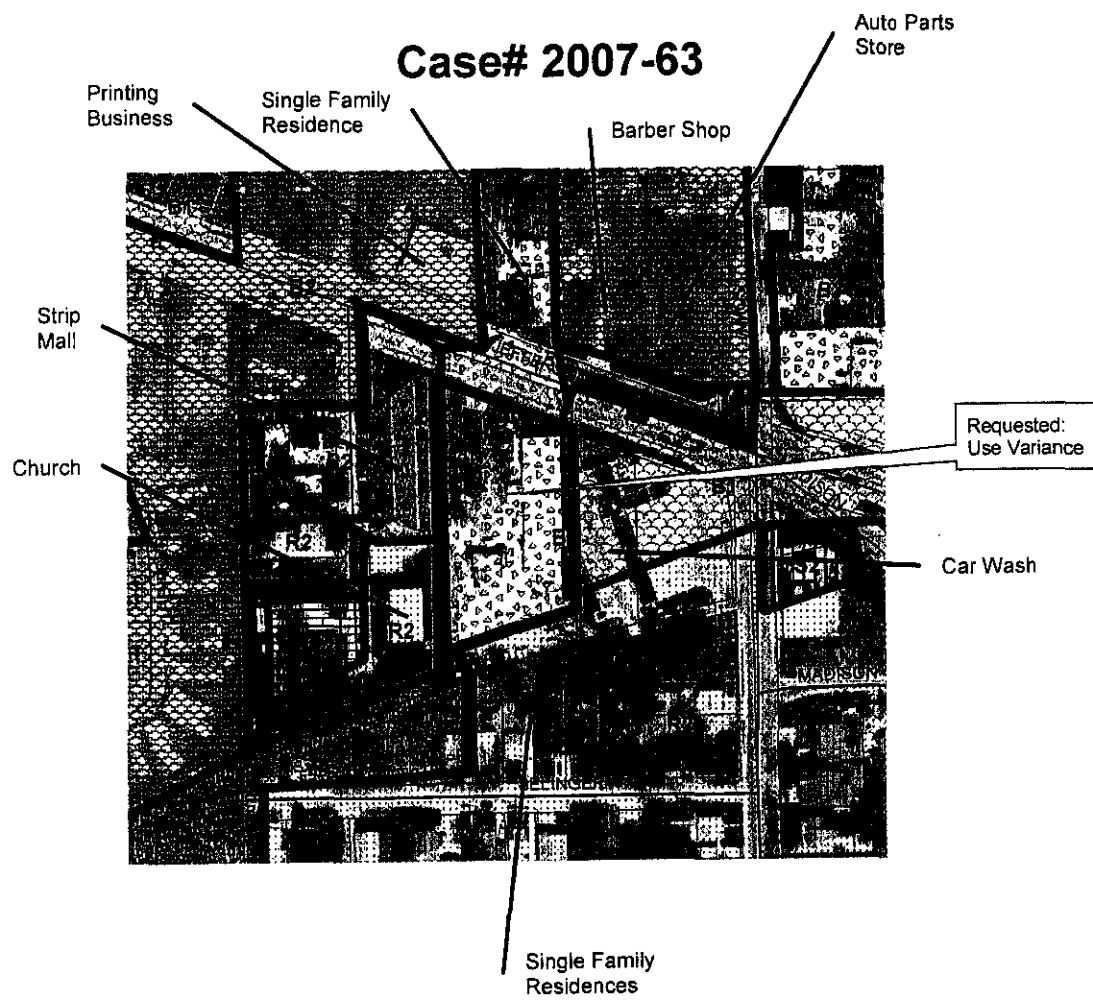
Front of Property



Rear of Property

# County Zoning

## Case# 2007-63

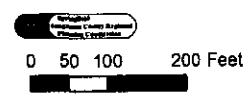


### County Zoning

	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



**RECOMMENDED STANDARDS FOR USE VARIATIONS**

Case #: **2007-63**

Address: **1514 West Jefferson**

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- (i) that the variance is justified by a showing of special circumstances demonstrating practical difficulties or particular hardship in the way of carrying out the strict letter of the Zoning Regulations.

**There are no special circumstances showing difficulty or hardship in using the property under the existing zoning.**

- (ii) that the variance is compatible with the trend of development in the area.

**No. An auto repair shop is not with the trend in the general area. There are commercial uses along Jefferson Street and residences to the south.**

- (iii) that the variance will benefit the community and be in harmony with the general purpose and intent of the Zoning Regulations.

**There will be no particular benefit to the community to allow an auto body repair shop with a spray painting booth at this location.**

- (iv) that the variance will not create a negative impact on the area, will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality.

**There is a concern with the impact noise, activity and fumes from a spray painting booth will have on the residences to the south. Additionally, there is a concern with the impact on the residential character of the area to the south if wrecked automobiles are stored on the south side of the property.**