

CASE # 2008-21
RESOLUTION NUMBER 12-1

GRANTING A USE VARIANCE AND VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
10,001 PALM ROAD, GLENARM
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 and variance to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:**

See Exhibit A

WHEREAS, the Petitioner, **Ramiro Maldonado**, has petitioned the Sangamon County Board for **a use variance to allow automobile sales (antique cars limited to 25 cars outdoors), an antique car museum, mini storage units and a variance to allow the lot depth to exceed 2 ½ times the lot width for two parcels; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **March 20, 2008**, 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 variance with the stipulation that the cars be condition 1, 2 or 3 as defined by Exhibit B and that the request for mini warehouse storage units be denied; and**

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

APPROVED
MAR 26 2008
Joe Diello
Sangamon County Clerk

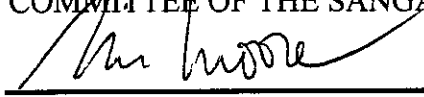
12-2

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 9th day of April, 2008 that the request for a use variance to allow automobile sales (antique cars limited to 25 cars outdoors), an antique car museum, mini storage units and a variance to allow the lot depth to exceed 2 ½ times the lot width for two parcels be granted provided that the cars shall be condition 1, 2, or 3 as defined by Exhibit B attached hereto and that the request for a use variance for mini warehouse storage units is hereby denied.

Signed and passed by the Sangamon County Board in session on this 9th day of April, 2008.

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

1d-2

EXHIBIT A

The East 850' of the following described property;

Part of the Northeast Quarter of Section 21, Township 14 North, Range 5 West of the Third Principal Meridian, described more particularly as follows:

Commencing at the Northwest corner of the Northeast Quarter of the aforementioned Section 21; thence North 89 degrees 09 minutes 57 seconds East along the Section line, a distance of 519.42 feet to an iron pin marking the true point of beginning; thence continuing North 89 degrees 09 minutes 57 seconds East along the Section line a distance of 2,096.51 feet to an iron pin on the West right-of-way line of Palm Road (I-55 Service Road); thence South 00 degrees 00 minutes 00 seconds West along said Right-of-way line a distance of 301.09 feet; thence South 89 degrees 10 minutes 03 seconds West a distance of 592.65 feet to an iron pin; thence South 00 degrees 00 minutes 00 seconds West a distance of 176.08 feet; thence South 89 degrees 10 minutes 03 seconds West a distance of 1,500.45 feet; thence North 00 degrees 24 minutes 34 seconds West a distance of 477.08 feet to the true point of beginning.

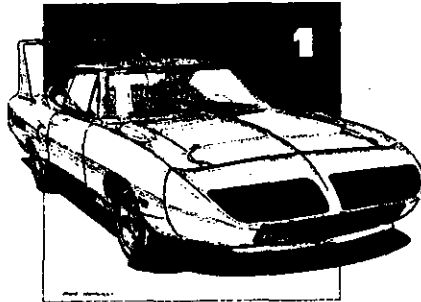
How to Use the Price Guide

The worth of an old car is a "ball-park" estimate at best. Our prices come from compilations of national/regional data by the editors of our weekly publication, *Old Cars Weekly News & Marketplace*. (Sample copies of *Old Cars* are available for \$1.95 each from Krause Publications, 700 E. State St., Iola, WI 54990).

These data include prices from collector-car auctions, verified reports of private sales, and input from experts.

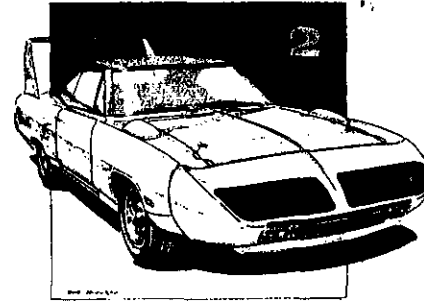
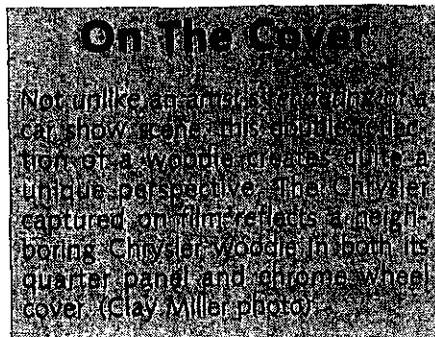
We list values for cars in six different states of condition as explained below. Prices are for complete vehicles; not parts cars, except as noted. Modified-car values are not included, but can be estimated by figuring the cost of restoring to original and deducting from the figures shown here.

Old Cars Price Guide condition codes fit the following descriptions:



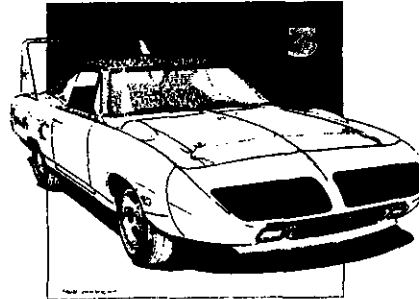
1) EXCELLENT: Restored to current maximum professional standards of quality in every area, or perfect original with components operating and appearing as new. A 95-plus point show car that is not driven.

In national show judging, a car in No. 1 condition is likely to win top honors in its class. In a sense, it has ceased to be an automobile and has become an object of art. It is transported to shows in an enclosed trailer, and, when not being shown, it is stored in a climate-controlled facility. It is not driven. There are very few No. 1 cars.



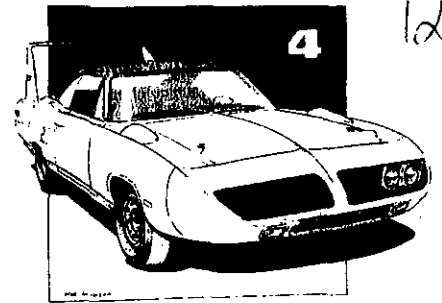
2) FINE: Well-restored, or a combination of superior restoration and excellent original. Also, an *extremely* well-maintained original showing very minimal wear.

Except for the very closest inspection, a No. 2 vehicle may appear as a No. 1. The No. 2 vehicle will take the top award in many judged shows, except when squared off against a No. 1 example in its own class. It may also be driven 800-1,000 miles each year to shows, on tours, and simply for pleasure.



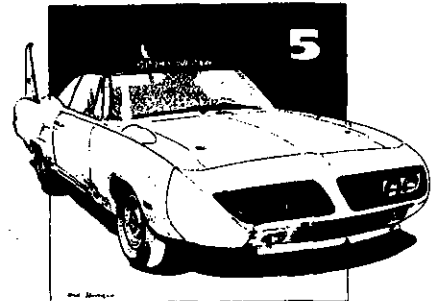
3) VERY GOOD: Completely operable original or "older restoration" showing wear. Also, a good amateur restoration, all presentable and serviceable inside and out. Plus, combinations of well-done restoration and good operable components; or a partially restored car with all parts necessary to complete it and/or valuable NOS parts.

This is a "20-footer." That is, from 20 feet away it may look perfect. But as we approach it, we begin to notice that the paint may be getting a little thin in spots from frequent washing and polishing. Looking inside we might detect some wear on the driver's seat, foot pedals, and carpeting. The chrome trim, while still quite presentable, may have lost the sharp, mirror-like reflective quality it had when new. All systems and equipment on the car are in good operating order. In general, most of the vehicles seen at car shows are No. 3s.



4) GOOD: A driveable vehicle needing no, or only minor, work to be functional. Also, a deteriorated restoration or a very poor amateur restoration. All components may need restoration to be "excellent," but the car is mostly useable "as is."

This is a driver. It may be in the process of restoration or its owner may have big plans, but even from 20 feet away, there is no doubt that it needs a lot of help.



5) RESTORABLE: Needs complete restoration of body, chassis and interior. May or may not be running, but isn't weathered, wrecked, and/or stripped to the point of being useful only for parts.

This car needs everything. It may not be operable, but it is essentially all there and has only minor surface rust, if any rust at all. While presenting a real challenge to the restorer, it won't have him doing a lot of chasing for missing parts.



6) PARTS CAR: May or may not be running, but is weathered, wrecked, and/or stripped to the point of being useful primarily for parts.

This is an incomplete or greatly deteriorated, perhaps rusty, vehicle that has value only as a parts donor for other restoration projects.

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

Case #: **2008-21**

Address: **10,001 Palm Road, Glenarm**

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 property is not suited to agricultural use as it is too small to be farmed economically.

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

There have been recent zoning cases for business to the north and south including 2 uses variances.

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

Business expansion will benefit the community and this type of use is common along the Route 66 corridor.

- (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.

The use is on a state highway and adjacent to an existing business.

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

Case #: **2008-21**

Address: **10,001 Palm Road, Glenarm**

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of this ordinance be varied as authorized in F. (1) hereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the property in question cannot be economically used or yield a reasonable return, if permitted to be used only for the conditions allowed by the regulations.

Two building sites on 20 acres is a more reasonable use of the property

- (ii) that the plight of the owner is due to circumstances unique to the property and not generally applicable to other property in the area.

Yes. The rear line will not be changed and the lot depth exceeded the maximum for the original 2 parcels.

- (iii) that the variation, if granted, 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.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 5 NAME: Don Stephens

DOCKET NUMBER: 2008-21

ADDRESS: 10,001 Palm Road, Glenarm, Il 62536

PETITIONER: Ramiro Maldonado

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a use variance to allow automobile sales (antique cars limited to 25 cars outdoors), an antique car museum, mini storage units and a variance to allow the lot depth to exceed 2 1/2 times the lot width for two parcels.

AREA: 21.82 Acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend denial of the requested use variance. Allowing a commercial use in this agricultural area is not seen as appropriate. Recommend denial of the requested variance. The standards for variation are not met.**

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION: **Recommend approval with the stipulation that the cars be condition 1, 2 or 3 as defined by Exhibit B and that there be no mini warehouse storage units.**


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2008-21
Ramiro Maldonado)	
)	PROPERTY LOCATED AT:
)	10,001 Palm Road
)	Glenarm, Il 62536
)	

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 and a 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 **March 20, 2008** 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 **10,001 Palm Road, Glenarm, Il 62536** 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 land.
- 5. That the proposed land use of said property is **automobile sales (antique cars limited to 25 cars displayed outside) a car museum and mini storage units.**
- 6. That the requested **use variance and variance** of said property is **to allow automobile sales (antique cars limited to 25 cars outdoors), an antique car museum, mini storage units and a variance to allow the lot depth to exceed 2 1/2 times the lot width for two parcels.**
- 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, in part, and 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 and variance** be **approved with the stipulation that the cars be condition 1, 2 or 3 as defined by Exhibit B and that the request for mini warehouse storage units be denied.**


 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor**, in accord with the amended standards for use variance and standards for variations, recommends to the County Board that the petition be **approved with the stipulation that the cars be condition 1, 2 or 3 as defined by Exhibit B and that the request for mini warehouse storage units be denied** which was duly seconded by **Peggy Egizii**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Marvin Traylor, Don Wulf**

NO:
 ABSENT:


 RECORDING SECRETARY

12-11

EXHIBIT A

The East 850' of the following described property;

Part of the Northeast Quarter of Section 21, Township 14 North, Range 5 West of the Third Principal Meridian, described more particularly as follows:

Commencing at the Northwest corner of the Northeast Quarter of the aforementioned Section 21; thence North 89 degrees 09 minutes 57 seconds East along the Section line, a distance of 519.42 feet to an iron pin marking the true point of beginning; thence continuing North 89 degrees 09 minutes 57 seconds East along the Section line a distance of 2,096.51 feet to an iron pin on the West right-of-way line of Palm Road (I-55 Service Road); thence South 00 degrees 00 minutes 00 seconds West along said Right-of-way line a distance of 301.09 feet; thence South 89 degrees 10 minutes 03 seconds West a distance of 592.65 feet to an iron pin; thence South 00 degrees 00 minutes 00 seconds West a distance of 176.08 feet; thence South 89 degrees 10 minutes 03 seconds West a distance of 1,500.45 feet; thence North 00 degrees 24 minutes 34 seconds West a distance of 477.08 feet to the true point of beginning.

SSCRPC **Springfield Sangamon County Regional Planning Commission**

Staff Findings and Recommendation
 (inspected 3/4/08 by AJ)

SANGAMON COUNTY ZONING CASE # 2008-21
 ADDRESS 10,000 block of Palm Road
 Property Index # 29-21-200-019 & Pt. 29-21-200-018

PETITIONER Maldonado, Ramiro

REQUESTED ZONING A Use Variance to allow automobile sales (antique cars limited to 25 cars outdoors), an antique car museum and mini storage units. A variance to allow the lot depth to exceed 2 1/2 times the lot width for two parcels.

PROPOSED LAND USE Automobile sales (antique cars limited to 25 cars displayed outside) a car museum and mini storage units.

EXISTING:

ZONING A

LAND USE Agricultural / building under construction

ROAD FRONTAGE Palm Road - 278' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR NA

CONDITION OF STRUCTURE	<u>NA</u>	SEE ATTACHED PHOTOS
LOT AREA	<u>21.82 acres</u>	
FRONT YARD	<u>NA</u>	
SIDE YARDS	<u>NA</u>	
REAR YARD	<u>NA</u>	

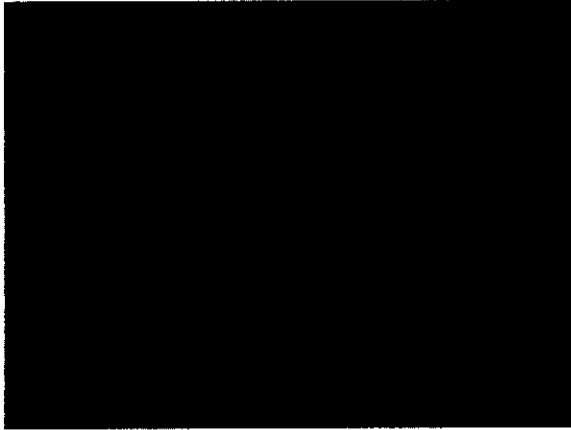
Would the proposed zoning be spot zoning? N/A

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend denial of the requested use variance. Allowing a commercial use in this agricultural area is not seen as appropriate. Recommend denial of the requested variance. The standards for variation are not met.

12-12

Case #: 2008-21

Address: 10,000 block of Palm Road



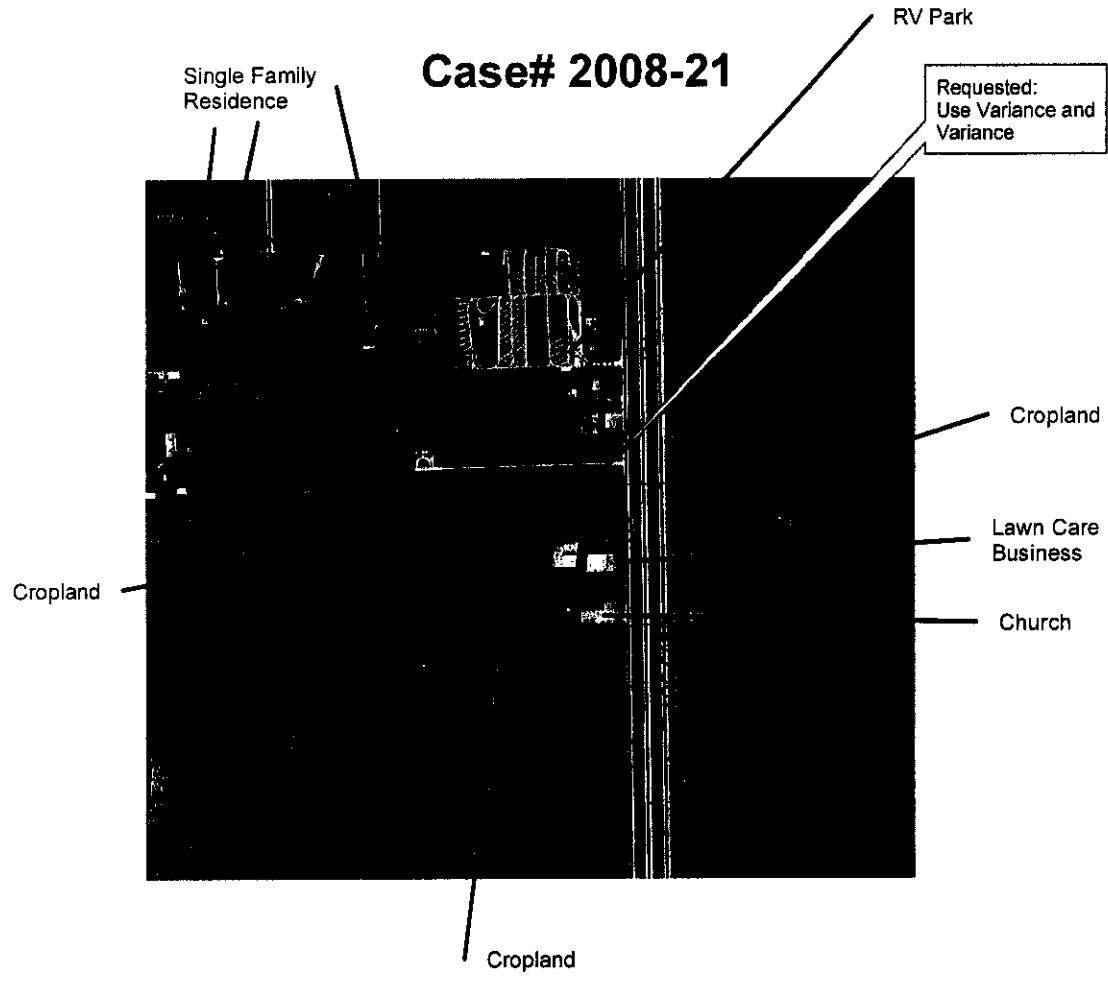
10,000 block of Palm Road



10,000 block of Palm Road

County Zoning

Case# 2008-21



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 - STANDARDS FOR VARIATIONS**

Case #: 2008-21

Address: 10,000 block of Palm Road

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of this ordinance be varied as authorized in F. (1) hereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the property in question cannot be economically used or yield a reasonable return, if permitted to be used only for the conditions allowed by the regulations.

The request is made to facilitate division of the property.

- (ii) that the plight of the owner is due to circumstances unique to the property and not generally applicable to other property in the area.

No unique circumstances are noted. The lot was recently created in 2007.

- (iii) that the variation, if granted, 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 negative impact is anticipated.

RECOMMENDED STANDARDS FOR USE VARIATIONS

Case #: 2008-21

Address: 10,000 block of Palm Road

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.

No. The property is agricultural in character and is similar to other property in the area.

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

Although there is a lawn care business adjacent to the subject property, the area has remained agricultural in character.

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

There is no particular benefit to the community in having automobile sales, an antique car museum and mini storage units 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 allowing a commercial use in this agricultural area.