

CASE # 2008-14
RESOLUTION NUMBER M-1

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
2148 W. STATE RT. 29, ATHENS
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** the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Culver Fancy Prairie Coop Co.**, has petitioned the Sangamon County Board for a **conditional permitted use**; 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 conditional permitted use**; and

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

FILED

MAR 26 2008

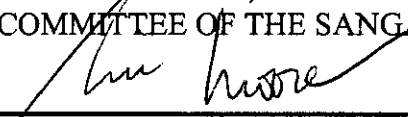
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **9th day of April, 2008** that the request for a conditional permitted use to allow a grain elevator on the above described property is hereby approved.

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

EXHIBIT A**Parcel 1**

Part of the Southeast Quarter of the Southeast Quarter of Section 31, Township 18 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows: Beginning at the intersection of the South line of Section 31 and the East right of way line of the railroad as located in 1937; thence North 35 degrees 03 minutes 13 seconds West 146.25 feet; thence South 00 degrees 00 minutes 00 seconds West 120.00 feet to the South line of said Section 31; thence North 89 degrees 48 minutes 45 seconds West along the South line 84.00 feet to the point of beginning.

Parcel 2

Part of the Southeast Quarter of Section 31, Township 18 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows: Commencing at the Southeast Corner of said Section 31 thence North 89 degrees 51 minutes 41 seconds West along the Section line 760.50 feet; thence North 0 degrees 00 minutes 00 seconds West 50.12 feet to a pin on the North right of way line of Illinois Route 29 and the point of beginning. From said point of beginning North 89 degrees 41 minutes 20 seconds West along said right of way line 71.67 feet to a pin; thence North 0 degrees 00 minutes 00 seconds West 434.17 feet to the original Easterly right of way line of the Railroad as located in 1936 to a pin; thence North 9 degrees 51 minutes 20 seconds East along said original Railroad right of way line 324.18 feet to a pin; thence North 90 degrees 00 minutes 00 seconds East 16.19 feet to a pin; thence South 0 degrees 00 minutes 00 seconds East 753.96 feet to the pint of beginning, containing 1.037 acres more or less.

2008-14
CULVERT COOP
2148 W. ST. 29
01-31-400-003 & 005

01-31
400-002

01-31
400-003

01-31
400-005

01-31
400-003

01-31-0-400-001

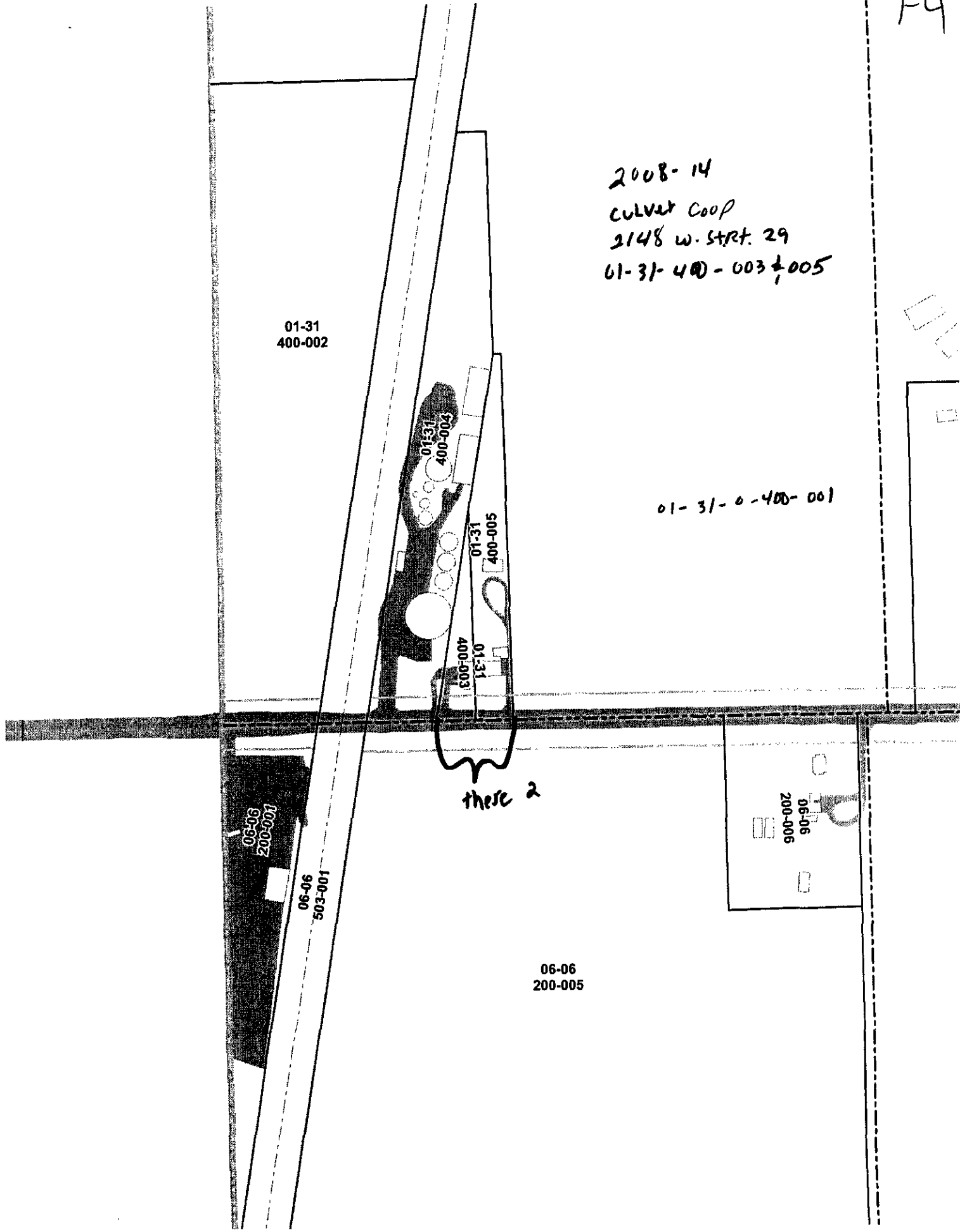
these 2

06-06
200-001

06-06
503-001

06-06
200-006

06-06
200-005



RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #11 NAME: Mike Sullivan

DOCKET NUMBER: 2008-14

ADDRESS: 2148 W. State Rt. 29, Athens, IL 62613

PETITIONER: Culver Fancy Prairie Coop Co.

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a CPU for a grain elevator

AREA: 1.51 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the CPU to allow scales for an adjacent grain elevator as this is seen as an appropriate location.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION: **Approval**



RECORDING SECRETARY

"He

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO:
Culver Fancy Prairie Coop Co.)	
)	PROPERTY LOCATED AT:
)	2148 W. State Rt. 29
)	Athens, IL 62613
)	

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 **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 **2148 W. State Rt. 29, Athens, IL 62613** and more particularly described as:

See Exhibit A

Page 2

- 3. That the present zoning of said property is **"A" Agricultural District.**
- 4. That the present land use of said property is **Single family residences.**
- 5. That the proposed land use of said property is **scales for adjacent grain elevator.**
- 6. That the requested **conditional permitted use** of said property is **to allow a grain elevator.**
- 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 **approved.**


 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Peggy Egizii** 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 **Don Wulf.**

The vote of the Board was as follows:

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

NO:

ABSENT:


 RECORDING SECRETARY

EXHIBIT A

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SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 3/5/08 by AJ)

SANGAMON COUNTY ZONING CASE # 2008-14
 ADDRESS 2148 W. State Rt. 29
 Property Index # 01-31-400-003 and 005

PETITIONER Culver Fancy Prairie Coop. Co.

REQUESTED ZONING A Conditional Permitted Use to allow scales for an adjacent grain elevator

PROPOSED LAND USE Scales for adjacent grain elevator

EXISTING:

ZONING A

LAND USE 2 Single family residences

ROAD FRONTAGE W. State Rt. 29 - 160' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residences

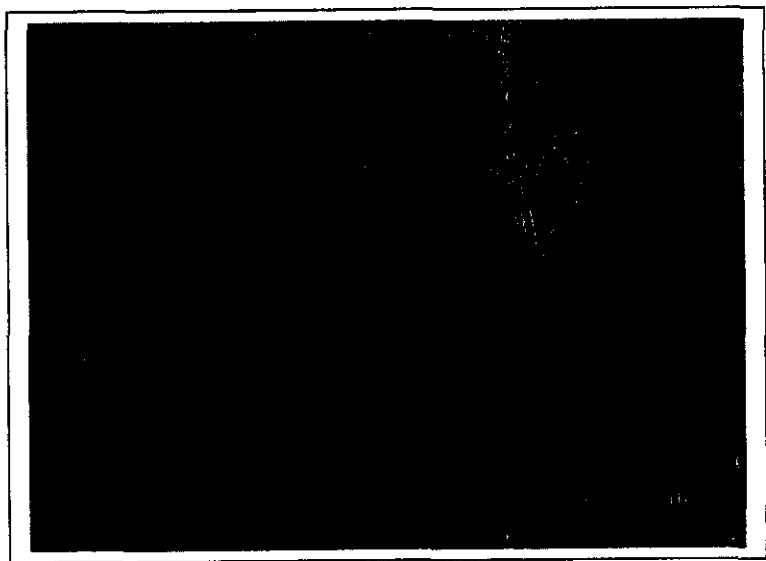
CONDITION OF STRUCTURE Poor

LOT AREA 1.51 acres

FRONT YARD Varied

SIDE YARDS Varied

REAR YARD Varied

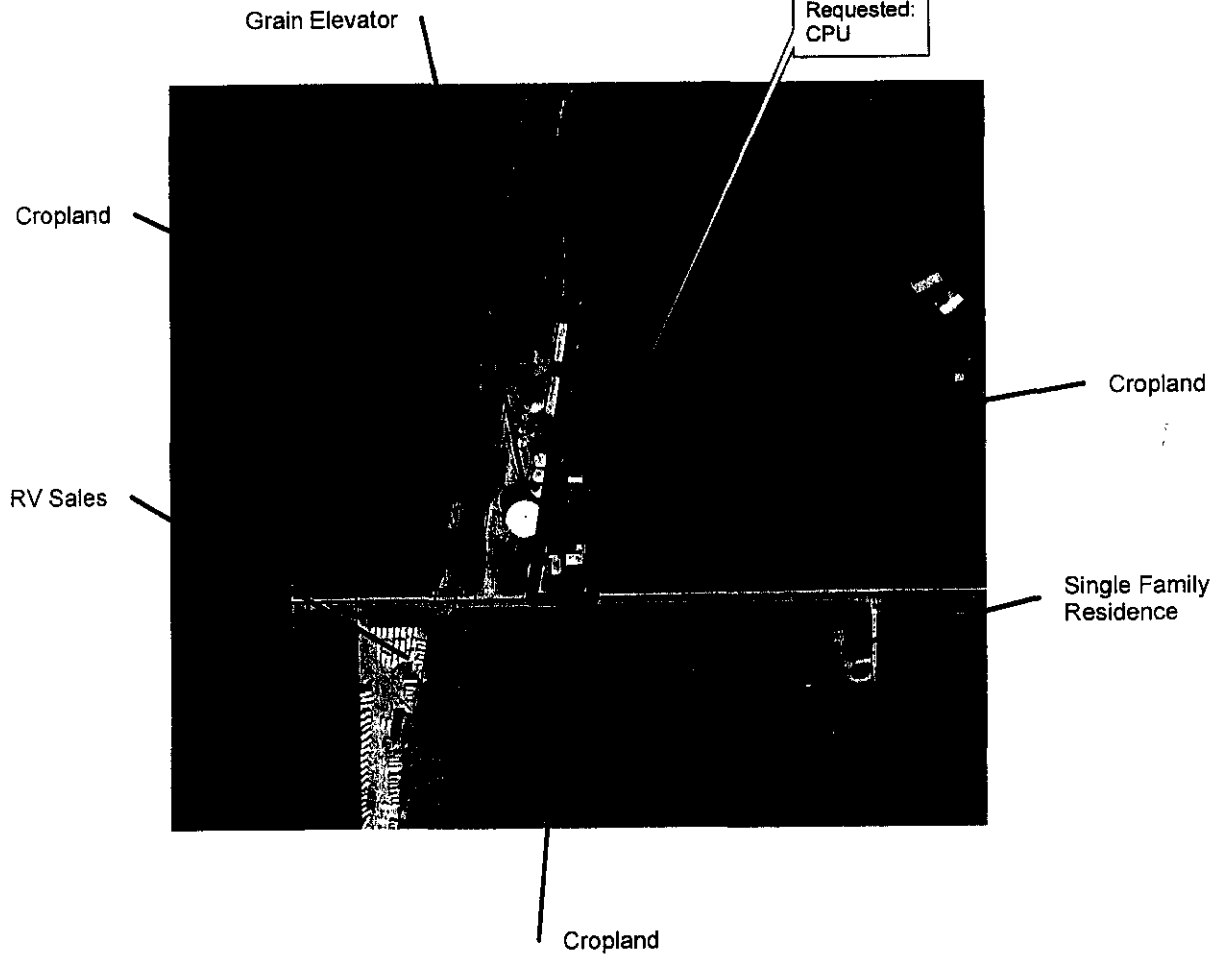


Would the proposed zoning be spot zoning? N/A

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval of the CPU to allow scales for an adjacent grain elevator as this is seen as an appropriate location.

County Zoning

Case# 2008-14

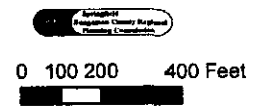


County Zoning

	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
FOR CONDITIONAL PERMITTED USES**

Case #: 2008-14

Address: 2148 W. State Rt. 29

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.

Yes, the subject property sits approximately 750 feet from the nearest residential structure and is adjacent to an existing grain elevator.

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

This appears to be the case. The petitioner states the new scales are an upgrade to replace the existing ones.

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

There is no foreseen impact.

- (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.

N/A

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

N/A

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

N/A

- (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.

N/A