

CASE # 2008-44
RESOLUTION NUMBER 10-1

GRANTING A USE VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
6030 LESTER ROAD, WILLIAMSVILLE
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:

See Exhibit A

WHEREAS, the Petitioner, **Jeremiah D. Smith.**, has petitioned the Sangamon County Board for a **use variance to allow the addition of truck and automotive repair in an accessory building;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **July 17, 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

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

FILED

AUG 01 2008

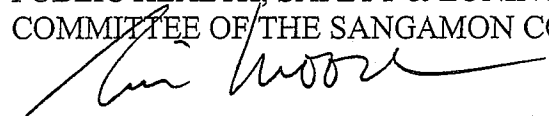
Joe Diello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12th day of August, 2008 that the request for a use variance to allow the addition of truck and automotive repair in an accessory building on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 12th day of August, 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

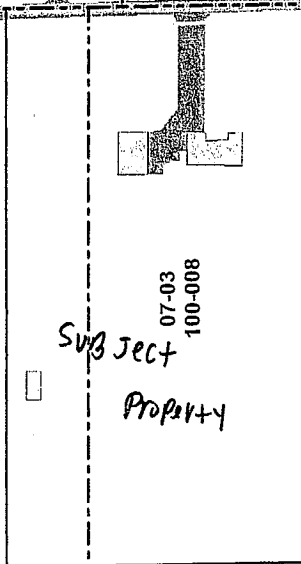
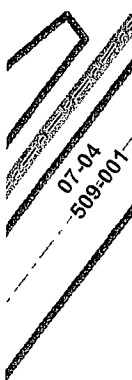
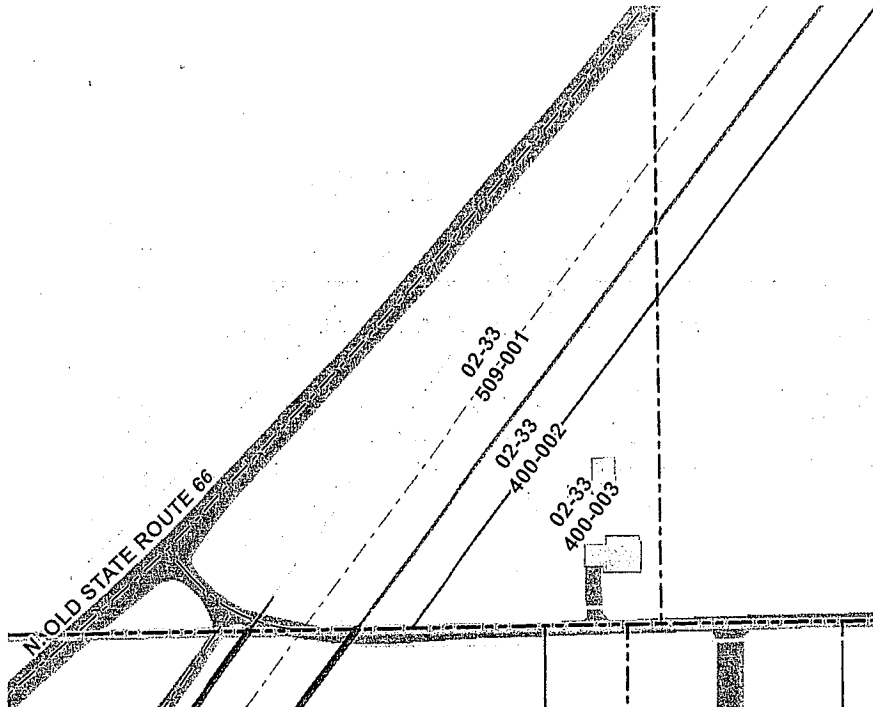
EXHIBIT A

Part of the Northwest Quarter of Section 3, and part of the Northeast Quarter of Section 4, all in Township 17 North, Range 4 West of the Third Principal Meridian, more particularly described as follows:

Beginning at the Northeast corner of the Northeast Quarter of the aforesaid Section 4; thence North 90 degrees 00 minutes 00 seconds West along the North line of said North Quarter, 93.75 feet; thence South 00 degrees 21 minutes 05 seconds West, 636.03 feet; thence South 90 degrees 00 minutes 00 seconds East, 342.44 feet; thence North 00 degrees 21 minutes 05 seconds East, 636.03 feet to the North line of the Northwest Quarter of the aforesaid Section 3; thence North 90 degrees 00 minutes 00 seconds West along said North line 248.69 feet to the point of beginning.

Situated in Sangamon County, Illinois.

6-4



2008-44 SMITH
 6030 Lester Rd
 07-03-100-008

07-04
 276-017

6-5

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #2 NAME: **Todd Smith**

DOCKET NUMBER: **2008-44**

ADDRESS: **6030 Lester Road, Williamsville, IL 62693**

PETITIONER: **Jeremiah D. Smith**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District**

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a use variance to allow the addition of truck and automotive repair in an accessory building**

AREA: **5 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION:

Recommend denial of the requested use variance to allow for a truck repair shop. There is a concern with increased traffic and noise a truck repair shop would have at this location. The standards for variation are not met and are meant to support a non-permitted use of a property when on other viable option is apparent.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval

RECORDING SECRETARY

6-6

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2008-44
Jeremiah D. Smith)	
)	PROPERTY LOCATED AT:
)	6030 Lester Road
)	Williamsville, IL 62693
)	

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 **July 17, 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 **6030 Lester Road, Williamsville, IL 62693** 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 a single family residence.
- 5. That the proposed land use of said property is an addition of truck repair in an accessory building.
- 6. That the requested use variance of said property is to allow the addition of truck and automotive repair in an accessory building.
- 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 **John Luchessi**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Marvin Traylor, John Luchessi**

NO:

ABSENT: **Judith Johnson**

RECORDING SECRETARY

6-8

EXHIBIT A

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Situated in Sangamon County, Illinois.

69

SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 6/2/08 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2008-44
 ADDRESS 6030 Lester Road
 Property Index # 07-03-100-008

PETITIONER Smith, Jeremiah D.

REQUESTED ZONING A Use Variance to allow for a truck repair shop.

PROPOSED LAND USE Addition of truck repair shop in an accessory building.

EXISTING:

ZONING A

LAND USE Single family residence

ROAD FRONTAGE Lester Rd. - 350' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence

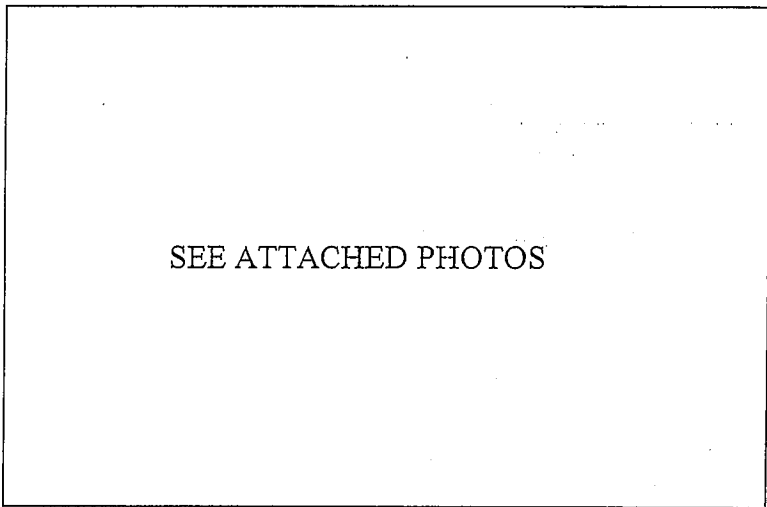
CONDITION OF STRUCTURE Good

LOT AREA 5 acres

FRONT YARD 134'

SIDE YARDS 63' / 190'

REAR YARD 445'



Would the proposed zoning be spot zoning? N/A

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend denial of the requested use variance to allow for a truck repair shop. There is a concern with increased traffic and noise a truck repair shop would have at this location. The standards for variation are not met and are meant to support a non-permitted use of a property when no other viable option is apparent.

6-10

Case #: 2008-44

Address: 6030 Lester Road



2008-44A 6030 Lester Road



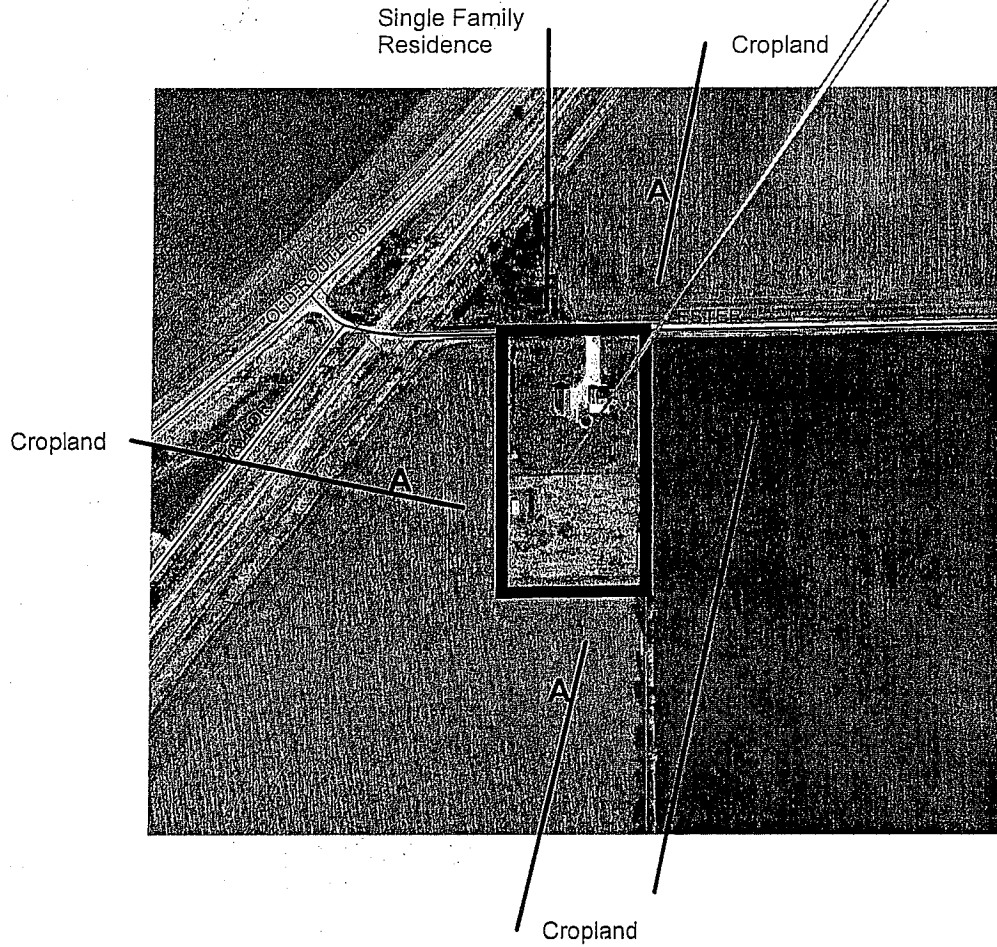
2008-44B

611

County Zoning

Case# 2008-44

Requested:
Use Variance



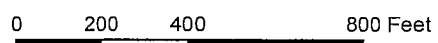
County Zoning

	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

SSCRPC Springfield Sangamon County Regional Planning Commission



RECOMMENDED STANDARDS FOR USE VARIATIONS

Case #: 2008-44

Address: 6030 Lester 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. There is no hardship in relation to the property.

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

The area has remained agricultural in character with some single family residences in the area.

- (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 by allowing a truck repair shop at this location. This standard is meant to support a non-permitted use of a property when no other viable option is apparent.

- (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 truck repair shop at this location due to increase traffic and noise, altering the general character of the area, and beginning of a precedent.