

CASE # 2008-19  
RESOLUTION NUMBER 2-1

**DENYING AN AMENDMENT AND VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**1736 S. CAMP BUTLER 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 **deny an amendment and variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**Lot 1, Angela's Subdivision.**

WHEREAS, the Petitioner, **James D. Trader**, has petitioned the Sangamon County Board for a **rezoning from "R-1" Single Family Residence to "B-3" General Business District and a variance to allow the lot depth to exceed 2 ½ times the lot width for two parcels to allow a trucking firm (truck parking) and a concrete contractor;** 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 **deny the amendment and variance;** and

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

**FILED**

MAY 02 2008

*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 May, 2008 that the request to rezone the above described property from "R-1" Single Family Residence to "B-3" General Business District with a variance to allow the lot depth to exceed 2 ½ times the lot width for two parcels to allow a trucking firm (truck parking) and a concrete contractor is hereby denied.

Signed and passed by the Sangamon County Board in session on this 13<sup>th</sup> day of May, 2008.

Respectfully submitted,

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

\_\_\_\_\_  
TIM MOORE, CHAIRMAN

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ABE FORSYTH, VICE CHAIRMAN

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

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

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

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

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

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

**ATTEST:**

*Joe Bello*  
\_\_\_\_\_  
SANGAMON COUNTY CLERK

*A. V. G. W.*  
\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: #9 NAME: Sarah Musgrave

DOCKET NUMBER: 2008-19

ADDRESS: 1736 S. Camp Butler Road, Springfield, IL 62707

PETITIONER: James D. Trader

PRESENT ZONING CLASSIFICATION: "R-1" Single Family Residence

REQUESTED ZONING CLASSIFICATION: "B-3" General Business District and a variance to allow the lot depth to exceed 2 1/2 times the lot width for two parcels to allow a trucking firm (truck parking) and a concrete contractor


AREA: 2.74 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: **Recommend denial of B-3 zoning. Such intensive commercial use is not appropriate as it is located among single family residences. Recommend denial of variance. The standards for variation are not met.**

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

  
\_\_\_\_\_  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2008-19</b>
<b>James D. Trader</b> )	)
)	PROPERTY LOCATED AT:
)	<b>1736 S. Camp Butler Road</b>
)	<b>Springfield, IL 62707</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 an **amendment and 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 **1736 S. Camp Butler Road, Springfield, IL 62707** and more particularly described as:

**Lot 1, Angela's Subdivision.**

- 3. That the present zoning of said property is **"R-1" Single Family Residence.**
- 4. That the present land use of said property is **a Greenhouse.**
- 5. That the proposed land use of said property is **Trucking firm and a concrete contractor.**
- 6. That the requested **rezoning and variance** of said **property is from "R-1" Single Family Residence to "B-3" General Business District and a variance to allow the lot depth to exceed 2 1/2 times the lot width for two parcels to allow a trucking firm (truck parking) and a concrete contractor.**
- 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 not** support the proposition that the adoption of the proposed **rezoning and variance** are 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 and variance** be **denied.**

Charles Chimento  
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 **denied** 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:

AD Armstrong  
RECORDING SECRETARY

2-4

1345.46

15-21-101-028

15-21-101-007

Subject

15-21-101-041

15-21-101-040

15-21-101-039

15-21-101-002

15-20-200-007

Propert

15-21-101-036

7068-19 TRADER

1736 S. Camp Butler Rd

15-21-101-030

15-21-101-021

OLD US 36

1345.47

15-21-101-027

15-21-101-026

15-21-101-013

15-21-101-016

15-21-101-014

15-21-101-002

15-21-151-014

**SSCRPC** Springfield Sangamon County Regional Planning Commission

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

SANGAMON COUNTY ZONING CASE # 2008-19  
 ADDRESS 1736 S. Camp Butler Road  
 Property Index # 15-21-101-040

PETITIONER Trader, James D.

REQUESTED ZONING B-3 with a variance to allow the lot depth to exceed 2 1/2 times the lot width for two parcels.

PROPOSED LAND USE Trucking firm (truck parking) on the south half of subject property and a concrete company on the north half of subject property.

EXISTING:

ZONING R-1

LAND USE Greenhouse

ROAD FRONTAGE S. Camp Butler Rd.-295' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Greenhouse

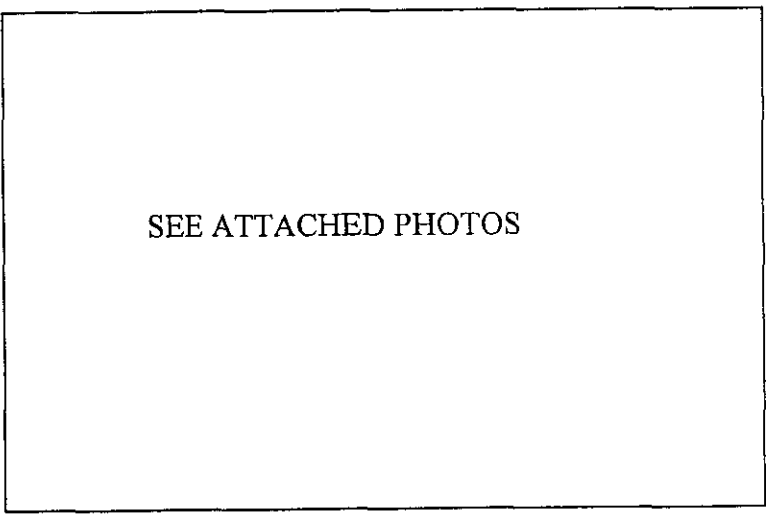
CONDITION OF STRUCTURE Poor

LOT AREA 2.74 acres

FRONT YARD 36'

SIDE YARDS 71' / 74'

REAR YARD 229'



Would the proposed zoning be spot zoning? No

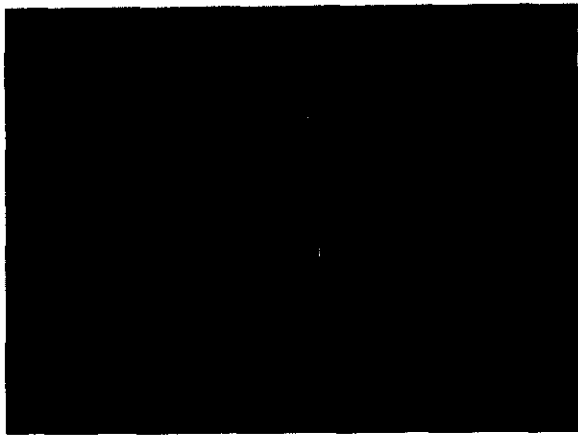
**PLANNING COMMISSION STAFF RECOMMENDATION: Recommend denial of B-3 zoning. Such intensive commercial use is not appropriate as it is located among single family residences. Recommend denial of the variance. The standards for variation are not met.**

Case #: 2008-19

Address: 1736 S. Camp Butler Road



1736 Camp Butler Road



South side of property



# County Zoning

## Case# 2008-19

Requested:  
B-3 with a  
Variance

Single Family  
Residence

Cemetery



Concrete  
Business

Cabinet  
Manufacturer

Heating & Cooling  
Contractor

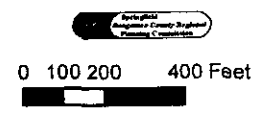
Single Family  
Residence

### 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



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**SANGAMON COUNTY  
RECOMMENDED - FINDINGS OF FACT**

Case #: **2008-19**

Address: **1736 S. Camp Butler Road**

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

**To the north is a single family residence. To the east is a concrete business, a cabinet manufacturer and a heating and cooling contractor, to the south is a single family residence and to the west is a cemetery.**

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

**To the north is agricultural zoning, to the east is B-3, to the southeast is B-3, to the south is R-2 and to the west is agricultural.**

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

**The subject property is located along a residential road and is suited to the current R-1 zoning.**

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

**The subject property was the result of a division of zoning case in 2002. The west half (subject property) was approved for rezoning to R-1 and the east half (property directly east of the subject property) was rezoned to B-3. Property directly south was rezoned to R-2 in 1972. Property directly southeast was rezoned to B-3 in 1988 and 2001.**

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**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2008-19**

Address: **1736 S. Camp Butler 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 subject property was created in 2002.**

- (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.**