

CASE #2024-010
RESOLUTION NUMBER 9-1

**TEXT AMENDMENT TO SANGAMON COUNTY ZONING ORDINANCE
AMENDING CHAPTER 17.70 AND 17.76 OF THE SANGAMON COUNTY ZONING
ORDINANCE RELATED TO FIREWORKS**

WHEREAS, the Sangamon County Board, pursuant to AN ACT IN RELATION TO COUNTY ZONING of the State of Illinois (Illinois Revised Statues 1967, Chapter 34, Paragraphs 3151 through 3162) adopted a zoning ordinance in April of 1969; and

WHEREAS, in order to make the regulations more effective, it is necessary from time to time to consider amendments that correct deficiencies or that relate to current development circumstances; and

WHEREAS, it is desirable to amend Chapter 17 of the Sangamon County Zoning Ordinance to include regulations related to Fireworks; and

WHEREAS, the Zoning Committee of the Sangamon County Board has reviewed the text amendment proposed in Exhibit A, and recommends approval; and

WHEREAS, in accordance with State Statutes, the Sangamon County Zoning Board of Appeals conducted a public hearing on **March 21, 2024** in order to seek public comment on the draft revision of the Zoning Ordinance; and

WHEREAS, the Sangamon County Zoning Board of Appeals recommended approval of the proposed text amendment to the Sangamon County Zoning Ordinance as Exhibit A attached hereto and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of Sangamon County, Illinois, in session assembled this **8th day of April, 2024** that the request to amend the text of the Sangamon County Zoning Ordinance as proposed in the attached Exhibit A is hereby approved.

Signed and passed by the Sangamon County Board in session on this **8th day of April, 2024**.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

FILED

MAR 29 2024


Sangamon County Clerk

EXHIBIT A

CHAPTER 17.70 FEES

17.70.010 Fee Schedule; Exceptions

- A. Any application for variation, amendment, or conditional permitted use for all uses of land or buildings except agricultural use of land or buildings shall be accompanied by a fee of two hundred fifty dollars (\$250.00) up to the first five (5) acres and five dollars (\$5.00) for each additional acre or portion thereof. Appeals shall be accompanied by a fee of two hundred fifty dollars (\$250.00). Each applicant will be responsible for the payment of the legal publication. This filing fee is non-refundable after publication except in cases where the board of appeals or planning commission determines that the hearing is not necessary. If petitioner does not appear at the scheduled hearing before the zoning board of appeals, the board in its discretion may decide the case, continue the case to a specific date, or deny the applicant's petition.
- B. An application for a certificate of compliance in the A agriculture districts and the R-1, R-2, R-3, and RM-4 manufactured home district shall be accompanied by a fee of fifty dollars (\$50.00) except that no fee shall be collected for agricultural uses of land as defined in this title. An application for a certificate of compliance in the O, B-1, B-2, B-3, I-1, and I-2 zoning districts shall be accompanied by a fee of one hundred dollars (\$100.00). In the event construction of any structure is commenced prior to inspection by the Zoning Administrator's Office, an additional fifty dollars (\$50.00) will automatically be assessed in the A, R-1, R-2, R-3, and RM-4 districts for a total of one hundred dollars (\$100.00), and in the O, B-1, B-2, B-3, I-1, and I-2 districts, an additional one hundred dollars (\$100.00) will be charged for a total of two hundred dollars (\$200.00).
- C. Applications for ~~the sale of Consumer Fireworks as a Consumer Distributor or Consumer Retailer~~ a temporary use permit for a fireworks stand shall be accompanied by a fee of ~~seven hundred fifty dollars (\$750.00)~~. Applications for a temporary use permit for a novelty fireworks stand shall be accompanied by a fee of one hundred dollars (\$100.00). Applications for all other temporary use permits shall be accompanied by a fee of fifty dollars (\$50.00).
- D. Administrative variances of ten percent (10%) or less shall be accompanied by a fee of one hundred dollars (\$100.00).
- E. An initial start-up application for a home occupation conducted in a dwelling unit shall be accompanied by a fee of fifty dollars (\$50.00). An annual renewal for each home occupation shall be accompanied by a fee of ten dollars (\$10.00).
- F. An initial start-up application for a home occupation which is conducted in whole or in part within any accessory structure, or which involves exterior storage of materials, shall be accompanied by a fee of two hundred and fifty dollars (\$250.00). An annual renewal for each home occupation shall be accompanied by a fee of one hundred dollars (\$100.00) and

up to three (3) unscheduled inspections per year.

- G. All fees shall be paid to Sangamon County Zoning Department. There shall be no such fee, however, in the case of applications filed in the public interest by members of the Sangamon County Board, or the Springfield-Sangamon County Regional Planning Commission.

CHAPTER 17.76 ADMINISTRATION AND ENFORCEMENT

17.76.030 Zoning Administrator; Powers and Duties Designated

- A. Examine and approve applications that conform with this title and issue zoning certificates for all use of land, buildings, and structures when the application conforms with the provisions of this title, except that for agricultural uses of the land, no such examination or permits shall be required. However, farm buildings shall conform with the front yard setback regulations of this title;
- B. Determine lot, bulk and parking requirements in specific instances;
- C. For industrial districts, receive certificates indicating compliance with the performance standards for I-1 or I-2 districts from an engineer registered with the state or scientific testing laboratory, approved by the county board;
- D. Keep records of and pertaining to the zoning ordinance including:
 - 1. All maps, amendments, conditional uses, variations, appeals and other pertinent data,
 - 2. All uses which do not conform with the use regulations of each district;
- E. Conduct inspection of buildings, structures, and uses of the land to determine compliance with this title;
- F. Receive, file and forward to the zoning board of appeals, the Springfield-Sangamon County regional planning commission and the zoning, planning, and subdivision committee of the Sangamon County board all petitions for amendments, variances, conditional permitted uses and appeals which are filed in the office of the zoning administrator. Petitions for land which have been divided or are proposed to be divided in violation of the State Plats Act and county subdivision regulations shall be returned to the petitioner with a directive noting the violations. Petitions which are in violation of the Plats Act shall not be placed on the docket of the zoning board of appeals until the violation has been resolved. All petitions shall have attached a location map illustrating the shape and dimensions of the property in question and a list of contiguous property owners and their addresses including owners across streets and alleys;
- G. Provide clerical and technical assistance as may be required by this title and the zoning board of appeals in the exercise of its duties. Interested parties may copy records at their own expense;

- H. File a report with the chairman of the zoning, planning, and subdivision committee of the Sangamon County board, and a copy to the chairman of the Sangamon county board relative to findings of the zoning administrator on all reports of zoning violations made to him by a citizen, a county employee or a county official;
- I. Provide and maintain a public information bureau relative to all matters arising out of this title and post all public notices called for in this title;
- J. Issue, upon the approval of the county zoning, planning, and subdivision committee of the Sangamon County board, permits regulating the erection and use of tents or other temporary structures for a stipulated period of time for special events, such as: temporary circus, carnival and church tents; Boy Scout and Girl Scout tents; seasonal fruit and vegetable stands; concrete batch plants, etc., but not including general merchandise sales unrelated to special events.
- K. Issue permits for the sale of Fireworks as a Consumer Distributor or Consumer Retailer in accordance with Chapter 8.12 of this Code. ~~Temporary use permits for fireworks stands shall be for ten (10) days only from June 25th through July 4th. However, stands may be physically placed on the property in advance of the ten days after approved by the public health, solid waste, and zoning committee.~~
 - 1. ~~If the permit holder or his agent violates any provision of the Sangamon County fireworks ordinance (Chapter 8.12 of the Sangamon County Code), or any provision of the Illinois Fireworks Use Act, then the permit holder shall not be issued another such permit for eighteen (18) months from the date of such violation; nor shall a temporary use permit for a fireworks stand be permitted on the same property for eighteen (18) months from the date of such violation.~~
- L. To inspect vehicles which may constitute an inoperable motor vehicle and upon direction by the zoning, planning, and subdivision committee of the county board, notify the person or persons to dispose of any inoperable motor vehicles under his or her control.

RECAP
(For County Board Use)

DOCKET NUMBER: 2024-010

ADDRESS: N/A

PETITIONER: **Zoning and Land Use Committee of the Sangamon County Board**

PRESENT ZONING CLASSIFICATION: N/A

REQUESTED ZONING CLASSIFICATION: N/A

AREA: N/A


COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: The proposed text amendment will bring the Sangamon County Zoning Ordinance into compliance with the Illinois State Statutes regarding fireworks.

Staff finds the ordinance meets the standards applicable to text amendments and recommends approval by the County Board after a public hearing and recommendation by the Zoning Board of Appeals.

**SANGAMON COUNTY ZONING BOARD OF APPEALS RECOMMENDATION:
Approval of Staff Recommendation.**


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS
SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: 2024-010
The Zoning and Land Use)
Committee of the Sangamon) PROPERTY LOCATED AT:
County Board) N/A
)
)
)

RECOMMENDATION OF THE ZONING 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 **text amendment** 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 21, 2024** 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 proposed changes are more particularly described in EXHIBIT A attached hereto and make a part hereof.
3. That required findings of the Sangamon County Zoning Board of Appeals are accurately stated on the attached exhibit (s).
4. The evidence adduced at the hearing **does** support the proposition that the adoption of the proposed **text amendment** 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 **text amendment** be **approved**.


CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **George Petrilli**, to concur with the findings and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **approved** which was duly seconded by **Richard Thompson**.

The vote of the Board was as follows:

YES: **Phil Sidles, Richard Thompson, Don Wulf, Anthony Mares, George Petrilli**

NO:

PRESENT:

ABSENT: **Charlie Chimento**


RECORDING SECRETARY