

CASE# 2012-037  
RESOLUTION NUMBER 2-1

**GRANTING A REZONING AND CONDITIONAL PERMITTED USE**  
FOR CERTAIN PROPERTY LOCATED AT  
**11380 DARNELL ROAD, MECHANICSBURG**  
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 **an amendment and a Conditional Permitted Use** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See **EXHIBIT A**

WHEREAS, the Petitioner, **Roy Herman**, has petitioned the Sangamon County Board for a **Conditional Permitted Use on proposed Lot 1 to allow a campground with a watchman's quarters, and a rezoning of proposed Lot 2 from "A" Agricultural District to "R-1" Single-Family Residence District;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **August 16, 2012** 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 rezoning and Conditional Permitted Use;** and

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

**FILED**  
AUG 22 2012  
*Gae Aiello*  
Sangamon County

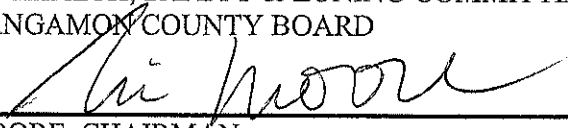
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NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 6<sup>th</sup> day of September, 2012 that the request for a Conditional Permitted Use on proposed Lot 1 to allow a campground with a watchman's quarters and a rezoning of proposed Lot 2 from "A" Agricultural District to "R-1" Single-Family Residence District on the above referenced parcel is hereby approved.

Signed and passed by the Sangamon County Board in session on this 6<sup>th</sup> day of September, 2012.

Respectfully submitted,

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



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

GREG STUMPF

JASON RATTTS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

**EXHIBIT A**

The North Three-Quarters of the Northeast Quarter of the Southwest Quarter of Section 4,  
Township 15 North, Range 3 West of the Third Principal Meridian.

Except all coal, minerals and mining rights heretofore conveyed or reserved of record.

Situated in the County of Sangamon, State of Illinois

**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: # 3                      NAME: David Mendenhall

DOCKET NUMBER: 2012-037

ADDRESS: 11380 Darnell Rd., Mechanicsburg, IL. 62545

PETITIONER: Roy Herman

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: A Conditional Permitted Use on proposed Lot 1 to allow a campground with a watchman's quarters, a rezoning of proposed Lot 2 from "A" Agricultural District to "R-1" Single-Family Residence District and a rezoning of Lot 3 from "A" Agricultural District to "B-3" General Business District.

**AMENDED:** Petitioner removed request to rezone proposed Parcel # 3 to B-3. Proposed Parcel # 3 will not be created and remain a part of Parcel # 1. Parcel # 2 is reduced to 2 acres and the request for R-1 on this parcel remains in the petition.

AREA: 30 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Approval of the requested Conditional Permitted Use to allow a campground and watchman's quarters on proposed Parcel # 1. The campground has been in existence for quite some time and is not seen to have a negative impact on the area and will be operated, designed and located so public health, safety and welfare will be protected. Staff recommends approval of the requested R-1 zoning for proposed Parcel # 2. The petitioner is seeking to construct a


single-family residence and this is in line with the trend of development in the area. No negative impact is anticipated in allowing a single-family residence at this location. Staff recommends denial of the requested B-3 zoning on proposed Parcel #3 to allow for a window replacement business as this is seen as spot zoning and too intense for the immediate area. Staff does not recommend that a use variance be granted for the proposed business as the petition did not include enough evidence regarding the hours and method of operation, number of employees, frequency and types of deliveries, and other information to determine the potential impact on the area.

**AMENDED:** Approval of the requested Conditional Permitted Use to allow a campground and watchman's quarters on proposed Parcel #1 which now contains proposed Parcel # 3 due to the petition being amended. The campground has been in existence for quite some time and is not seen to have a negative impact on the area and will be operated, designed and located so public health, safety and welfare will be protected. Recommend approval of the requested R-1 zoning for proposed Parcel # 2 which is now reduced to 2 acres. The petitioner is seeking to construct a single-family residence and this is in line with the trend of development in the area. No negative impact is anticipated in allowing a single-family residence at this location. The request for B-3 zoning on proposed Parcel # 3 was removed by the petitioner.

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SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

**Approval of the amendment and  
Conditional Permitted Use as  
amended on record.**

  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2012-037</b>
<b>Roy Herman</b> )	
)	PROPERTY LOCATED AT:
)	<b>11380 Darnell Rd.</b>
)	<b>Mechanicsburg, IL. 62545</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 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 **August 16, 2012** 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, contract to purchase, or is the County Board Member representing the property commonly known as: **11380 Darnell Rd., Mechanicsburg, IL.** and more particularly described as:

See **EXHIBIT A**

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- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is a **campground with watchman's quarters and a worship center.**
- 5. That the proposed land use of said property is a **campground with watchman's quarters, and a single-family residence.**
- 6. That the requested **amendment and Conditional Permitted Use** of said property are a **Conditional Permitted Use on proposed Lot 1 to allow a campground with a watchman's quarters, and a rezoning of proposed Lot 2 from "A" Agricultural District to "R-1" Single-Family Residence District.**
- 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 **amendment and Conditional Permitted Use** 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 **amendment and Conditional Permitted Use** be **granted.**

*Charles Chimento/ck*  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Don Wulf**, 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 as amended**, which was duly seconded by **John Lucchesi.**

The vote of the Board was as follows:

YES: **Charles Chimento, Judith Johnson, Don Wulf, John Lucchesi, Janet Dobrinsky**

NO:

ABSENT: **Byron Deaner, Peggy Egizii**

*Cyndi Knowlitz*  
RECORDING SECRETARY



SANGAMON COUNTY  
RECOMMENDED - FINDINGS OF FACT

Rezoning of Parcel #2 to R-1,

Case #: 2012-037

Address: 11380 Darnell Road, Mechanicsburg

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

To the north is cropland. To the east are single-family residences. To the south is timber. To the west is cropland and single-family residences.

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

The property is completely surrounded by agricultural zoning.

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

The Land Evaluation and Site Assessment score of 146 indicates the property is deemed acceptable for non-agricultural development.

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

The area has remained agriculturally stable with some single family residences built in the vicinity.

SANGAMON COUNTY - RECOMMENDED FINDINGS OF FACT  
FOR CONDITIONAL PERMITTED USES

To allow a campground and watchman's quarters on Parcel #1

Case #: 2012-037

Address: 11380 Darnell Road, Mechanicsburg

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.

**The campground and watchmen's quarters have been established for some time and have been designed and operated in the past without having any negative effect on the surrounding area.**

- (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.**

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

**No negative impact is anticipated.**

- (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**

RECOMMENDED STANDARDS FOR USE VARIATIONS

NOTE: These findings are no longer applicable because the petitioner removed the request from the petition.

Case #: 2012-037

Address: 11380 Darnell Road, Mechanicsburg

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 request is made in connection with a request of B-3 zoning for the proposed Parcel #3. The likelihood of using the property as cropland is unlikely, given the nature of the land use as it currently exists. It would not be economically feasible to return this parcel to cropland.**

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

**The area has remained agricultural in character with single-family residences built in the immediate vicinity.**

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

**There does not appear to be any evidence presented in the petition that states how the proposed window replacement business will benefit the community.**

- (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.

**More testimony should be presented at the hearing to fully evaluate this finding.**

# Site Plan for Petition as amended.

24-04  
300-014

House  
RV Hookups - 50  
RV Hookups - 50

Quiet time begins & check in time ends at 10pm

Check out time at 11 AM

24-04  
300-021

Lot 1

Caretaker

24-04  
300-005

