

CASE# 2014-047
RESOLUTION NUMBER 2-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
1823 CAMP LINCOLN 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 to **grant a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Roy F. Throop, Jr.**, has petitioned the Sangamon County Board for a **variance of section 17.62.030 to allow an off-premise sign**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **December 18, 2014** 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 variance**; and

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

FILED

DEC 29 2014

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13th Day of January, 2015 that the request for a variance of section 17.62.030 to allow an off-premise sign on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13th day of January, 2015.

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD

GREG STUMPF, CHAIRMAN

David Mendenhall

DAVID MENDENHALL, VICE CHAIRMAN

JOHN FULGENZI

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTTS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

The Southeast Quarter of Northwest Quarter of Northeast Quarter of Section 20, Township 16 North, Range 5 West of the Third Principal Meridian, containing 10 acres, more or less. Being also known as the North 2/3 of the East Half of Lot 3 of the Subdivision of the West Half of Northeast Quarter of said Section 20, as platted and surveyed by John B. Watson, Surveyor, in December 1841.

Excepting therefrom a tract legally described as follows: Part of the West Half of the Northeast Quarter of Section 20, Township 16 North, Range 5 West of the Third Principal Meridian, said part being further described as follows: Commencing at a stone at the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 20, thence North 89 degrees 18 minutes 41 seconds East 662.45 feet along the North line of said Northeast Quarter of section 20, thence South 0 degrees 06 minutes 57 seconds East 664.70 feet to the point of beginning, thence North 89 degrees 18 minutes 41 seconds East 660.12 feet, thence south 0 degrees 04 minutes 59 seconds West 100.23 feet, thence south 89 degrees 18 minutes 41 seconds West 185.10 feet to a point on a curve having a radius of 9,349.30 feet and its center located South 24 degrees 57 minutes 33 seconds East from said point, thence Southwesterly along the above-described curve 530.28 feet, thence North 0 degrees 06 minutes 57 seconds West 332.61 feet to the point of beginning. Containing 2.75 acres, more or less.

Also excepting a parcel of land in the Northeast Quarter of Section 20, Township 16 North, Range 5 West of the Third Principal Meridian Sangamon County, Illinois, the boundary of which is described as follows, to wit:

Commencing at the Northwest Corner of the Northeast Quarter of said Section 20, proceed on a local bearing North 89 degrees 18 minutes 41 seconds East 662.45 feet along the North line of said Northeast Quarter of Section 20; thence South 00 degrees 06 minutes 57 seconds East, 664.70 feet; thence North 89 degrees 18 minutes 41 seconds East, 660.12 feet; thence South 00 degrees 04 minutes 59 seconds West, 100.23 feet to the point of beginning; thence South 89 degrees 18 minutes 41 seconds West, 20.09 feet; thence South 13 degrees 37 minutes 47 seconds East, 84.74 feet; thence North 00 degrees 04 minutes 59 seconds East, 82.59 feet to the point of beginning, encompassing 0.020 acres more or less.

Situated in Sangamon County, Illinois

Excepting Part of Northwest Quarter of the Northeast Quarter of Section 20, Township 16 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, being more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 20; thence South 00 degrees 18 minutes 53 seconds West along the west line of the Northeast Quarter of the Northeast Quarter of said Section 20, a distance of 983.73 feet to the point of beginning.

2.4

From said point of beginning; thence continuing South 00 degrees 18 minutes 53 seconds West along said west line, a distance of 347.00 feet; thence North 89 degrees 40 minutes 28 seconds, West, a distance of 115.21 feet; thence North 00 degrees 18 minutes 53 seconds East, a distance of 347.00 feet; thence South 89 degrees 40 minutes 28 seconds East, a distance of 115.21 feet to the point of beginning, containing 0.918 acres (39,978 sq. ft.) more or less.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #17 NAME: John Fulgenzi

DOCKET NUMBER: 2014-047

ADDRESS: 1823 Camp Lincoln Road, Springfield, IL 62707

PETITIONER: Roy F. Throop, Jr.

PRESENT ZONING CLASSIFICATION: "B-3" General Business District with a Conditional Permitted Use for a tavern and a Conditional Permitted Use for a private outdoor recreation center.

REQUESTED ZONING CLASSIFICATION: "B-3" General Business District with a Conditional Permitted Use for a tavern, a Conditional Permitted Use for a private outdoor recreation center and a variance of section 17.62.030 to allow an off-premise sign.

AREA: 6.38 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval of the requested variance to allow one (1) new off-premise sign directing customers to a truck inspection business. The location of the sign next to a major thoroughfare for trucks (Veterans Parkway) and the low topography of the business indicate that one off-premise sign is appropriate at the subject property. The ordinance contemplates allowing one small off-premise sign on a property where the yield of placing the sign on the property being advertised is greatly reduced through extenuating circumstances, such as the low topography of the truck inspection business in this case. Staff recommends the sign meet all other bulk standards, be constructed outside the visibility triangle if placed near the entrance to the subject property, and have maximum size indicated on the petition. The standards of variation are met.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2014-047
Roy F. Throop, Jr.))
)	PROPERTY LOCATED AT:
)	1823 Camp Lincoln Road,
)	Springfield, IL 62707

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 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 **December 18, 2014** 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: **1823 Camp Lincoln Road, Springfield, IL 62707** and more particularly described as:

See Exhibit A

- 3. That the present zoning of said property is **“B-3” General Business District with a Conditional Permitted Use for a tavern and a Conditional Permitted Use for a private outdoor recreation center.**
- 4. That the present land use of said property is **The Gym of Springfield.**
- 5. That the proposed land use of said property is **The Gym of Springfield and an off-premise sign directing customers to a truck inspection business.**
- 6. That the requested **variance** of said property is of **section 17.62.030 to allow an off-premise sign.**
- 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 **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 **variance** be **approved**.

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**, which was duly seconded by **John Lucchesi**.

The vote of the Board was as follows:

YES: **Charles Chimento, Don Wulf, Merilyn Herbert, Andrew Spiro, & John Lucchesi**

NO:

PRESENT:

ABSENT: **Janet Dobrinsky**

Cyndi Knowles
RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2014-047

Address: 1823 Camp Lincoln Road, Springfield

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 purpose of the request is to allow the petitioner to construct an off-premise sign directing customers to a truck inspection business located approximately one thousand, two hundred (1,200) feet south of Veterans Parkway on Camp Lincoln Road. The zoning petition proposes a relatively small sign, i.e. less than four (4) feet by eight (8) feet or approximately thirty-two (32) square feet. If the variance for an off-premise sign is granted, then the need for a larger and taller sign designed to serve the principal customers of the truck inspection site is reduced. The subject property is currently a private gym (The Gym of Springfield) and is economically used. However, the ordinance contemplates allowing one small off-premise sign on a subject property where the yield of placing one small sign on the property being advertised is greatly reduced through extenuating circumstances, such as the low topography of the truck inspection business in this case.

- (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.

The topography of the truck inspection site is low, much of the property being in a floodplain. Placing the sign at an off-premise location will help keep it out of the floodplain, and decrease the height necessary for the primary customers of the site, i.e. truckers, to see the sign from the nearby major truck thoroughfare Veterans Parkway.

- (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 changes to the essential character of the area are anticipated by granting the variance for one sign. The proposed sign would be located near a major thoroughfare (Veterans Parkway). As long as the sign meets all applicable zoning bulk regulations, sits in a location that will not impair a driver's visibility triangle near the intersection of Veterans Parkway and Camp Lincoln Road, and is the size indicated in the petition or is less, no negative impact is expected. No evidence was presented in the petition to indicate how much truck traffic might be expected from placement of the sign.