

CASE# 2016-030
RESOLUTION NUMBER 3-1

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
2532 RIDGE AVENUE, 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 **grant a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

Lot Fifty-one (51) of Wanless' Capital Heights Addition to Springfield.

WHEREAS, the Petitioner, **Mid-Town Auto Mart, Inc.**, has petitioned the Sangamon County Board for a **variance to allow two (2) uses on one (1) parcel (convenience store with a drive-up window and auto service)**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **October 20, 2016** 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

OCT 28 2016

Don / May
Sangamon County Clerk


NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 9th Day of November, 2016 that the request for a variance to allow two (2) uses on one (1) parcel (convenience store with a drive-up window and auto service) on the above described property is hereby approved with the following conditions:

- (1) The eastern three (3) parking spaces located closest to the drive-up window shown on the site plan submitted with the petition are striped, signed for parallel parking and restricted to employees only;
- (2) The northern entrance onto Milton is closed with a permanent barrier as shown on the parking plan submitted with the petition prior to opening the drive-up window; and,
- (3) The parking space nearest the northwest corner of the convenience store as shown on the parking plan submitted with the petition is removed.

Signed and passed by the Sangamon County Board in session on this 9th day of November, 2016.

Respectfully submitted,

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



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTS

LINDA DOUGLAS WILLIAMS

ANNETTE FULGENZI

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 10 NAME: Jason Ratts

DOCKET NUMBER: 2016-030

ADDRESS: 2532 Ridge Avenue, Springfield, IL 62702

PETITIONER: Mid-Town Auto Mart, Inc.

PRESENT ZONING CLASSIFICATION: B-3 General Business District.

REQUESTED ZONING CLASSIFICATION: A variance to allow two (2) uses on one (1) parcel (convenience store with a drive up window and auto service).

AREA: 0.55 acres (approx.)

COMMENTS: None

OBJECTORS: Yes

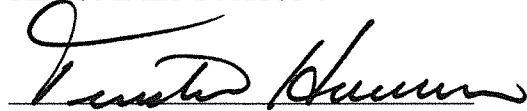
PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variance to allow two (2) principal uses (convenience store and auto service) including the drive up window. The subject property had a previous case (Zoning Case # 2016-023) heard at the July Zoning Board of Appeals meeting. Staff had concerns with the parking plan regarding traffic flow, negative traffic impacts (loss of parking), and stacking distance. The petitioner withdrew the request for Zoning Case # 2016-023 after the July meeting. The petitioner then filed a new case (Zoning Case # 2016-030) with a revised parking plan that indicates approximately 26 parking spaces (23 are required), a 95-foot stacking distance, and a partial one-way traffic flow from Milton through the drive up window with egress to Ridge Avenue. The northern access point onto Milton is now proposed for closure. The revised parking plan**

appears to address previous concerns with negative traffic impacts (loss of parking spaces) and stacking distance. Staff does continue to have some concerns regarding traffic flow on the site and potential vehicular conflicts; however, the revised parking plan appears to have less impacts than the previous plan. Therefore, staff recommends the following conditions: (1) the eastern three (3) parking spaces located closest to the drive up window shown on the site plan submitted with the petition are striped and signed for parallel parking and restricted to employees only; (2) the northern entrance onto Milton is closed with a permanent barrier as shown on the parking plan submitted with the petition prior to opening the drive up window; and, (3) the parking space nearest the northwest corner of the convenience store as shown on the parking plan submitted with the petition is removed to decrease the likelihood of vehicular conflicts with egress from the drive up window. The Standards for Variation are met.

SANGAMON COUNTY 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: 2016-030
Mid-Town Auto Mart, Inc.))
)	PROPERTY LOCATED AT:
)	2532 Ridge Avenue
)	Springfield, IL 62702

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 **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 **October 20, 2016** 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: **2532 Ridge Avenue, Springfield, IL** and more particularly described as:

Lot Fifty-one (51) of Wanless' Capital Heights Addition to Springfield.

- 3. That the present zoning of said property is **B-3 General Business District.**
- 4. That the present land use of said property is **automobile service in the west half of the building and convenience store in the east half.**
- 5. That the proposed land use of said property is **automobile service in the west half of the building and a convenience store with a drive-up window in the east half.**
- 6. That the requested **variance** of said property is **to allow two (2) uses on one (1) parcel (convenience store with a drive-up window and auto service).**
- 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 with the following conditions:**
 - (1) **The eastern three (3) parking spaces located closest to the drive up window shown on the site plan submitted with the petition are striped and signed for parallel parking and restricted to employees only;**
 - (2) **The northern entrance onto Milton is closed with a permanent barrier as shown on the parking plan submitted with the petition prior to opening the drive up window; and,**
 - (3) **The parking space nearest the northwest corner of the convenience store as shown on the parking plan submitted with the petition is removed.**

IT IS, THEREFORE, the recommendation of the Sangamon County Zoning Board of Appeals to the County Board of Sangamon County that the requested **variance** with the following conditions:

- (1) **The eastern three (3) parking spaces located closest to the drive up window shown on the site plan submitted with the petition are striped and signed for parallel parking and restricted to employees only;**
 - (2) **The northern entrance onto Milton is closed with a permanent barrier as shown on the parking plan submitted with the petition prior to opening the drive up window; and,**
 - (3) **The parking space nearest the northwest corner of the convenience store as shown on the parking plan submitted with the petition is removed.**
- be approved.


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, with the above noted conditions**, which was duly seconded by **Anthony Mares**.

The vote of the Board was as follows:

YES: **Charles Chimento, Anthony Mares, Don Wulf, Andrew Spiro, and Marilyn Herbert**

NO:

PRESENT: **Janet Dobrinsky**

ABSENT: **John Lucchesi**


RECORDING SECRETARY

RECOMMENDED STANDARDS FOR USE VARIATIONS

Case #: **2016-030**

Address: **2532 Ridge Avenue, Springfield**

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 parcel contains a large commercial building that has been accommodating two (2) separate uses for a number of years. Converting the building to one use would result in a hardship.

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

The eastern portion of the building was a retail bread store (Wonder Bread) and the western portion was used to service the delivery trucks prior to 2004. The proposed uses (convenience store with a drive up window and auto service garage) would have similar traffic and other impacts on the area and would be compatible with the trend of development at the intersection of a major collector street and a commercial thoroughfare.

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

To the extent there are few grocery stores in the area, the convenience store could fulfill a benefit to the community and provide necessities for nearby residents. Also, the auto service garage (with no body shop or spray painting) is a permitted use in B-3.

- (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.

To the extent the requested conditions are followed, traffic impacts from the proposed parking plan could be less than the previous plan. Negative impacts pertaining to the other factors are not anticipated.