

CASE# 2011-030
RESOLUTION NUMBER 441

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
2935 E. SANGAMON AVE., 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 conditional permitted use** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Richard C. Hollinshead, Level Three Property**, has petitioned the Sangamon County Board for a **conditional permitted use to allow for an auto body repair shop with spray painting**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **June 16, 2011** 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 conditional permitted use**; and

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

FILED

JUN 29 2011

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12th day of July, 2011 that the request for a conditional permitted use to allow for an auto body repair shop with spray painting with all work to be done inside and with all vehicles waiting to be worked on, stored within a properly screened fence on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 12th day of July, 2011.

Respectfully submitted,

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

Tim Moore by CK
TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

Exhibit A

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Part of Lots 3 and 18 and Part of the West 167.65 feet of Lot 4, all in Jones and Adams Coal Company Subdivision of part of the West Half of Section 13, Township 16 North, Range 5 West of the Third Principal Meridian, more particularly described as follows:

Beginning at the Southwest corner of said Lot 4; thence North 88 degrees 13 minutes 45 seconds West, 11.00 feet along the South line of said Lot 18; thence North 0 degrees 00 minutes 00 seconds East, 236.50 feet, parallel with the West line of said Lot 4; thence North 90 degrees 00 minutes 00 seconds East, 178.64 feet to the East line of the West 167.65 feet of said Lot 4; thence South 0 degrees 00 minutes 00 seconds West, 242.02 feet along said East line to the South line of said Lot 4; thence North 88 degrees 13 minutes 45 seconds West, 167.73 feet along said South line to the point of beginning, containing 0.981 acres, more or less.

Except

Commencing at a "P.K" nail at the Southeast corner of the Southwest Quarter of said Section 13; thence North 89 degrees 40 minutes 00 seconds West along the South line of said section 13 a distance of 807.21 feet; thence North 0 degrees 20 minutes 00 seconds East a distance of 23.00 feet to a point on the existing North right of way line of Sangamon Avenue, said point being the point of beginning; thence North 89 degrees 40 minutes 00 seconds West along said North right of way line and parallel with the South line of Section 13 a distance of 177.92 feet; thence North 1 degree 09 minutes 34 seconds West a distance of 11.95 feet; thence South 89 degrees 39 minutes 15 seconds East a distance of 7.47 feet; thence South 0 degrees 20 minutes 45 seconds West a distance of 5.00 feet; thence South 89 degrees 39 minutes 15 seconds East a distance of 13.00 feet; thence North 0 degrees 20 minutes 45 seconds East a distance of 5.00 feet; thence South 89 degrees 39 minutes 15 seconds East a distance of 157.45 feet; thence South 1 degree 09 minutes 34 seconds East a distance of 11.91 feet to the point of beginning, containing 2057 square feet, more or less.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #8 NAME: Jim Good

DOCKET NUMBER: 2011-030

ADDRESS: 2935 E. Sangamon Ave., Springfield, IL 62702

PETITIONER: Richard C. Hollinshead, Level Three Property.

PRESENT ZONING CLASSIFICATION: "I-2" General Industrial District.

REQUESTED ZONING CLASSIFICATION: "I-2" General Industrial District with a conditional permitted use to allow for an auto body repair shop with spray painting.

AREA: 86 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: Staff recommends approval of the requested Conditional Permitted Use to allow for an auto body repair shop with spray painting with the condition that all work be inside, as stated in the petition. Staff feels that testimony regarding the operation of the business and storage of cars should be addressed at the hearing as outside storage of cars could have a negative visual effect on the area.

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION: Approval of the Conditional Permitted Use to allow an auto body repair shop with spray painting, with all auto body repair work and spray painting to be done inside and all vehicles waiting to be worked on stored within a properly screened fence.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: **2011-030**
 Richard C. Hollinshead, Level Three Property))
)) PROPERTY LOCATED AT:
)) **2935 E. Sangamon Ave.,**
)) **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 **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 **June 16, 2011** 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: **2935 E. Sangamon Ave., Springfield, IL.** and more particularly described as:

See Exhibit A

- 3. That the present zoning of said property is "I-2" General Industrial District.
- 4. That the present land use of said property is a vacant industrial building.
- 5. That the proposed land use of said property is an auto body repair shop with spray painting.
- 6. That the requested conditional permitted use of said property is an auto body repair shop with spray painting.
- 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 conditional permitted use 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 conditional permitted use be approved with all work to be done inside and with all vehicles waiting to be worked on stored within a properly screened fence.

Charles Chimento/cx
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 approved for the conditional permitted use for a **autobody repair shop with spray painting with all work to be done inside and with all vehicles waiting to be worked on stored within a properly screened fence**, which was duly seconded by **John Luchessi**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Judith Johnson, Marvin Traylor**
John Luchessi

NO:

ABSENT: **Peggy Egizii**

Cyndi Knowles
RECORDING SECRETARY

**SANGAMON COUNTY - RECOMMENDED FINDINGS OF FACT
FOR CONDITIONAL PERMITTED USES**

Case #: 2011-030

Address: 2935 E. Sangamon Ave.

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.
This appears to be the case. The petition states that all work will be done inside.
- (ii) Is so proposed to be operated, designed and located so that the public health, safety, and welfare will be protected.
The property was originally classified Industrial and it sits among similar uses. The petition states that all activity will be conducted inside thus protecting public health, safety and welfare.
- (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 with the proposed use.
- (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