

**DENYING A VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**386 KOKE MILL RD, 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 **deny a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See **EXHIBIT A**

WHEREAS, the Petitioner, **Weihmeir Family Limited Partnership**, has petitioned the Sangamon County Board for a **variance of the existing Use Variance, granted February 8, 2011, to include additional inside storage of equipment for a commercial business;** and

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

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

**FILED**

OCT 31 2012

*Joe Aiello*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 18<sup>th</sup> day of October, 2012 that the request for a variance of the existing Use Variance, granted February 8, 2011, to include inside storage of equipment for a commercial business on the above described property is hereby denied.

Signed and passed by the Sangamon County Board in session on this 18<sup>th</sup> day of October, 2012.

Respectfully submitted,

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

*Tim Moore CK*

TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

GREG STUMPF

JASON RATTS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

**ATTEST:**

\_\_\_\_\_  
SANGAMON COUNTY CLERK

\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

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## Exhibit A

**Part of Lots 14 and 15 of the Lewis E. Wood Plat, a Subdivision of the South Half of the East Half of the Northeast Quarter and the North Three Quarters of the East Half of the Southeast Quarter of Section 36, Township 16 North, Range 6 West of the Third Principal Meridian, More Particularly Described as follows:**

**Beginning in the Northwest Corner of said Lot 15; Thence south 89 Degrees 16 Minutes 49 Seconds East, Along the North Line of Said Lot 15, a Distance of 375.50 Feet to the Northwest Corner of Woodcreek Estates, Second Addition; Thence South 0 Degrees 00 Minutes 35 Seconds West Along the West Line of Woodcreek Estates, Second Addition, a Distance of 330.00 Feet to a Point on the Southwest Corner of Woodcreek Estates, Second Addition, Said Point Also Being on the South Line of Said Lot 14; Thence 89 Degrees 16 Minutes 48 Seconds West Along the South Line of Said Lot 14 a Distance of 375.44 Feet to the Southwest Corner of Said Lot 14; Thence North 0 Degrees 00 Minutes 00 Seconds East Along the West Line of Lots 14 and 15, a Distance of 330.00 Feet to the Point of Beginning, Except the North 120.00 Feet Thereof. Also Except the South 100 Feet of the west 200 feet of Said Lot 14.**

**Except All Coal And Other Minerals, Underlying Said Lands, Together With The Right To Mine And Remove Same.**

**Situated in Sangamon County, Illinois.**

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**RECAP**

(For County Board Use)

COUNTY BOARD MEMBER: # 27                      NAME: Abe Forsyth

DOCKET NUMBER: 2012-045

ADDRESS: 386 Koke Mill Rd., Springfield, Illinois 62711

PETITIONER: Weihmeir Family LTD Partnership

PRESENT ZONING CLASSIFICATION: "A" Agricultural District with a Use Variance

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District and a Use Variance with a variance of the existing Use Variance, granted February 8, 2011, to include inside storage of equipment for a commercial business.

AREA: 1.37 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: **Recommend denial of the requested variance to allow for additional storage for another commercial business. In 2011, the property was granted a use variance to allow a real estate and rental business with storage related to the rental business and a variance to allow two principal uses (a single-family residence and a real estate/rental business) on one parcel. Allowing another business to use the property for storage purposes is not seen as appropriate as the standards for variation have not been met. There do not appear to be any unique circumstances related to the property and there is a concern with the amount of traffic generated if a third use is permitted on the subject parcel.**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

**Denial of the variance.**

Cyndi Knowles  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2012-045</b>
<b>Weihmeir Family LTD Partnership</b> )	
)	PROPERTY LOCATED AT:
)	<b>386 Koke Mill Rd.</b>
)	<b>Springfield, IL. 62711</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 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 18, 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: **386 Koke Mill Rd., Springfield, IL. 62711** and more particularly described as:

See **EXHIBIT A**

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- 3. That the present zoning of said property is "A" Agricultural District with a Use Variance.
- 4. That the present land use of said property is a real estate and rental business with storage related to the rental business and an apartment above the first floor.
- 5. That the proposed land use of said property is a real estate and rental business with storage related to the rental business, an apartment above the first floor and additional inside storage of equipment for a commercial business.
- 6. That the requested variance of said property is to allow for additional inside storage for a commercial business.
- 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 not 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 denied.

*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 **denied**, which was duly seconded by **Peggy Egizii**.

The vote of the Board was as follows:

YES: **Don Wulf, Peggy Egizii, Charles Chimento, Judith Johnson, John Lucchesi**

NO:

ABSENT: **Byron Deaner**

*Cyndi Knowles*  
RECORDING SECRETARY