

CASE# 2014-042
RESOLUTION NUMBER 4-1

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
1735 SOUTH CAMP BUTLER 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 **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, **Butler Cemeteries, LLC d/b/a Roselawn Memorial Park**, has petitioned the Sangamon County Board for a **Conditional Permitted Use to allow the installation and operation of a crematory facility for deceased companion animals (pets) at the existing Roselawn Memorial Park site;** and

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

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

FILED

OCT 29 2014

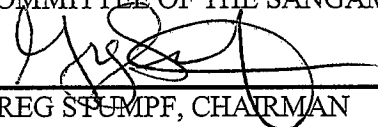
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12th day of November, 2014 that the request for a Conditional Permitted Use to allow the installation and operation of a crematory facility for deceased companion animals (pets) on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 12th day of November, 2014.

Respectfully submitted,

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



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

JOHN FULGENZI

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

PART OF LOTS 1 AND 13 OF THE ESTATE OF ALGERNON FARR AS RECORDED IN BOOK 1, PAGE 178, SANGAMON COUNTY RECORDER OF DEEDS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 OF SAID ESTATE OF ALGERNON FARR, ALSO BEING THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 16 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS; THENCE SOUTH 01 DEGREES 04 MINUTES 20 SECONDS EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 59.78 FEET; THENCE SOUTH 88 DEGREES 55 MINUTES 40 SECONDS WEST, 148.72 FEET TO A POINT ON THE EXISTING WEST RIGHT-OF-WAY LINE OF SOUTH CAMP BUTLER ROAD AND THE POINT OF BEGINNING; THENCE 219.75 FEET ALONG SAID RIGHT-OF-WAY LINE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 220.00 FEET, WHOSE CHORD BEARDS SOUTH 29 DEGREES 52 MINUTES 03 SECONDS EAST, 210.73 FEET; THENCE SOUTH 01 DEGREES 16 MINUTES 52 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE, 2426.87 FEET TO A POINT ON THE EXISTING NORTH RIGHT-OF-WAY LINE OF RIDGELY ROAD THENCE SOUTH 89 DEGREES 15 MINUTES 42 SECONDS WEST ALONG SAID RIGHT-OF-WAY LINE, 1988.48 FEET; THENCE NORTH 00 DEGREES 25 MINUTES 59 SECONDS WEST, 374.26 FEET; THENCE NORTH 87 DEGREES 39 MINUTES 51 SECONDS EAST, 292.23 FEET, THENCE NORTH 00 DEGREES 05 MINUTES 36 SECONDS WEST, 264.25 FEET; THENCE NORTH 16 DEGREES 07 MINUTES 37 SECONDS EAST, 87.95 FEET; THENCE NORTH 33 DEGREES 58 MINUTES 57 SECONDS EAST, 110.33 FEET; THENCE NORTH 52 DEGREES 18 MINUTES 52 SECONDS EAST, 58.59 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 33 SECONDS EAST, 162.82 FEET; THENCE NORTH 02 DEGREES 16 MINUTES 32 SECONDS WEST, 479.77 FEET; THENCE NORTH 45 DEGREES 05 MINUTES 18 SECONDS EAST, 105.38 FEET; THENCE NORTH 10 DEGREES 34 MINUTES 03 SECONDS WEST, 112.76 FEET; THENCE SOUTH 80 DEGREES 05 MINUTES 16 SECONDS EAST, 252.30 FEET; THENCE 219.91 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 90.00 FEET, WHOSE CHORD BEARS NORTH 30 DEGREES 30 MINUTES 47 SECONDS EAST, 169.14 FEET; THENCE NORTH 38 DEGREES 38 MINUTES 38 SECONDS WEST, 364.32 FEET; THENCE NORTH 59 DEGREES 23 MINUTES 59 SECONDS WEST, 227.44 FEET; THENCE NORTH 77 DEGREES 40 MINUTES 35 SECONDS EAST, 431.33 FEET; THENCE SOUTH 68 DEGREES 21 MINUTES 25 SECONDS EAST, 243.05 FEET; THENCE SOUTH 52 DEGREES 22 MINUTES 39 SECONDS EAST, 260.53 FEET; THENCE NORTH 46 DEGREES 54 MINUTES 17 SECONDS EAST, 194.65 FEET; THENCE NORTH 76 DEGREES 40 MINUTES 28 SECONDS EAST, 252.47 FEET; THENCE NORTH 03 DEGREES 42 MINUTES 41 SECONDS EAST, 450.34 FEET; THENCE NORTH 13 DEGREES 04 MINUTES 52 SECONDS EAST, 125.75 FEET TO THE POINT OF BEGINNING. CONTAINING 70.953 ACRES, MORE OR LESS.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #9 NAME: Sarah Musgrave

DOCKET NUMBER: 2014-042

ADDRESS: 1735 South Camp Butler Road, Springfield, IL 62703

PETITIONER: Butler Cemeteries, LLC d/b/a Roselawn Memorial Park

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a Conditional Permitted Use to allow the installation and operation of a crematory facility for deceased companion animals (pets) at the existing Roselawn Memorial Park site.

AREA: 70.95 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION
RECOMMENDATION:

Recommend approval of the requested Conditional Permitted Use to allow the installation and operation of a pet crematory at the existing cemetery. There do not appear to be any anticipated adverse effects on the surrounding properties as the proposed location for the crematory is on the southwest side of the existing 70-acre parcel and will be in a secluded area from the rest of the cemetery. The petition states the crematory will operate under Illinois Environmental Protection Agency permitting requirements and, as such, the public health, safety and welfare will be protected with the proposed crematory within the cemetery.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval

Cyndi Knowles
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2014-042
Butler Cemeteries, LLC)	
d/b/a Roselawn Memorial Park)	PROPERTY LOCATED AT:
)	1735 South Camp Butler Road
)	Springfield, IL 62703

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 **October 16, 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: **1735 South Camp Butler Road, Springfield, IL 62703** and more particularly described as:

See Exhibit A

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is Roselawn Memorial Park.
- 5. That the proposed land use of said property is Roselawn Memorial Park with the addition of a crematory facility for deceased companion animals (pets).
- 6. That the requested Conditional Permitted Use of said property is to allow the installation and operation of a crematory facility for deceased companion animals (pets) at the existing Roselawn Memorial Park site.
- 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 for a crematory facility for deceased companion animals (pets) 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 Andrew Spiro.

The vote of the Board was as follows:

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

NO:

PRESENT: Janet Dobrinsky

ABSENT:

Cyndi Knowles
RECORDING SECRETARY

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

Case #: 2014-042

Address: 1735 S. Camp Butler Road, Springfield

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 proposed location of the pet crematory is on the southwest side of the property in a secluded area from the rest of the cemetery.

- (ii) Is so proposed to be operated, designed and located so that the public health, safety, and welfare will be protected.

Yes. The petition states that the proposed crematory will be operated under Illinois EPA permitting requirements.

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

No 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