

CASE# 2017-043
RESOLUTION NUMBER 4-1

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
4151 W. JEFFERSON, 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 the variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioners, **Dennis & Theresa Ryan**, have petitioned the Sangamon County Board for **a variance to allow three (3) uses on one (1) parcel (electrical contractor and 2 additional spaces for rental), and a variance to allow two (2) signs with zero (0) feet front yard setback instead of the required ten (10) feet; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **September 21, 2017** 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 variances;** and,

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

FILED

SEP 22 2017

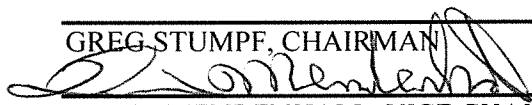

Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **10th Day of October, 2017** that the requests for a variance to allow three (3) uses on one (1) parcel (electrical contractor and 2 additional spaces for rental), and a variance to allow two (2) signs with zero (0) feet front yard setback instead of the required ten (10) feet on the above described property are hereby approved.

Signed and passed by the Sangamon County Board in session on this **10th day of October, 2017.**

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

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

The property at 4151 West Jefferson Street, Springfield IL 62707 is in Sangamon County, State of Illinois the legal description is below:

Part of the Northeast Quarter of the Southeast Quarter of Section 23, Township 16 North, Range 6 West of the Third Principal Meridian, described as follows:

From the Northeast corner of the Northeast Quarter of the Southeast Quarter of said Section 23, South on the section line 465.10 feet to a point on the Northerly right of way line of the Beardstown Road, Illinois Route 125; thence Deflecting to the right 106 degrees 41 minutes 00 seconds, a distance of 370.83 feet to the point of beginning; thence continuing on said deflection 576.38 feet; thence North 156.42 feet parallel to the aforesaid Section line, to the aforesaid Railroad right of way line; thence Easterly on said right of way line 551.96 feet; thence South parallel to aforesaid Section line 316.46 feet to the point of beginning, and all of the right of way of the Baltimore and Ohio Railroad Company lying North of and adjacent thereto.

Also, all of the right of way of the Baltimore and Ohio Railroad Company lying North of and adjacent to the following described tract:

Part of the Northeast Quarter of the Southeast Quarter of Section 23, Township 16 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois, as described as follows:

Beginning at a point on the South right of way line of the Baltimore and Ohio Southwestern Railroad and 45.80 feet South of the Northeast corner of aforesaid Quarter Quarter Section; thence South on the East line of aforesaid Quarter Quarter Section, a distance of 419.30 feet to a point on the Northerly right of way line of the Beardstown Road, Illinois Route 125; deflecting to the right 106 degrees 41 minutes 00 seconds, a distance of 370.83 feet; thence North 316.46 feet parallel to the aforesaid Section line, to the aforesaid Railroad right of way line; thence Easterly on said right of way line 355.24 feet to the point of beginning.

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: #1 NAME: Tom Fraase, Jr.

DOCKET NUMBER: 2017-043

ADDRESS: 4151 W. Jefferson, Springfield, IL 62707

PETITIONER: Dennis & Theresa Ryan

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

REQUESTED ZONING CLASSIFICATION: A variance to allow three (3) uses on one (1) parcel (electrical contractor and 2 additional spaces for rental), and a variance to allow two (2) signs with zero (0) feet front yard setback instead of the required ten (10) feet.

AREA: 4.11 acres

COMMENTS: None

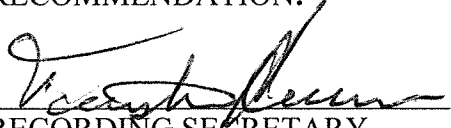
OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval. The previous owner added onto the building several times making it 13,000 square feet, which creates a challenge for future owners to utilize the entire building unless they are allowed to divide the building for multiple uses. The building is configured so that three uses within the building could appear like a strip development with natural divides between the proposed area for the electrical contractor, the show room, and the office space. The previous owner placed the signs at the current location and the new owner proposes to use the existing sign structure. Requiring the signs to be relocated may pose a financial hardship. The property directly to the east was granted sign variances in 2014 to allow signs to be placed 0 feet from the state right-of-way. As such, granting variances would be

consistent with conditions on nearby properties. 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: 2017-043
Dennis & Theresa Ryan)	
)	PROPERTY LOCATED AT:
)	4151 W. Jefferson
)	Springfield, IL 62707

RECOMMENDATION OF THE BOARD OF APPEALS

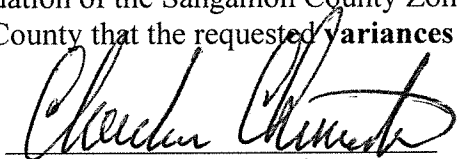
THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for **variances** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner (s); that legal publication has been made pursuant to law; and that a public hearing was held on **September 21, 2017** 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: **4151 W. Jefferson, Springfield, IL 62707** 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 **an electrical contractor.**
- 5. That the proposed land use of said property is **an electrical contractor and two (2) additional uses.**
- 6. That the requested **variances** of said property are **for a variance to allow three (3) uses on one (1) parcel (electrical contractor and 2 additional spaces for rental), and a variance to allow two (2) signs with zero (0) feet front yard setback instead of the required ten (10) feet.**
- 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 **variances** 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 **variances** be **approved.**


 CHAIRMAN *TC*

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Andrew Spiro**, 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 **Larry Beaty**.

The vote of the Board was as follows:

YES: **Charles Chimento, Tony Mares, Andrew Spiro, JD Sudeth, Larry Beaty**

NO:

PRESENT:

ABSENT: **Don Wulf**


RECORDING SECRETARY

**RECOMMENDED STANDARDS FOR USE VARIATIONS
(THREE USES ON ONE PARCEL: ELECTRICAL CONTRACTOR & 2
ADDITIONAL SPACES FOR RENTAL)**

Case #: 2017-043

Address: 4151 West Jefferson Street, 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 previous owner added onto the building several times making it 13,000 square feet, which creates a challenge for future owners to utilize the entire building unless they are allowed to divide the building for multiple uses. The building is configured so that three uses within the building could appear like a strip development with natural divides between the proposed area for the electrical contractor, the show room, and the office space.

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

The surrounding parcels to the west and east of the subject property both contain multiple uses. In 2014, the property to the east was granted a variance to allow four uses on the property.

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

Industrial areas could expect to have multiple businesses on a property. The I-2 zoning will support a wide range of uses on the subject property and to the extent the other uses are essential industrial uses, will be in harmony with the intent of the Zoning Ordinance.

- (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.

Negative impacts are not anticipated in granting the requested variance.

4-11

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2017-043**

Address: **4151 West Jefferson Street, 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 previous owner placed the signs at the current location and the new owner proposes to use the existing sign structure. Requiring the signs to be relocated may pose a financial hardship. The property directly to the east was granted sign variances in 2014 to allow signs to be placed 0 feet from the state right-of-way. As such, granting variances would be consistent with conditions on nearby properties.

- (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 previous owner of the property placed the signs at the current locations, and the petitioner is planning to utilize these sign structure locations for the new proposed uses on the subject property.

- (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.

The property directly to the east was granted sign variances to allow signs to be placed 0 feet from the state right-of-way, so the petitioner's variance request follows the character of the area. Negative impacts are not anticipated in granting the requested variance.