

CASE# 2017-046  
RESOLUTION NUMBER 4-1

**GRANTING A VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**3220 STANTON STREET, 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:

**See Exhibit A**

WHEREAS, the Petitioner, **Victoria Nwaobasi**, has petitioned the Sangamon County Board for a **variance to allow for multiple uses in a mall setting**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **October 19, 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 variance**; and,

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

**FILED**

OCT 25 2017

*Don J. Hays*  
SANGAMON COUNTY CLERK

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 14<sup>th</sup> Day of November, 2017 that the request for a variance to allow for multiple uses in a mall setting on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 14<sup>th</sup> day of November, 2017.

Respectfully submitted,

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

  
\_\_\_\_\_  
GREG STUMPF, CHAIRMAN

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DAVID MENDENHALL, VICE CHAIRMAN

\_\_\_\_\_  
CRAIG HALL

\_\_\_\_\_  
SAM SNELL

\_\_\_\_\_  
ABE FORSYTH

\_\_\_\_\_  
JASON RATTIS

\_\_\_\_\_  
LINDA DOUGLAS WILLIAMS

\_\_\_\_\_  
ANNETTE FULGENZI

\_\_\_\_\_  
LINDA FULGENZI

\_\_\_\_\_  
LISA HILLS

\_\_\_\_\_  
MIKE SULLIVAN

\_\_\_\_\_  
ROSE RUZIC

**ATTEST:**

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

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

**EXHIBIT A**

Lot "A" in Southlawn, Fifth Plat, a Subdivision of part of the Northwest Quarter of the Northwest Quarter of Section 14, Township 15 North, Range 5 West of the Third Principal Meridian, except that part of Lot "A" bounded as follows:

Beginning at the Northwest corner of said Lot "A" measure thence East on the North line of said Lot "A" a distance of 131 feet; thence South parallel to the East line of Stanton Street in said Subdivision a distance of 100 feet; thence West parallel to the North line of said Lot, 131 feet to the East line of said Stanton Street, thence North 100 feet to the place of beginning.

Except the coal and other minerals underlying the surface of said land and all rights and easements in favor of the estate of said coal and minerals.

Situated in Sangamon County, State of Illinois.

**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: #14                      NAME: **Joel Tjelmeland, Jr.**

DOCKET NUMBER: **2017-046**

ADDRESS: **3220 Stanton Street, Springfield, IL 62703**

PETITIONER: **Victoria Nwaobasi**

PRESENT ZONING CLASSIFICATION: **“B-2” Retail Business District.**

REQUESTED ZONING CLASSIFICATION: **A variance to allow for multiple uses in a mall setting.**

AREA: **. 3.2 acres**

COMMENTS: **None**

OBJECTORS: **Yes**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The building is a large vacant commercial space (approximately 40,000 square feet) formerly used as a bowling alley. The previous use and large size make it difficult to repurpose without some zoning relief. The building was closed for approximately three years prior to its purchase by the current owner. This constitutes a hardship since the property’s owners have had some difficulty attracting a single client for the property, despite its B-2 zoning along an arterial roadway with high traffic counts.**

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: **2017-046**  
**Victoria Nwaobasi** )  
)  
) PROPERTY LOCATED AT:  
) **3220 Stanton Street**  
) **Springfield, IL 62703**

RECOMMENDATION OF THE BOARD OF APPEALS

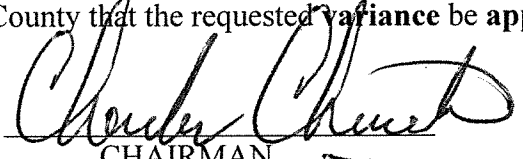
THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for a **variance** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner (s); that legal publication has been made pursuant to law; and that a public hearing was held on **October 19, 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: **3220 Stanton Street, Springfield, IL 62703** and more particularly described as:

**See Exhibit A**

- 3. That the present zoning of said property is **“B-2” Retail Business District.**
- 4. That the present land use of said property is **a vacant commercial building.**
- 5. That the proposed land use of said property is **a multi-tenant commercial building.**
- 6. That the requested **variance** of said property is **a variance to allow for multiple uses in a mall setting.**
- 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** 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 **approved.**

  
 CHAIRMAN  
 TC

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 **Tony Mares**.

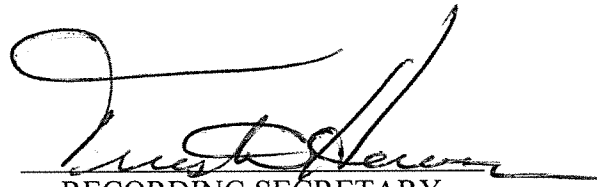
The vote of the Board was as follows:

YES: **Charles Chimento, Don Wulf, Andrew Spiro, Gina Lathan, Tony Mares**

NO:

PRESENT:

ABSENT:



RECORDING SECRETARY

## RECOMMENDED STANDARDS FOR USE VARIATIONS

Case #: 2017-046

Address: 3220 Stanton Avenue

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 building is a large vacant commercial space (approximately 40,000 square feet) formerly used as a bowling alley. The previous use and large size make it difficult to repurpose without some zoning relief. The building was closed for approximately three years prior to its purchase by the current owner. This constitutes a hardship since the property's owners have had some difficulty attracting a single client for the property, despite its B-2 zoning along an arterial roadway with high traffic counts.**

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

**The requested action will continue the trend of development in the area. There is a multi-tenant commercial building immediately west across Stanton Street.**

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

**Part of the purpose articulated for the B-2 district is to: "provide a wide range of retail sales and service uses." The building plan with the petition indicates that all retail, which would be in harmony with the purpose of the B-2 district cited above.**

- (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.

**There is adequate parking to meet the retail plan proposed in the site plan attached to the petition. Negative impacts pertaining to the other factors are not anticipated.**