

CASE# 2018-042 4.1
RESOLUTION NUMBER _____

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

See Exhibit A

WHEREAS, the Petitioner, **450 Partners INC.**, has petitioned the Sangamon County Board for a **variance to allow multiple uses on one (1) parcel and a variance to allow a “B-3” General Business District Conditional Permitted Use (CPU) for a tavern (limited to 540 square feet) in an “I-1” Restricted Industrial District;** and,

WHEREAS, a public hearing was held at the Sangamon County Building on **September 20, 2018** 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 26 2018

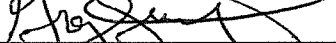
D. J. King
SANGAMON COUNTY CLERK

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **9th Day of October, 2018** that the requests for a variance to allow multiple uses on one (1) parcel and a variance to allow a “B-3” General Business District Conditional Permitted Use (CPU) for a tavern (limited to 540 square feet) in an “I-1” Restricted Industrial District on the above described property are hereby approved.

Signed and passed by the Sangamon County Board in session on this **9th day of October, 2018.**

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 RATTIS

LINDA DOUGLAS WILLIAMS

ANNETTE FULGENZI

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

UNIT 3 OF "MARRIOTT'S NORTH STREET CONDOMINIUM" ACCORDING TO THE DECLARATION OF CONDOMINIUM OWNERSHIP RECORDED OCTOBER 31, 1990 AS DOCUMENT NUMBER 90J028560, AND AS DELINEATED ON THE SURVEY OF SAID "MARRIOTT'S NORTH STREET CONDOMINIUM" ATTACHED THERETO AND FILED IN CABINET #F-88, TOGETHER WITH A 33 1/3 % INTEREST IN THE COMMON ELEMENTS AS SET FORTH IN SAID DECLARATION. SAID UNIT 3 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF LOT 5 IN LOOSE ESTATE SUBDIVISION BEING PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 15 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

FROM A POINT ON THE QUARTER SECTION LINE 740.19 FEET NORTH OF THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 9, SOUTH 77 DEGREES 54 MINUTES 00 SECONDS WEST, 251.09 FEET; THENCE NORTH 01 DEGREES 00 MINUTES 43 SECONDS EAST, 160.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 59 MINUTES 17 SECONDS WEST, 100.00 FEET; THENCE NORTH 01 DEGREES 00 MINUTES 43 SECONDS EAST, 243.03 FEET; THENCE ON A CURVE TO THE LEFT OF RADIUS 8039.81 FEET, A CHORD DISTANCE OF 110.93 FEET; THENCE SOUTH 01 DEGREES 00 MINUTES 43 SECONDS WEST, 292.42 FEET TO THE POINT OF BEGINNING.

PARCEL NUMBER: 22-09.0-179-061

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #21 NAME: Clyde Bunch

DOCKET NUMBER: 2018-042

ADDRESS: 450 North Street, Springfield, IL 62704

PETITIONER: 450 Partners INC.

PRESENT ZONING CLASSIFICATION: "I-1" Restricted Industrial District.

REQUESTED ZONING CLASSIFICATION: A variance to allow multiple uses on one (1) parcel, and a variance to allow a "B-3" General Business District Conditional Permitted Use (CPU) for a tavern (limited to 540 square feet) in an "I-1" Restricted Industrial District.

AREA: 0.6 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: Recommend approval limiting the tavern to the 540 square feet described in the petition. The subject property is located in a light industrial and commercial area that contains no residences. Several parcels and buildings in the area contain multiple uses, so allowing multiple uses for this building at this property is consistent with the trend of development. Concerning the variance request to allow a "B-3" Conditional Permitted Use for a tavern in the "I-1" District, it is staff's opinion that the relatively small proposed size of the tavern (540 square feet) and its location on the south side of North Street in an area with no residences minimizes potential negative impacts on the area. 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: 2018-042
450 Partners INC.)	
)	PROPERTY LOCATED AT:
)	450 North Street
)	Springfield, IL 62704

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 20, 2018** 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: **450 North Street, Springfield, IL 62704** and more particularly described as:

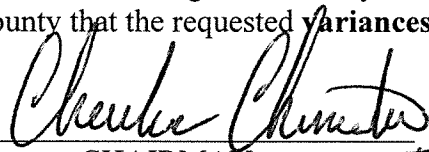
See Exhibit A

4-7

Page 2

3. That the present zoning of said property is **“I-1” Restricted Industrial District.**
4. That the present land use of said property is **office space, locksmith, and plumbing contractor.**
5. That the proposed land use of said property is a **tavern, office space, locksmith, and plumbing contractor.**
6. That the requested **variances** of said property is **for a variance to allow multiple uses on one (1) parcel, and a variance to allow a “B-3” General Business District Conditional Permitted Use (CPU) for a tavern (limited to 540 square feet) in an “I-1” Restricted Industrial District.**
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 TB

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Larry Beaty**, 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 **Charlie Chimento**.

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Don Wulf, JD Sudeth, Larry Beaty**

NO:

PRESENT:

ABSENT: **Andrew Spiro, Gina Lathan**


RECORDING SECRETARY

RECOMMENDED STANDARDS FOR USE VARIATIONS

Case #: **2018-042**

Address: **450 North 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.

Industrial areas could expect to have multiple businesses on a property. The building on the subject property appears to be large enough to accommodate the multiple uses, including a tavern, so denying the petitioner multiple uses on the subject property could constitute a hardship.

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

The subject property is located in a light industrial and commercial area that contains no residences. Several parcels and buildings in the area contain multiple uses, so allowing multiple uses for this building at this property is consistent with the trend of development. A tavern, limited to 540 square feet, will be compatible with the other industrial uses in this building and the general area including another tavern located across the street.

- (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-1 zoning will support a wide range of uses, including the tavern, 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.

It is staff's opinion that the relatively small proposed size of the tavern (540 square feet) and its location on the south side of North Street in an area with no residences and other buildings with multiple uses minimizes potential negative impacts on the area. No other negative impacts are anticipated in granting the requested variances.