

**GRANTING A CONDITIONAL PERMITTED USE WITH A CONDITION AND A
VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
4491 OLD CHATHAM 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 with a condition and a variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Bobbe Jean's LLC**, has petitioned the Sangamon County Board requesting **pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a banquet hall and for a bed and breakfast; and, pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) a banquet hall and (2) a bed and breakfast; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **February 16, 2023** 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 with a condition and a variance; and,**

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

FILED

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NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 7th Day of March, 2023 that the following request(s) on the above described property are hereby approved:

- Pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a banquet hall and for a bed and breakfast provided that the sale of alcohol and outside entertainment on the property will be associated with and limited to scheduled events only and not available and open to the public and shall be consistent with the liquor license ; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) a banquet hall and (2) a bed and breakfast.

Signed and passed by the Sangamon County Board in session on this 7th day of March, 2023.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

EXHIBIT A
LEGAL DESCRIPTION

PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 15 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

FROM THE CENTER OF SAID SECTION 19 MEASURE EAST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER, 654.80 FEET TO THE POINT OF BEGINNING; THENCE EAST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, MEASURE 718.18 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF STATE ROUTE 4; THENCE DEFLECTING LEFT 83 DEGREES 02 MINUTES 30 SECONDS, MEASURE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF THE 1950.1 FEET, A CHORD DISTANCE OF 272.40 FEET; THENCE DEFLECTING LEFT 94 DEGREES 31 MINUTES, MEASURE 752.23 FEET; THENCE DEFLECTING LEFT 92 DEGREES 30 MINUTES 30 SECONDS; MEASURE 302.50 FEET TO THE POINT OF BEGINNING.

SITUATED IN SANGAMON COUNTY, ILLINOIS.

4491 Old Chatham Road, Springfield, IL
Tax ID #22-19-200-017

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RECAP

(For County Board Use)

COUNTY BOARD MEMBER: # 13 NAME: **Brad Miller**

DOCKET NUMBER: **2023-003**

ADDRESS: **4491 Old Chatham Road, Springfield, IL 62711**

PETITIONER: **Bobbe Jean's LLC**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District.**

REQUESTED ZONING CLASSIFICATION: **Pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a banquet hall and for a bed and breakfast; and, pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) a banquet hall and (2) a bed and breakfast.**

AREA: **4.82 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION AMENDED STAFF RECOMMENDATION: **Recommend approval of the Conditional Permitted Uses for the banquet hall and bed and breakfast provided that the sale of alcohol and outside entertainment on the property will be associated with and limited to scheduled events only and not available and open to the public and shall be consistent with the liquor license. Recommend approval of the requested variance to allow two uses on one parcel. The two proposed uses on the subject property are compatible with each other and the bed and breakfast "will be accessory to the banquet hall use", as stated in the petition. The Standards for Variation are met.**

SANGAMON COUNTY ZONING BOARD OF APPEALS RECOMMENDATION:
Approval of Amended Staff Recommendation.

RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2023-003
Bobbe Jean's LLC)	
)	PROPERTY LOCATED AT:
)	4491 Old Chatham Road
)	Springfield, IL 62711

RECOMMENDATION OF THE ZONING 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 and 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 **February 16, 2023** 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: **4491 Old Chatham Road, Springfield, IL 62711** 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 **Single-family residence and outbuildings.**
5. That the proposed land use of said property is **Banquet Hall and Bed and Breakfast.**
6. That the request(s) for the subject property **are pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a banquet hall and for a bed and breakfast; and, pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) a banquet hall and (2) a bed and breakfast .**
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 with a condition and a 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 following request(s) **are hereby approved:**

- **Pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a banquet hall and for a bed and breakfast provided that the sale of alcohol and outside entertainment on the property will be associated with and limited to scheduled events only and not available and open to the public and shall be consistent with the liquor license ; and,**
- **Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) a banquet hall and (2) a bed and breakfast.**

CHAIRMAN

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MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **JD Sudeth**, which was duly seconded by **Anthony Mares**, to concur with the findings of fact and amended recommendation of the Regional Planning Commission and recommend to the County Board that the following request(s) **are hereby approved:**

- Pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for a banquet hall and for a bed and breakfast provided that the sale of alcohol and outside entertainment on the property will be associated with and limited to scheduled events only and not available and open to the public and shall be consistent with the liquor license; and,
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) a banquet hall and (2) a bed and breakfast.

The vote of the Board was as follows:

YES: **Charles Chimento, Anthony Mares, Don Wulf , JD Sudeth**

NO:

PRESENT:

ABSENT: **Richard Thompson, George Petrilli**

RECORDING SECRETARY

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

Case #: 2023-003

Address: 4491 Old Chatham 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.

Yes, the proposed banquet hall and bed and breakfast are located on the edge of a commercial area and the condition to limit the sale of alcohol and outdoor entertainment to events only and not open to the public will minimize effects on the character of the surrounding area.

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

Yes, the petitioner will provide sufficient parking and the banquet hall will be located in the rear of the property. Additionally, the sale of alcohol and outdoor entertainment will be associated with and limited to the scheduled events and not available or open to the public.

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

The proposed banquet hall and bed and breakfast are located on the edge of a commercial area and will not likely cause substantial injury to property values in the vicinity.

- (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) Manufactured home parks - must meet the requirements of Chapter 17.48 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

- (e) Wind energy conversion systems - a WECS shall not be located within 1½ miles of an incorporated area with a population over 10,000 or within ½ mile of an incorporated area with a population of less than 10,000. WECS shall not be located so that they interfere with contiguous urban development.

N/A

- (f) Adult-use cannabis business establishments as defined in Chapter 17.04:
 - 1) that the following distances be maintained from the principal structure of an adult-use cannabis business establishment to the property line of a use defined in Chapter 17.04 as a "sensitive area":
 - (A) Adult-use cannabis craft grower – 1,500 feet
 - (B) Adult-use cannabis cultivation center – 1,500 feet
 - (C) Adult-use cannabis dispensing organization (dispensary) – 250 feet
 - (D) Adult-use cannabis infuser organization (infuser) – 1,500 feet
 - (E) Adult-use cannabis processing organization (processor) – 1,500 feet
 - (F) Adult-use cannabis transporting organization (transporter) – 1,500 feet
 - 2) On-premise consumption of cannabis at cannabis dispensing organizations and smoking lounges in unincorporated Sangamon County is prohibited.

N/A

**SANGAMON COUNTY
RECOMMENDED STANDARDS FOR USE VARIATIONS
[MULTIPLE USES]**

Case #: **2023-003**

Address: **4491 Old Chatham Road, 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 two proposed uses on the subject property are compatible with each other and the bed and breakfast “will be accessory to the banquet hall use”, as stated in the petition.

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

The trend of development is commercial to the north of the subject property and agricultural to the south.

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

The proposed banquet hall and bed and breakfast uses will provide a unique service to the area and could cater to those seeking a larger event space. The bed and breakfast use will be conducted in conjunction with the banquet hall use.

- (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 as the subject property is located on the edge of an area for commercial development.