

**GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
501 N. DIRKSEN PARKWAY, UNIT B, 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:

**LOT THIRTY-EIGHT (38) WANLESS BERGEN PARK PLACE ADDITION
SITUATED IN SANGAMON COUNTY PIN 14-25-331-043**

WHEREAS, the Petitioner, **Maureen & Shaine Gorwill**, has petitioned the Sangamon County Board requesting **pursuant to Chapter 17.66, a variance of Section 17.58.080(D)(4) to allow a tavern property line to be approximately four (4) feet from a residence instead of the required one hundred (100) feet; and, a variance of Section 17.50.020 to allow twenty (20) parking spaces instead of the required twenty-four (24) parking spaces; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **April 20, 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 variances**; and,

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

FILED

MAY 04 2023

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Don Hays
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **9th Day of May, 2023** that the following request(s) on the above described property are hereby approved:

- Pursuant to Chapter 17.66, a variance of Section 17.58.080(D)(4) to allow a tavern property line to be approximately four (4) feet from a residence instead of the required one hundred (100) feet; and,
- Pursuant to Chapter 17.66, a variance of Section 17.50.020 to allow twenty (20) parking spaces instead of the required twenty-four (24) parking spaces.

Signed and passed by the Sangamon County Board in session on this **9th day of May, 2023**.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: # 9 NAME: Tom Madonia Jr.

DOCKET NUMBER: 2023-001

ADDRESS: 501 N. Dirksen Parkway, Unit B, Springfield, IL 62702

PETITIONER: Maureen & Shaine Gorwill

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

REQUESTED ZONING CLASSIFICATION: Pursuant to Chapter 17.66, a variance of Section 17.58.080(D)(4) to allow a tavern property line to be approximately four (4) feet from a residence instead of the required one hundred (100) feet; and, a variance of Section 17.50.020 to allow twenty (20) parking spaces instead of the required twenty-four (24) parking spaces.

AREA: 13,775 sq. ft.

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval of the requested variances. The subject property is bounded on all four sides by commercial zoning and fronts a commercial corridor where businesses of this nature are expected to be located. The proposed tavern will be in the middle of the building, and the customer entrance will be more than 100 feet away from the nearest residence. Similar relief was granted in Zoning Cases #2019-036, #2016-027, and #1994-010. The subject property contains a strip commercial business that has been operating for approximately 30 years with varying uses with no known parking problems in that time. The Standards for Variation are met.

SANGAMON COUNTY ZONING 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: **2023-001**
Maureen & Shaine Gorwill)
)
) PROPERTY LOCATED AT:
) **501 N. Dirksen Parkway, Unit B**
) **Springfield, IL 62702**

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 **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 **April 20, 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:

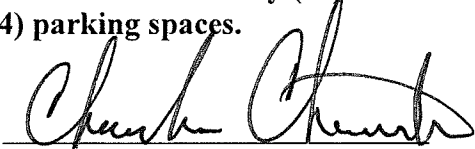
1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **501 N. Dirksen Parkway, Unit B, Springfield, IL 62702** and more particularly described as:

**LOT THIRTY-EIGHT (38) WANLESS BERGEN PARK PLACE ADDITION
SITUATED IN SANGAMON COUNTY PIN 14-25-331-043**

3. That the present zoning of said property is **“I-1” Restricted Industrial District.**
4. That the present land use of said property is **Commercial strip building.**
5. That the proposed land use of said property is **Commercial strip building with one unit being a tavern.**
6. That the request(s) for the subject property **are pursuant to Chapter 17.66, a variance of Section 17.58.080(D)(4) to allow a tavern property line to be approximately four (4) feet from a residence instead of the required one hundred (100) feet; and, a variance of Section 17.50.020 to allow twenty (20) parking spaces instead of the required twenty-four (24) parking spaces .**
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 following request(s) **are hereby approved:**

- **Pursuant to Chapter 17.66, a variance of Section 17.58.080(D)(4) to allow a tavern property line to be approximately four (4) feet from a residence instead of the required one hundred (100) feet; and,**
- **Pursuant to Chapter 17.66, a variance of Section 17.50.020 to allow twenty (20) parking spaces instead of the required twenty-four (24) parking spaces.**


CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

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

- Pursuant to Chapter 17.66, a variance of Section 17.58.080(D)(4) to allow a tavern property line to be approximately four (4) feet from a residence instead of the required one hundred (100) feet; and,
- Pursuant to Chapter 17.66, a variance of Section 17.50.020 to allow twenty (20) parking spaces instead of the required twenty-four (24) parking spaces.

The vote of the Board was as follows:

YES: **Charlies Chimento, Anthony Mares, Richard Thompson, Phil Sidles,
JD Sudeth**

NO:

PRESENT:

ABSENT: **Don Wulf, George Petrilli**



RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2023-001

Address: 501 North Dirksen Parkway, Unit B, 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.

Tavern Property Line Variance: Similar relief was also granted in Zoning Cases #2019-036, #2016-027, and #1994-010. Therefore, the County Board has created a trend for granting requests similar to what is being proposed by the petitioner.

Parking Spaces Variance: The subject property contains a strip commercial business that has been operating for approximately 30 years with varying uses and with no known parking problems in that time.

- (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.

Tavern Property Line Variance: The subject property is bounded on all four sides by commercial zoning and fronts a commercial corridor where businesses of this nature are expected to be located. The proposed tavern will be in the middle of the building, and the customer entrance will be more than 100 feet away from the nearest residence.

Parking Spaces Variance: The subject property contains a strip commercial business that has been operating for approximately 30 years with varying uses and with no known parking problems in that time.

- (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.

Negative impacts are not anticipated.