

**GRANTING A CONDITIONAL PERMITTED USE WITH CONDITIONS AND  
VARIANCES  
FOR CERTAIN PROPERTY LOCATED AT  
11380 DARNELL ROAD, MECHANICSBURG  
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 conditions and variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **Giodom LLC Series 5**, has petitioned the Sangamon County Board requesting **pursuant to Chapter 17.58 and Section 17.10.020, a Conditional Permitted Use for banquet halls; pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) campground with a watchman's quarters and (2) banquet halls; and, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **March 18, 2021** 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 a Conditional Permitted Use with conditions and variances;** and,

**FILED**

MAR 25 2021

  
Don Hayes  
Sangamon County Clerk

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

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this **12<sup>th</sup> Day of April, 2021** 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 banquet halls with the following conditions:
  1. The two banquet halls will not be used at the same time;
  2. The hours of operation are limited to 8:00 AM until 12:00 AM; and,
  3. Outside entertainment is prohibited between the hours of 11:00 PM until 8:00 AM on the weekends and between the hours of 9:00 PM and 8:00 AM during the week as stated in the petition.
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) campground with a watchman’s quarters and (2) banquet halls; and,
- Pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat for a period not to exceed two (2) years.

Signed and passed by the Sangamon County Board in session on this **12<sup>th</sup> day of April, 2021.**

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COUNTY BOARD CHAIRMAN

**ATTEST:**

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

**EXHIBIT A**

The North Three Quarters of the Northeast Quarter of the Southwest Quarter of Section 4, Township 15 North, Range 3 West of the Third Principal Meridian; EXCEPT the following parcels shown on the Plat of Survey was recorded July 22, 2014 as Document No. 2014R18973 being more particularly described as follows:

Parcel 1:

Part of the Northeast Quarter of the Southwest Quarter of Section 4, Township 15 North, Range 3 West of the Third Principal Meridian in Sangamon County, Illinois, described more particularly as follows:

Commencing at an iron pin marking the Northwest corner of the Northeast Quarter of the Southwest Quarter of the aforementioned Section 4; thence South 00 degrees 34 minutes 47 seconds East along the Quarter Quarter Section line a distance of 533.93 feet to a point; thence North 88 degrees 33 minutes 44 seconds East 47.75 feet to an iron pipe marking the true Point of Beginning. Thence continuing North 88 degrees 33 minutes 44 seconds East 275.00 feet to an iron pipe; thence South 00 degrees 34 minutes 47 seconds East 455.00 feet to an iron pipe; thence South 88 degrees 33 minutes 44 seconds West 275.00 feet to an iron pipe; thence North 00 degrees 34 minutes 47 seconds West 455.00 feet to the true Point of Beginning; said parcel containing 2.872 acres, more or less.

Parcel A (Right of Way):

Part of the Northeast Quarter of the Southwest Quarter of Section 4, Township 15 North, Range 3 West of the Third Principal Meridian in Sangamon County, Illinois, described more particularly as follows:

Commencing at an iron pin marking the Northwest Corner of the Northeast Quarter of the Southwest Quarter of the aforementioned Section 4, thence South 00 degrees 34 minutes 47 seconds East along the Quarter Quarter Section line a distance of 60.01 feet to a point marking the true Point of Beginning. Thence North 88 degrees 29 minutes 23 seconds East 47.75 feet to an iron pipe; thence South 00 degrees 34 minutes 47 seconds East 928.98 feet to an iron pipe; thence South 88 degrees 33 minutes 44 seconds West 47.75 feet to the Quarter Quarter Section line; thence North 00 degrees 34 minutes 47 seconds West along the Quarter Quarter Section line a distance of 928.92 feet to the true Point of Beginning, said parcel containing 1.018 acres, more or less.

Parcel B (Right of Way):

Part of the Northeast Quarter of the Southwest Quarter of Section 4, Township 15 North, Range 3 West of the Third Principal Meridian in Sangamon County, Illinois, described more particularly as follows:

Beginning at an iron pin marking the Northwest corner of the Northeast Quarter of the Southwest Quarter of the aforementioned Section 4, thence North 88 degrees 29 minutes 23 seconds East along the Quarter Section line 1,350.91 feet to an iron pin; thence South 00 degrees 42 minutes 10 seconds East 60.01 feet to an iron pipe; thence South 88 degrees 29 minutes 23 seconds West 1,351.04 feet to a point on the Quarter Quarter Section line; thence North 00 degrees 34 minutes

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47 seconds West 60.01 feet to the true Point of Beginning, said parcel containing 1.861 acres, more or less.

Except any interest in the coal, oil, gas and other minerals underlying the land which have been heretofore conveyed or reserved in prior conveyances, and all rights and easements in favor of the estate of said coal, oil, gas and other minerals, if any.

Situated in Sangamon County, Illinois.

Parcel Number: 24-04.0-300-023.

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**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: #3 NAME: David Mendenhall

DOCKET NUMBER: 2021-015

ADDRESS: 11380 Darnell Road, Mechanicsburg, IL 62545

PETITIONER: Giodom LLC Series 5

PRESENT ZONING CLASSIFICATION: "A" Agricultural District with a Conditional Permitted Use for a campground with a watchman's quarters.

REQUESTED ZONING CLASSIFICATION:

AREA: 24.96 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval of the requested Conditional Permitted Use for banquet halls with the following conditions: 1) the two banquet halls will not be used at the same time, 2) the hours of operation are limited to 8:00 AM until 12:00 AM, and 3) outside entertainment is prohibited between the hours of 11:00 PM until 8:00 AM on the weekends and between the hours of 9:00 PM and 8:00 AM during the week as stated in the petition. Recommend approval of the requested variance to allow two uses on one parcel. The subject property is unique because it has a camp/campground from the 1960s. The proposed banquet hall use will adaptively reuse the existing buildings and will maintain parts of the original campground. Recommend approval of the paving variance for a period not to exceed two (2) years. Allowing a two-year variance of paving requirements will provide the owner time to complete construction and pave while continuing to use the property. Granting a permanent waiver of paving would be inconsistent with other properties with similar uses. 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: <b>2021-015</b>
<b>Giodom LLC Series 5</b> )	
)	PROPERTY LOCATED AT:
)	<b>11380 Darnell Road</b>
)	<b>Mechanicsburg, IL 62545</b>

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 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 **March 18, 2021** 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: **11380 Darnell Road, Mechanicsburg, IL 62545** and more particularly described as:

**See Exhibit A**

- 3. That the present zoning of said property is **“A” Agricultural District with a Conditional Permitted Use for a campground with a watchman’s quarters.**
- 4. That the present land use of said property is **Campground with a watchman’s quarters.**
- 5. That the proposed land use of said property is **Campground with a watchman’s quarters and banquet halls.**
- 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 banquet halls; pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) campground with a watchman’s quarters and (2) banquet halls; and, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat.**
- 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 conditions and variances** are 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 banquet halls with the following conditions:**
  - 1. **The two banquet halls will not be used at the same time;**
  - 2. **The hours of operation are limited to 8:00 AM until 12:00 AM; and,**
  - 3. **Outside entertainment is prohibited between the hours of 11:00 PM until 8:00 AM on the weekends and between the hours of 9:00 PM and 8:00 AM during the week as stated in the petition.**
- **Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) campground with a watchman’s quarters and (2) banquet halls; and,**
- **Pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat for a period not to exceed two (2) years.**

  
 CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Don Wulf**, which was duly seconded by **Andrew Spiro**, 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 17.58 and Section 17.10.020, a Conditional Permitted Use for banquet halls with the following conditions:
  1. The two banquet halls will not be used at the same time;
  2. The hours of operation are limited to 8:00 AM until 12:00 AM; and,
  3. Outside entertainment is prohibited between the hours of 11:00 PM until 8:00 AM on the weekends and between the hours of 9:00 PM and 8:00 AM during the week as stated in the petition.
- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) campground with a watchman's quarters and (2) banquet halls; and,
- Pursuant to Chapter 17.66, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat for a period not to exceed two (2) years.

The vote of the Board was as follows:

YES:           **Charlie Chimento, Tony Mares, Don Wulf, Andrew Spiro, JD Sudeth**

NO:

PRESENT:

ABSENT:



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RECORDING SECRETARY



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

Case #: **2021-015**

Address: **11380 Darnell Road, Mechanicsburg**

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.

**The banquet hall and campground uses have been located on the subject property since the 1960's, and the suggested conditions to limit the use of only one banquet hall at a time, limit the hours of operation, and limit the hours of outside entertainment 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.

**Conditions are suggested limiting the use of only one banquet hall at a time, limiting the hours of operation, and limiting the hours of outside entertainment to protect the public health, safety, and welfare.**

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

**As the banquet hall use will be located in the larger existing structures on the subject property, negative impacts are not anticipated.**

- (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**

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**SANGAMON COUNTY  
RECOMMENDED STANDARDS FOR USE VARIATIONS**

Case #: **2021-015**

Address: **11380 Darnell Road, Mechanicsburg**

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.

**A camp/campground is generally a seasonal use, so the addition of the banquet hall on the subject property will allow the larger structures to be utilized throughout the year instead of sitting vacant.**

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

**While the trend of development in the area is agricultural with some rural residences, the subject property is unique because it has a camp/campground from the 1960s. The proposed banquet hall use will adaptively reuse the existing buildings and will maintain parts of the original campground.**

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

**Given the proposed uses will utilize the existing buildings on the subject property, the variance will benefit the community since the buildings will be utilized and maintained instead of potentially deteriorating and sitting vacant.**

- (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.**

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**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2021-015**

Address: **11380 Darnell Road, Mechanicsburg**

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.

**Allowing a two-year variance of paving requirements will provide the owner time to complete construction and pave while continuing to use the property. Granting a permanent waiver of paving would be inconsistent with other properties with similar uses.**

- (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 petitioner requested a variance for the parking lot to remain unpaved, or to provide two years to pave the lot. Staff finds that there are circumstances unique to the property to provide a two-year waiver given the size of the property and the timing of the redevelopment activities that will be taking place at this location.**

- (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 with a two-year waiver.**