

**DENYING A REZONING AND GRANTING A USE VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**340 BELMONT, 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 **deny an amendment but, in the alternative, grant a use variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioners, **Steven P. Churchill & Keith Churchill**, have petitioned the Sangamon County Board for a **rezoning from "R-2" Single Family and Two Family Residence District to "B-3" General Business District to allow for a pole barn to be used for inside storage of construction equipment; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **October 20, 2011** 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 **deny the rezoning but, in the alternative, grant a use variance;** and

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

**FILED**

OCT 28 2011

*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 8<sup>th</sup> day of November, 2011 that the request for a rezoning from "R-2" Single Family and Two Family Residence District to "B-3" General Business District to allow for a pole barn to be used for storage of construction equipment on the above described property is hereby denied but, in the alternative, grant a use variance for a pole barn and limited to inside storage only.

Signed and passed by the Sangamon County Board in session on this 8<sup>th</sup> day of November, 2011.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING COMMITTEE OF  
THE SANGAMON COUNTY BOARD



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

**ATTEST:**

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

**Exhibit A**

**Parcel 1: Lot 166 Roanoke Subdivision, a Subdivision of the West Half of the Southwest Quarter of Section 15, Township 16 North, Range 5 West of the Third Principal Meridian.**

**Except all coal, minerals and mining rights heretofore conveyed or reserved of record.**

**Situated in Sangamon County, Illinois.**

**Parcel 2: Lot 167 Roanoke Subdivision, a Subdivision of the West Half of the Southwest Quarter of Section 15, Township 16 North, Range 5 West of the Third Principal Meridian.**

**Except all coal, minerals and mining rights heretofore conveyed or reserved of record.**

**Situated in Sangamon County, Illinois.**

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: #17                      NAME: John Fulgenzi

DOCKET NUMBER: 2011-049

ADDRESS: 340 Belmont, Springfield, IL 62702

PETITIONER: Steven P. Churchill & Keith Churchill

PRESENT ZONING CLASSIFICATION: "R-2" Single Family and Two Family Residence District.

REQUESTED ZONING CLASSIFICATION: "B-3" General Business District to allow for a pole barn to be used for storage of construction equipment.

AREA: 10,831 square feet

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: **Recommend denial of the requested B-3 zoning. Even though there is similar zoning immediately adjacent to the subject property, allowing uses in the B-3 zoning district is not seen as appropriate given the residences immediately adjacent to the north, east and south. Staff recommend that a use variance to construct a pole barn with inside storage of construction equipment is appropriate given the current state of the property and that some properties in the area have been granted variances for commercial uses.**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

**Denial of the rezoning but, in the alternative, grant a use variance for a pole barn limited to inside storage only.**

  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: ) DOCKET NO: 2011-049  
 Steven P. Churchill & Keith Churchill )  
 )  
 ) PROPERTY LOCATED AT:  
 ) **340 Belmont,**  
 ) **Springfield, IL 62702**

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 an **amendment** 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 20, 2011** 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: **340 Belmont, Springfield, IL.** and more particularly described as:

**See Exhibit A**

3. That the present zoning of said property is **"R-2" Single Family and Two Family Residence District.**
4. That the present land use of said property is **a vacant single family residence.**
5. That the proposed land use of said property is **a pole barn to be used for storage of construction equipment.**
6. That the requested **rezoning** of said property is **"B-3" General Business 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 not** support the proposition that the adoption of the proposed **rezoning but, in the alternative, grant a use variance for a pole barn limited to inside storage only** 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 **rezoning be denied but, in the alternative, grant a use variance for a pole barn limited to inside storage only.**

Charles Chimento/cx  
CHAIRMAN

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 **denied but, in the alternative, grant a use variance for a pole barn limited to inside storage only** which was duly seconded by **Peggy Egizii**.

The vote of the Board was as follows:

YES: **Charles Chimento, Don Wulf, Peggy Egizii, Judith Johnson, John Lucchesi**

NO:

ABSENT: **Byron Deaner, Marvin Traylor**

Cyndi Knowles  
RECORDING SECRETARY