

CASE# 2014-013 7-1  
RESOLUTION NUMBER \_\_\_\_\_

**DENYING A CONDITIONAL PERMITTED USE AND A VARIANCE AND**  
**GRANTING A CONDITIONAL PERMITTED USE**  
FOR CERTAIN PROPERTY LOCATED AT  
**1550 KNIGHT'S RECREATION DRIVE, 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** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See **EXHIBIT A**

WHEREAS, the Petitioner, **Mark Beck**, has petitioned the Sangamon County Board for **a Conditional Permitted Use to allow an indoor archery pro-shop/range, a Conditional Permitted Use to allow for a tavern with the sale of alcoholic beverages, and a variance to allow two (2) uses on one (1) parcel;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **March 20, 2014** 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 a Conditional Permitted Use for a tavern with the sale of alcoholic beverages and a variance for two (2) uses on one (1) parcel but, grant the Conditional Permitted Use for an indoor archery pro-shop/range;** and

**FILED**

MAR 28 2014

*Joe Diello*  
Sangamon County Clerk

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

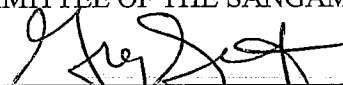
**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 7<sup>th</sup> day of April, 2014 that the request for a **Conditional Permitted Use to allow a tavern with the sale of alcoholic beverages and a variance to allow two (2) uses on one (1) parcel on the above described property is hereby denied but, a Conditional Permitted Use to allow an indoor archery pro-shop/range on the above described property is hereby approved.**

Signed and passed by the Sangamon County Board in session on this 7<sup>th</sup> day of April,

2014.

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING  
COMMITTEE OF THE SANGAMON COUNTY BOARD

  
\_\_\_\_\_  
GREG STUMPF, CHAIRMAN

  
\_\_\_\_\_  
DAVID MENDENHALL, VICE CHAIRMAN

\_\_\_\_\_  
JOHN FULGENZI

\_\_\_\_\_  
CRAIG HALL

  
\_\_\_\_\_  
SAM SNELL

\_\_\_\_\_  
ABE FORSYTH

\_\_\_\_\_  
JASON RATTS

\_\_\_\_\_  
LINDA DOUGLAS WILLIAMS

\_\_\_\_\_  
LINDA FULGENZI

\_\_\_\_\_  
LISA HILLS

\_\_\_\_\_  
MIKE SULLIVAN

**ATTEST:**

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

\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

**EXHIBIT A**

Part of the Northwest Quarter of Section 20, Township 15 North, Range 5 West of the Third Principal Meridian, more particularly described as follows; Commencing at a stone at the Northwest corner of the aforesaid Section 20, thence North 89 degrees 30 minutes East a distance of 2645.9 feet; thence South 0 degrees 33 minutes East a distance of 337.7 feet; thence North 86 degrees 18 minutes West a distance of 288.4 feet to the true point of beginning; thence South 0 degrees 33 minutes East a distance of 275.0 feet; thence South 89 degrees 27 minutes West a distance of 112.4 feet; thence South 54 degrees 46 minutes West a distance of 50.6 feet; thence North 0 degrees 33 minutes West a distance of 314.6 feet; thence South 86 degrees 18 minutes East a distance of 154.3 feet, more or less to the true point of beginning.

Situated in SANGAMON COUNTY, ILLINOIS.

**RECAP**

(For County Board Use)

COUNTY BOARD MEMBER: # 13                      NAME: Sam A. Montalbano

DOCKET NUMBER: 2014-013

ADDRESS: 1550 Knight's Recreation Drive, Springfield, IL 62704

PETITIONER: Mark Beck

PRESENT ZONING CLASSIFICATION: "B-3" General Business District with a Conditional Permitted Use for a banquet hall.

REQUESTED ZONING CLASSIFICATION: "B-3" General Business District with Conditional Permitted Use to allow an indoor archery range, a Conditional Permitted Use to allow for a tavern with the sale of alcoholic beverages, and a variance to allow two (2) uses on one (1) parcel.

**AMENDED:** Petitioner agrees to remove request for a Conditional Permitted Use to allow for a tavern with the sale of alcoholic beverages, and the variance to allow two (2) uses on one (1) parcel.

AREA: 1.05 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: Recommend denial of the requested CPU to allow an indoor archery range, pro-shop and tavern with the sale of alcoholic beverages and the variance to allow two principal uses on one parcel. There is a concern with the proposed operation of a lounge that serves alcoholic beverages in conjunction with an indoor archery range. Allowing these two uses in one building are not good land use planning practices, primarily from a public health and safety standpoint. Although the property currently has a CPU that allows a banquet hall with alcohol

7-6

sales, staff feels that allowing the two proposed uses would not be in the best interest of the residents of Sangamon County.

**AMENDED:** Recommend approval of a CPU to allow an indoor archery pro-shop/range as there will be no negative impact on the area. Recommend denial of the request for a tavern with the sale of alcoholic beverages. Allowing the service of alcohol in conjunction with an archery range is seen as a detriment to public health and safety. Approving the one CPU will result in one (1) use on the parcel. As such, the variance to allow two (2) uses on the parcel is not necessary.

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

Approval of the Amended Staff  
recommendation.

  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: ) DOCKET NO: **2014-013**  
**Mark Beck** )  
) )  
) ) **PROPERTY LOCATED AT:**  
) ) **1550 Knight's Recreation Drive**  
) ) **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 a **Conditional Permitted Use to allow an indoor archery pro-shop/range, a Conditional Permitted Use to allow for a tavern with the sale of alcoholic beverages, and a variance to allow two (2) uses on one (1) parcel** 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 20, 2014** 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: **1550 Knight's Recreation Drive, Springfield, IL 62704** and more particularly described as:

See **EXHIBIT A**

- 3. That the present zoning of said property is **“B-3” General Business District with a Conditional Permitted Use for a banquet hall.**
- 4. That the present land use of said property is **a vacant building.**
- 5. That the proposed land use of said property is **an indoor archery range, pro-shop and lounge.**
- 6. That the requested **Conditional Permitted Uses and variance** of said property are a **Conditional Permitted Use to allow an indoor pro-shop/archery range, a Conditional Permitted Use to allow for a tavern with the sale of alcoholic beverages, and a variance to allow two (2) uses on one (1) parcel.**
- 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 **Conditional Permitted Use to allow for a tavern with the sale of alcoholic beverages and variance to allow two (2) uses on one (1) parcel** 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 **Conditional Permitted Use to allow for a tavern with the sale of alcoholic beverages and variance to allow two (2) uses on one (1) parcel** be denied but, in the alternative, grant only the **Conditional Permitted Use for an indoor archery pro-shop/range.**

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 amended recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **approved**, which was duly seconded by **John Lucchesi**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Don Wulf, John Lucchesi and Janet Dobrinsky**

NO:

PRESENT:

ABSENT:

  
RECORDING SECRETARY

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

Case #: 2014-013

Address: 1550 Knight's Recreation Drive, 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.

**There are no anticipated negative effects on the character of the surrounding area with the proposed uses.**

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

**There is a concern in the operation of a lounge that serves alcoholic beverages in conjunction with an indoor archery range. Allowing these two uses in one building are not good land use planning practices, primarily from a public health and safety standpoint.**

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

**There is no negative impact anticipated on the value of other property 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) Mobile home parks - must meet the requirements of Section III(R) 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.

**Yes.**

**RECOMMENDED STANDARDS FOR USE VARIATIONS  
(Two Principal Uses On One Parcel)**

Case #: **2014-013**

Address: **1550 Knight's Recreation Drive, 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 property currently contains a vacant commercial building and is zoned appropriately, so there does not appear to be practical difficulties or hardship in carrying out the zoning regulations in the B-3 District.**

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

**The proposed uses are in line with the trend of development in the immediate area.**

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

**Allowing the two proposed uses to operate together could pose public health and safety issues and do not appear to be in harmony with the purpose and intent of the Zoning Regulations.**

- (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.

**No negative impact is anticipated.**