

CASE# 2017-031 8-1
RESOLUTION NUMBER _____

GRANTING A REZONING AND CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
4819 MECHANICSBURG 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 an amendment and 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, **Colleen DiGirolamo**, has petitioned the Sangamon County Board for a **rezoning from “R-1” Single-Family Residence District to “A” Agricultural District and a Conditional Permitted Use to allow for a bed and breakfast (Air B & B) limited to one (1) client at a time; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **July 20, 2017** 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 rezoning and Conditional Permitted Use with the following condition:**

- a. **the bed and breakfast will be limited to one (1) sleeping room for one (1) client at a time for a continuous period of no more than thirty (30) days; and**

FILED

JUL 26 2017

Don J. 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 **8th Day of August, 2017 that the following requests:**


- 1. A rezoning from "R-1" Single-Family Residence District to "A" Agricultural District; and,**
- 2. A Conditional Permitted Use to allow for a bed and breakfast (Air B & B) with the following condition:**
 - a. the bed and breakfast will be limited to one (1) sleeping room for one (1) client at a time for a continuous period of no more than thirty (30) days;**

on the above described property are hereby approved.

Signed and passed by the Sangamon County Board in session on this **8th day of August, 2017.**

Respectfully submitted,

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



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTS

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

8-4

Exhibit A

Part of the East Half of the Southeast Quarter of Section 29, Township 16 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows: Commencing at the Southwest corner of the East Half of said Southeast Quarter; thence North 01 degree 04 minutes 24 seconds West, along the West line of said East Half, a distance of 75.00 feet to the Point of beginning; thence continuing North 01 degree 04 minutes 24 seconds West along said West line, a distance of 792.00 feet; thence North 89 degrees 04 minutes 38 seconds East along a line 867.00 feet North of and parallel with the South line of said Southeast Quarter, a distance of 275.00 feet; thence South 01 degree 04 minutes 24 seconds East along a line 275.00 feet East of and parallel with the West line of the East Half of said Southeast Quarter, a distance of 792.00 feet; thence South 89 degrees 04 minutes 38 seconds West along a line 75.00 feet North of and parallel with the South line of said Southeast Quarter, a distance of 275.00 feet, to the Point of beginning. Containing 5.000 acres, more or less. Situated in Sangamon County, Illinois.

RECAP
(For County Board Use)

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

DOCKET NUMBER: **2017-031**

ADDRESS: **4819 Mechanicsburg Road, Springfield, IL 62712**

PETITIONER: **Colleen DiGirolamo**

PRESENT ZONING CLASSIFICATION: **“R-1” Single-Family Residence District.**

REQUESTED ZONING CLASSIFICATION: **“A” Agricultural District and a Conditional Permitted Use (CPU) to allow for a bed and breakfast (Air B & B) limited to one (1) client at a time.**

AREA: **5 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The area surrounding the subject property is agricultural with rural residences located throughout the area. Recommend approval of the Conditional Permitted Use (CPU) for the bed and breakfast with the following condition: the bed and breakfast will be limited to one (1) sleeping room for one (1) client at a time for a continuous period of no more than thirty (30) days.**

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


RECORDING SECRETARY

8-6

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2017-031
Colleen DiGirolamo)	
)	PROPERTY LOCATED AT:
)	4819 Mechanicsburg Road
)	Springfield, IL 62712

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 and Conditional Permitted Use** 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 **July 20, 2017** 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: **4819 Mechanicsburg Road, Springfield, IL 62712** and more particularly described as:

See Exhibit A

8-7

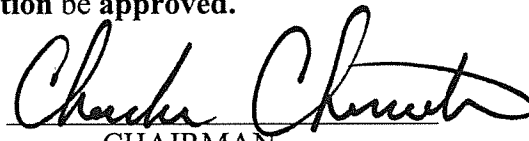
Page 2

- 3. That the present zoning of said property is **“R-1” Single-Family Residence District.**
- 4. That the present land use of said property is **vacant.**
- 5. That the proposed land use of said property is a **single-family residence with an air bed and breakfast.**
- 6. That the requested **rezoning and Conditional Permitted Use** of said property are for **a rezoning from “R-1” Single-Family Residence District to “A” Agricultural District and a Conditional Permitted Use to allow for a bed and breakfast (Air B & B) limited to one (1) client at a time.**
- 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 **rezoning and Conditional Permitted Use with the following condition:**

- a. **the bed and breakfast will be limited to one (1) sleeping room for one (1) client at a time for a continuous period of no more than thirty (30) days.**

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 and Conditional Permitted Use with the above noted condition** be approved.


 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Larry Beaty**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **approved with the following condition to the Conditional Permitted Use:**

- a. the bed and breakfast will be limited to one (1) sleeping room for one (1) client at a time for a continuous period of no more than thirty (30) days.**

which was duly seconded by **JD Sudeth**.

The vote of the Board was as follows:

YES: **Charles Chimento, Don Wulf, Andrew Spiro, JD Sudeth, Larry Beaty**

NO:

PRESENT:

ABSENT:


RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

Case #: **2017-031**

Address: **4819 Mechanicsburg Road, Springfield**

(i) Existing uses of property within the general area of the property in question.

North – Cropland. East, South, & West – Residence and cropland.

(ii) The zoning classification of property within the general area of the property in question.

North, East, South, & West – Agricultural.

(iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

A bed and breakfast is not a permitted use in the R-1 district but is permitted in the Agricultural district.

(iv) The trend of development, within the vicinity since the property was originally classified.

The area surrounding the subject property is agricultural with rural residences located throughout the area. The subject property was rezoned to R-1 and granted a variance for the lot depth to exceed 2.5 times the lot width in Zoning Case #2015-019.

SANGAMON COUNTY - RECOMMENDED FINDINGS OF FACT FOR CONDITIONAL PERMITTED USES

Case #: 2017-031

Address: 4819 Mechanicsburg 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.

The proposed condition will limit the bed and breakfast to one sleeping room for one client at a time for a continuous period of no more than thirty days and the petition states any client will be able to park within the garage minimizing the effects on the character of the area.

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

Limiting the bed and breakfast to one sleeping room for one client at a time for a continuous period of no more than thirty days will protect the health, safety, and welfare of the area.

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

There is no foreseen impact.

- (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.

N/A