

CASE# 2018-006 8-1
RESOLUTION NUMBER _____

GRANTING A VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
6100 S. 2ND STREET, 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 variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **ECL 2, LLC**, has petitioned the Sangamon County Board for **a variance to allow the side yard setback to be fourteen (14) feet instead of the required twenty-five (25) feet**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **January 18, 2018** 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 variance**; and,

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

FILED

JAN 24 2018


Don H. King
SANGAMON COUNTY CLERK

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **13th Day of February, 2018** that the request for a variance to allow the side yard setback to be fourteen (14) feet instead of the required twenty-five (25) feet on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this **13th day of February, 2018**.

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 DOUGLAS WILLIAMS

ANNETTE FULGENZI

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #13 NAME: **Brad Miller**

DOCKET NUMBER: **2018-006**

ADDRESS: **6100 S. 2nd Street, Springfield, IL 62711**

PETITIONER: **ECL 2, LLC**

PRESENT ZONING CLASSIFICATION: **“B-2” Retail Business District.**

REQUESTED ZONING CLASSIFICATION: **Variance to allow the side yard setback to be fourteen (14) feet instead of the required twenty-five (25) feet.**

AREA: **3.81 acres**

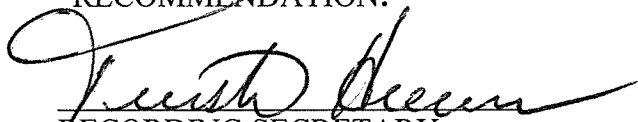
COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The character of the area will not be altered as the variance is needed on the north side of the property which is adjacent to a vacant parcel zoned B-2. Negative impacts are not anticipated in granting the requested variance. The Standards for Variation are met.**

SANGAMON COUNTY 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: 2018-006
ECL 2, LLC)	
)	PROPERTY LOCATED AT:
)	6100 S. 2nd Street
)	Springfield, IL 62711

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 **variance** 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 **January 18, 2018** 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:

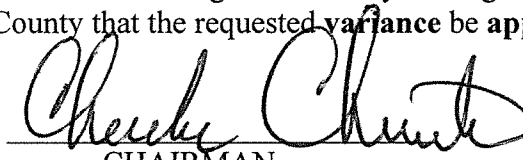
1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **6100 S. 2nd Street, Springfield, IL 62711** and more particularly described as:

See Exhibit A

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3. That the present zoning of said property is **“B-2” Retail Business District.**
4. That the present land use of said property is a **four (4) unit commercial building.**
5. That the proposed land use of said property is **two (2) commercial buildings.**
6. That the requested **variance** of said property is **a variance to allow the side yard setback to be fourteen (14) feet instead of the required twenty-five (25) feet.**
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 **variance** 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 **variance** be **approved.**


CHAIRMAN
40

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 **approved** which was duly seconded by **Tony Mares**.

The vote of the Board was as follows:

YES: **Charles Chimento, Tony Mares, Don Wulf, Andrew Spiro, Gina Lathan**

NO:

PRESENT:

ABSENT:



RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2018-006**

Address: **6100 S. 2nd Street, 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.

The property could continue to be used economically without the requested variance. However, the property immediately north of the subject property where the side setback variance is requested is zoned for commercial use, which reduces the necessity for increased setbacks over what is typically required in the B-2 district.

- (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 subject property contains an existing concrete slab that the petitioner is proposing to utilize to construct the proposed commercial building.

- (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.

The character of the area will not be altered as the variance is needed on the north side of the property which is adjacent to a vacant parcel zoned B-2. Negative impacts are not anticipated in granting the requested variance.