

FILED

NOV 29 2017

Don J. Meyer
Sangamon County Clerk

CASE# 2017-056
RESOLUTION NUMBER 9-1

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
3245 MATHERS 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 the Conditional Permitted Use** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

LOT 1 OF BRYANT MINOR SUBDIVISION, EXCEPT THE COAL AND OTHER MINERALS UNDERLYING THE SURFACE OF SAID LAND AND ALL RIGHTS AND EASEMENTS IN FAVOR OF THE ESTATE OF SAID COAL AND MINERALS. SITUATED IN SANGAMON COUNTY, ILLINOIS.

WHEREAS, the Petitioner, **Chase Schultz**, has petitioned the Sangamon County Board for a **Conditional Permitted Use to allow for an auto body repair shop with spray painting;** and,

WHEREAS, a public hearing was held at the Sangamon County Building on **November 16, 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 Conditional Permitted Use with the following conditions:**

- a. all painting shall be conducted inside a paint booth enclosed in a building; and,**

- b. no more than five (5) wrecked cars are stored on the subject property behind the building and fenced in compliance with the Zoning Ordinance; and,**

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 **12th Day of December, 2017** that the request for a **Conditional Permitted Use to allow for an auto body repair shop with spray painting with the following conditions:**

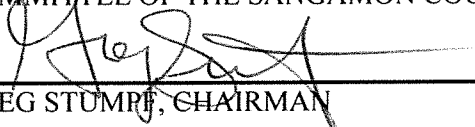
- a. all painting shall be conducted inside a paint booth enclosed in a building; and,**
- b. no more than five (5) wrecked cars are stored on the subject property behind the building and fenced in compliance with the Zoning Ordinance;**

on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this **12th day of December, 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 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: # 29 NAME: Cathy Scaife

DOCKET NUMBER: 2017-056

ADDRESS: 3245 Mathers Road, Springfield, IL 62707

PETITIONER: Chase Schultz

PRESENT ZONING CLASSIFICATION: "I-1" Restricted Industrial District.

REQUESTED ZONING CLASSIFICATION: "I-1" Restricted Industrial District with a Conditional Permitted Use to allow for an auto body repair shop with spray painting.

AREA: 1.3 acres (approx..)

COMMENTS: None


OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested Conditional Permitted Use with the following conditions: (1) all painting shall be conducted inside a paint booth enclosed in a building; and, (2) no more than five (5) wrecked cars are stored on the subject property behind the building and fenced in compliance with the Zoning Ordinance. The proposed subject property is located in a mixed use area. Properties to the east are office. Properties to the west are zoned commercial and industrial, and are used for office and commercial.**

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: 2017-056
Chase Schultz)	
)	PROPERTY LOCATED AT:
)	3245 Mathers Road
)	Springfield, IL 62707

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** 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 **November 16, 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: **3245 Mathers Road, Springfield, IL 62707** and more particularly described as:

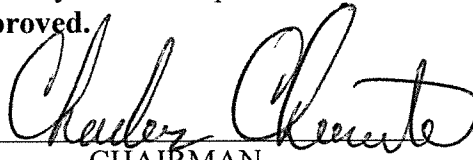
LOT 1 OF BRYANT MINOR SUBDIVISION, EXCEPT THE COAL AND OTHER MINERALS UNDERLYING THE SURFACE OF SAID LAND AND ALL RIGHTS AND EASEMENTS IN FAVOR OF THE ESTATE OF SAID COAL AND MINERALS. SITUATED IN SANGAMON COUNTY, ILLINOIS.

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- 3. That the present zoning of said property is **"I-1" Light Industrial District.**
- 4. That the present land use of said property is **vacant.**
- 5. That the proposed land use of said property is an **auto body repair shop with spray painting.**
- 6. That the requested **Conditional Permitted Use** of said property is a **Conditional Permitted Use to allow for an auto body repair shop with spray painting.**
- 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 the following conditions:**
 - a. **all painting shall be conducted inside a paint booth enclosed in a building; and,**
 - b. **no more than five (5) wrecked cars are stored on the subject property behind the building and fenced in compliance with the Zoning Ordinance;**

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 with the above noted conditions** be approved.


 CHAIRMAN 70

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 with the following conditions to the Conditional Permitted Use:**

- a. all painting shall be conducted inside a paint booth enclosed in a building; and,**
- b. no more than five (5) wrecked cars are stored on the subject property behind the building and fenced in compliance with the Zoning Ordinance.**

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

The vote of the Board was as follows:

YES: **Charles Chimento, Tony Mares, Don Wulf, JD Sudeth, Larry Beaty**

NO:

PRESENT:

ABSENT: **Andrew Spiro, Gina Lathan**



RECORDING SECRETARY

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

Case #: **2017-056**

Address: **3245 Mathers 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.

Conditions are suggested regarding painting and storing wrecked cars.

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

The subject property is located in a mixed use area. Properties to the east are office. Properties to the west are zoned commercial and industrial, and are used for office and commercial. Staff notes the site plan attached with the petition indicates seven (7) feet wide parking spaces, where eight-and-a-half (8.5) feet are required. Compliance in this matter can be demonstrated with the building permit.

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

Negative impacts are not anticipated. The subject property and property to the east are zoned light industrial.

- (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