

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
1823 CAMP LINCOLN 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 variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Gym of Springfield, Inc.**, has petitioned the Sangamon County Board requesting **pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow three (3) principal uses on one (1) parcel: (1) an indoor recreation center with a tavern, (2) a private outdoor recreation center, and (3) a greenhouse with a watchman's quarters; and, a variance of Section 17.26.010 to allow an "I-1" Restricted Industrial District Permitted Use for a watchman's quarters in the "B-3" General Business District; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **December 19, 2019** 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 variances**; and,

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

FILED

JAN 03 2020


Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 14th Day of January, 2020 that the following request(s) on the above described property are hereby approved:

- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow three (3) principal uses on one (1) parcel: (1) an indoor recreation center with a tavern, (2) a private outdoor recreation center, and (3) a greenhouse with a watchman’s quarters; and,
- Pursuant to Chapter 17.66, a variance of Section 17.26.010 to allow an “I-1” Restricted Industrial District Permitted Use for a watchman’s quarters in the “B-3” General Business District.

Signed and passed by the Sangamon County Board in session on this 14th day of January, 2020.

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 RATTTS

LINDA DOUGLAS WILLIAMS

ANNETTE FULGENZI

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A**PARCEL 2**

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 16 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 16 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS; THENCE S 89°08'42" W ALONG THE NORTH LINE OF SAID QUARTER-QUARTER SECTION, A DISTANCE OF 113.57 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 30 MINUTES 13 SECONDS EAST, 300.01 FEET; THENCE SOUTH 89 DEGREES 08 MINUTES 42 SECONDS WEST, 700.06; THENCE NORTH 01 DEGREES 30 MINUTES 13 SECONDS WEST, 487.58 FEET; THENCE NORTH 63 DEGREES 00 MINUTES 31 SECONDS EAST, 776.32 FEET; THENCE NORTH 88 DEGREES 48 MINUTES 25 SECONDS EAST, 95.50 FEET; THENCE SOUTH 13 DEGREES 35 MINUTES 17 SECONDS EAST, 54.00 FEET; THENCE SOUTH 10 DEGREES 17 MINUTES 40 SECONDS EAST, 12.77 FEET; THENCE SOUTH 88 DEGREES 38 MINUTES 42 SECONDS WEST, 18.37 FEET; THENCE 117.94 FEET ON A CURVE TO THE LEFT HAVING A RADIUS OF 362.00 FEET AND WHOSE CHORD BEARS SOUTH 11 DEGREES 31 MINUTES 36 SECONDS EAST, 117.42 FEET; THENCE SOUTH 89 DEGREES 09 MINUTES 19 SECONDS WEST, 111.59 FEET; THENCE SOUTH 01 DEGREES 30 MINUTES 13 SECONDS EAST, 349.33 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.995 ACRES MORE OR LESS.

PARCEL NUMBER: 14-20.0-200-040

RECAP

(For County Board Use)

COUNTY BOARD MEMBER: #17 NAME: **Annette Fulgenzi**

DOCKET NUMBER: **2019-046**

ADDRESS: **1823 Camp Lincoln Road, Springfield, IL 62707**

PETITIONER: **Gym of Springfield, Inc.**

PRESENT ZONING CLASSIFICATION: **“B-3” General Business District with a
Conditional Permitted Use.**

REQUESTED ZONING CLASSIFICATION: **Pursuant to Chapter 17.66, a variance of
Chapter 17.04 (Lot) to allow three (3) principal uses on one (1) parcel: (1) an indoor
recreation center with a tavern, (2) a private outdoor recreation center, and (3) a
greenhouse with a watchman’s quarters; and, a variance of Section 17.26.010 to allow an
“I-1” Restricted Industrial District Permitted Use for a watchman’s quarters in the “B-3”
General Business District.**

AREA: **11 acres**

COMMENTS: **None**

OBJECTORS: **Yes**

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval. The
subject property contains a hardship in that it is not able to be split to place the proposed
uses on separate parcels because it has limited access for road frontage. The greenhouse is
a permitted use in the B-3 District and does not necessarily require a watchman’s
quarters; however, the petitioner’s intent is to grow hemp in the greenhouse. The
proposed watchman’s quarters will be ancillary to the greenhouse and will serve as an
added security measure so an individual will be on the subject property at all times. The
Standards for Variation are met.**

SANGAMON COUNTY ZONING 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: 2019-046 |
| Gym of Springfield, Inc.) | |
|) | PROPERTY LOCATED AT: |
|) | 1823 Camp Lincoln Road |
|) | Springfield, IL 62707 |

RECOMMENDATION OF THE ZONING 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 **variances** 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 **December 19, 2019** 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: **1823 Camp Lincoln Road, Springfield, IL 62707** 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.**
4. That the present land use of said property is **an indoor recreation center with a tavern and a private outdoor recreation center.**
5. That the proposed land use of said property is **an indoor recreation center with a tavern, a private outdoor recreation center, and a greenhouse with a watchman’s quarters.**
6. That the request(s) for the subject property **are pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow three (3) principal uses on one (1) parcel: (1) an indoor recreation center with a tavern, (2) a private outdoor recreation center, and (3) a greenhouse with a watchman’s quarters; and, a variance of Section 17.26.010 to allow an “I-1” Restricted Industrial District Permitted Use for a watchman’s quarters in the “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** support the proposition that the adoption of the proposed **variances** are 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 following request(s) **are hereby approved:**

- **Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow three (3) principal uses on one (1) parcel: (1) an indoor recreation center with a tavern, (2) a private outdoor recreation center, and (3) a greenhouse with a watchman’s quarters; and,**
- **Pursuant to Chapter 17.66, a variance of Section 17.26.010 to allow an “I-1” Restricted Industrial District Permitted Use for a watchman’s quarters in the “B-3” General Business District.**


 CHAIRMAN *FL*

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 following request(s) **are hereby approved:**

- Pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow three (3) principal uses on one (1) parcel: (1) an indoor recreation center with a tavern, (2) a private outdoor recreation center, and (3) a greenhouse with a watchman’s quarters; and,
- Pursuant to Chapter 17.66, a variance of Section 17.26.010 to allow an “I-1” Restricted Industrial District Permitted Use for a watchman’s quarters in the “B-3” General Business District

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

The vote of the Board was as follows:

YES: **Charlie Chimento, Anthony Mares, Don Wulf, Andrew Spiro, JD Sudeth**

NO:

PRESENT:

ABSENT:



RECORDING SECRETARY

**SANGAMON COUNTY
RECOMMENDED STANDARDS FOR USE VARIATIONS
(THREE PRINCIPAL USES ON ONE PARCEL: 1) INDOOR RECREATION CENTER WITH
A TAVERN, 2) PRIVATE OUTDOOR RECREATION CENTER, &
3) GREENHOUSE WITH A WATCHMAN'S QUARTERS)**

Case #: **2019-046**

Address: **1823 Camp Lincoln Road, 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 subject property contains a hardship in that it is not able to be split to place the proposed uses on separate parcels because it has limited access for road frontage.

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

The trend in the area is commercial and industrial. The subject property is 11 acres and contains adequate space to handle a greenhouse with a watchman's quarters in addition to the two existing uses.

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

The indoor recreation center with a tavern and private outdoor recreation center uses have been operating on part of the subject property since 2005, with no apparent negative effects on the area and are in harmony with the Zoning Regulations. The proposed greenhouse with watchman's quarters is the type of semi-commercial/industrial service that supports nearby major commercial centers contemplated in the B-3 District for a site like the subject property.

- (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.

Negative impacts are not anticipated.

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2019-046**

Address: **1823 Camp Lincoln Road, 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 greenhouse is a permitted use in the B-3 District and does not necessarily require a watchman's quarters; however, the petitioner's intent is to grow hemp in the greenhouse. The proposed watchman's quarters will be ancillary to the greenhouse and will serve as an added security measure so an individual will be on the subject property at all times.

- (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 proposed watchman's quarters will be ancillary to the proposed greenhouse, and will be located behind a large existing 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.

Negative impacts are not anticipated.