

CASE # 2007-21
RESOLUTION NUMBER 2-1

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
9560 WITHERS ROAD, LOAMI
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:

East one-half of the Northwest Quarter of Section 24 and the East one-half of the East one-half of the Southwest Quarter of Section 24, Township 14 North, Range 7 West of the Third Principal Meridian.

WHEREAS, the Petitioner, **Nipper Wildlife Sanctuary Trust**, has petitioned the Sangamon County Board for a **conditional permitted use to allow for a Public Park (Wildlife Sanctuary)**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **May 17, 2007**, 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**; and

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

FILED

MAY 24 2007

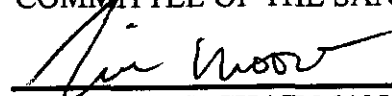
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 4th day of June, 2007 that the request for a conditional permitted use to allow for a Public Park (Wildlife Sanctuary) on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 4th day of June, 2007.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

CATHY SCAIFE

TYRONE PACE

SAM SNELL

DON STEPHENS

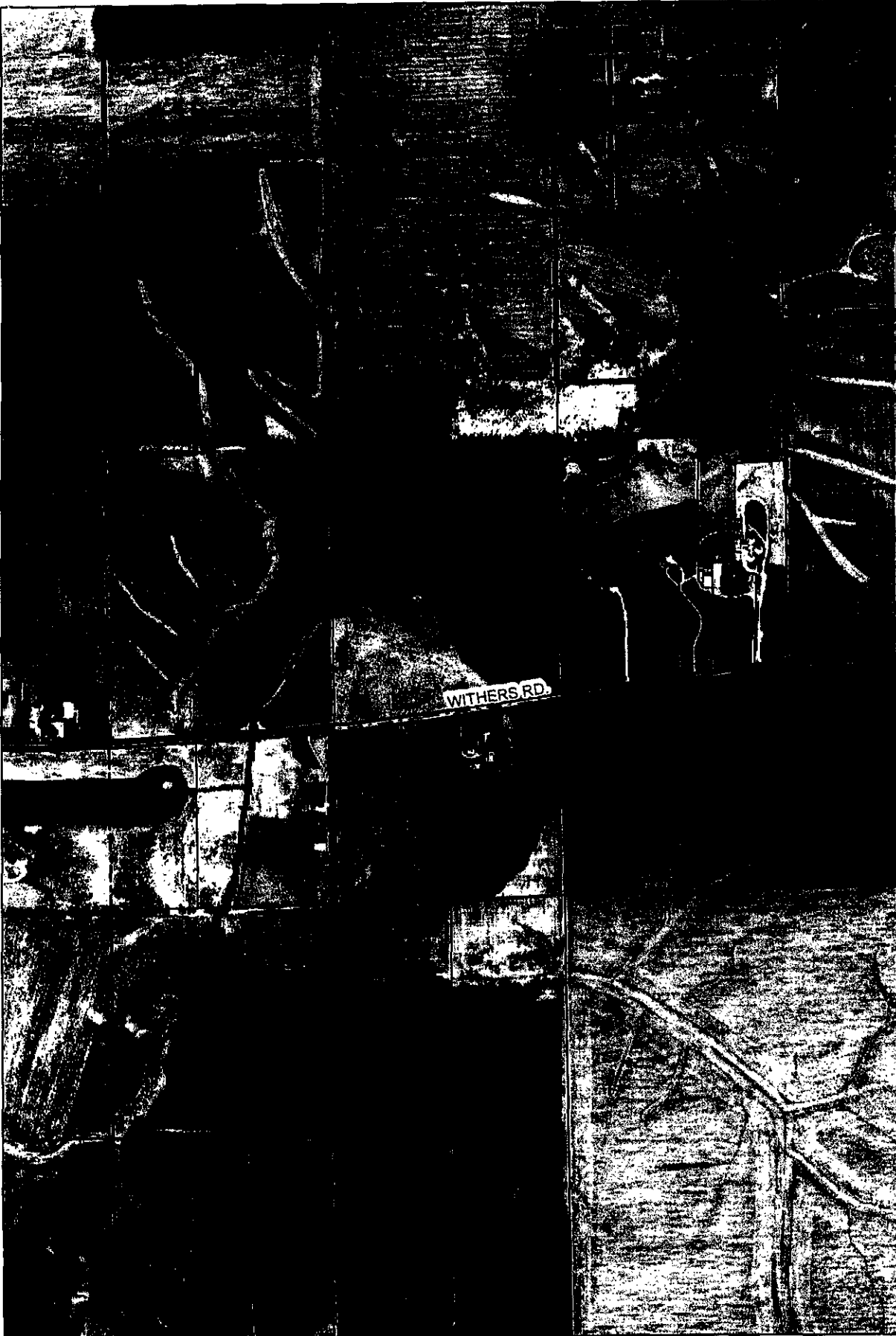
DAVID MENDENHALL

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

2007-21
NIPPT
9560 Withers Rd
27-24 100-004
300-002



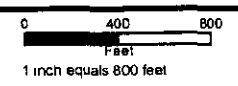
- Legend**
- Tax Parcel Lines**
- Corp Line
 - County Line
 - Geo Twp Line
 - - - Lot Line
 - Min Rights Line
 - - - Misc Line
 - Parcel Line
 - Pol Twp Line
 - - - Railroad Centerline
 - Railroad ROW
 - - - Road Centerline
 - Road ROW
 - - - Section Line
 - Sub Line 100
 - Sub Line 400
 - - - Water Line
 - Subdivision

Sangamon County, Illinois



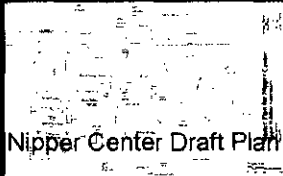
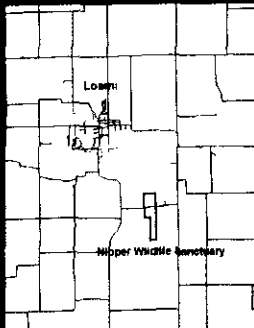
Office Of
Supervisor of Assessments
Sangamon County GIS

Although strict accuracy standards have been employed in the compilation of this map, Sangamon County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.



Flight Date: April, 2003

3/29/2007



5



276

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 7 NAME: **Craig Hall**

DOCKET NUMBER: **2007-21**

ADDRESS: **9560 Withers Road, Loami, IL**

PETITIONER: **Nipper Wildlife Sanctuary Trust**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District**

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a conditional permitted use to allow for a Public Park (Wildlife Sanctuary).**

AREA: **120 acres**

COMMENTS: **None**

OBJECTORS: **Yes**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION: **Approval**



RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2007-21
Nipper Wildlife Sanctuary Trust)	
)	PROPERTY LOCATED AT:
)	9560 Withers Road
)	Loami, IL 62661
)	

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 **May 17, 2007** 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 or contract to purchase the property commonly known as **9560 Withers Road, Loami, IL, 62661** and more particularly described as:

East one-half of the Northwest Quarter of Section 24 and the East one-half of the East one-half of the Southwest Quarter of Section 24, Township 14 North, Range 7 West of the Third Principal Meridian.

Page 2

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is Agriculture.
- 5. That the proposed land use of said property is Public Park (Wildlife Sanctuary).
- 6. That the requested conditional permitted use of said property is: to allow for a Public Park (Wildlife Sanctuary).
- 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 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 be approved.


 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member Marvin Traylor 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 Patrick Somers.

The vote of the Board was as follows:

YES: Peggy Egizii, Patrick Somers, Marvin Traylor

NO: Charles Chimento, Judith Johnson

ABSENT:


 RECORDING SECRETARY

SSCRPC **Springfield Sangamon County Regional Planning Commission**

Staff Findings and Recommendation
 (inspected 4/4/07 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-21
 ADDRESS 9560 Withers Road
 Property Index # 27-24-100-004 & 27-24-300-002

PETITIONER Nipper Wildlife Sanctuary Trust

REQUESTED ZONING A Conditional Permitted Use to allow for a public park and wildlife sanctuary.

PROPOSED LAND USE Public Park (Wildlife Sanctuary)

EXISTING:

ZONING A

LAND USE Wildlife Sanctuary & cropland

ROAD FRONTAGE Withers Road 1319' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Outbuildings

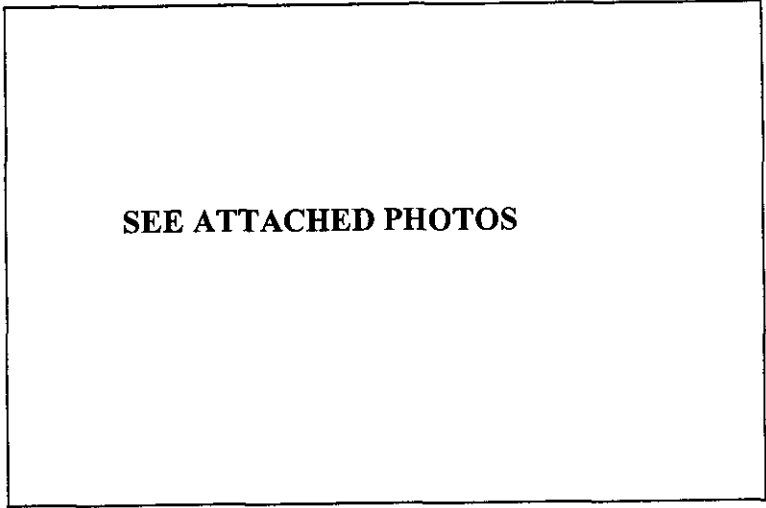
CONDITION OF STRUCTURE Good

LOT AREA 120 acres

FRONT YARD NA

SIDE YARDS NA

REAR YARD NA



Would the proposed zoning be spot zoning? NA

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval.**

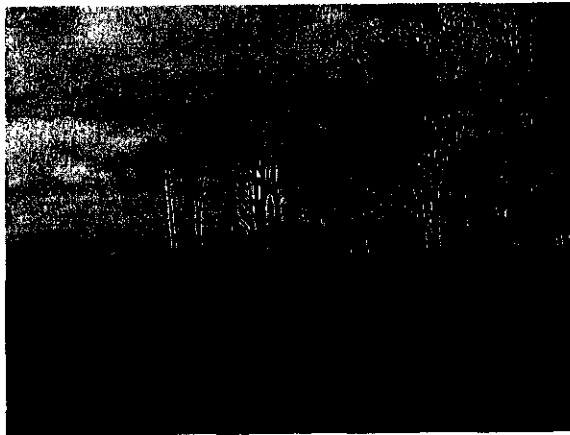
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Case #: 2007-21

Address: 9560 Withers Road



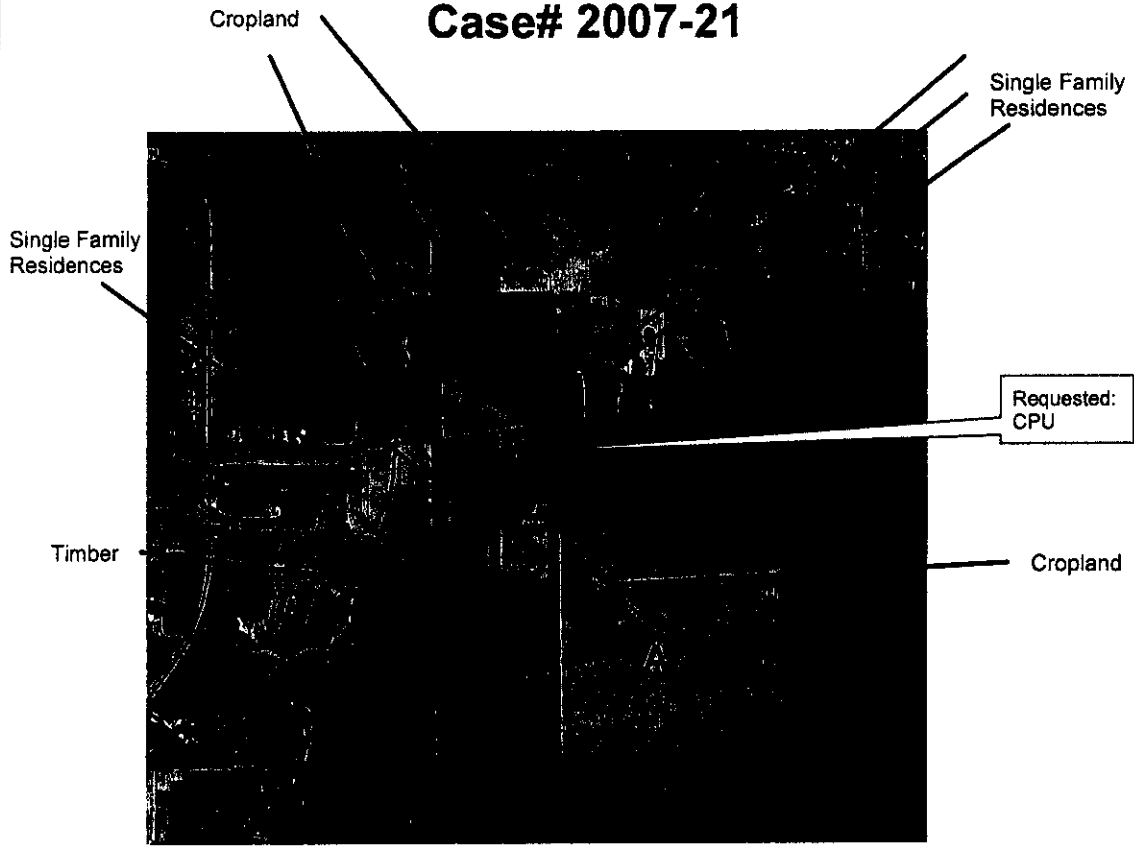
North side of Road



South side of Road

County Zoning

Case# 2007-21

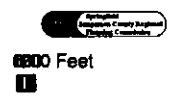


County Zoning

	RM-4		I1
	R3		I2
	R2		B3
	R1a		B2
	R1		B1
	OFF		A

City Zoning

	R5		H1		OFF
	R1		H2		PUD
	R2		H3		B1
	R3a		S1		B2
	R3b		S2		I1
	R4		S3		I2



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

Case #: 2007-21

Address: 9560 Withers Road

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 three residences to the east of the property on the north side of the road and one residence directly west of the property on the south side of the road. Otherwise there is cropland. The proposed location of the Visitor's Center is not near any of the homes. Public use of the property will be for passive recreational activities (observation of nature) only.

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

Yes. Plans submitted show the proposed location of the Visitor's Center and trails.

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

No negative impact is anticipated.

- (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. **NA**

- (b) Mobile home parks - must meet the requirements of Section III(R) Large Scale Development. **NA**

- (c) Tourist home, motels, hotels - that the proposed use must be located on or within 400 feet of a major thoroughfare. **NA**

- (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. **NA**