

CASE # 2007-28
RESOLUTION NUMBER 8-1

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
400 NORTH 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 conditional permitted use** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Kim Shirley**, has petitioned the Sangamon County Board for **a conditional permitted use to allow for a body shop including spray painting**; 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

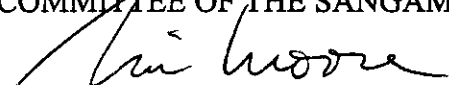
Joe Aiello
Sangamon County Clerk

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 body shop including spray painting 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

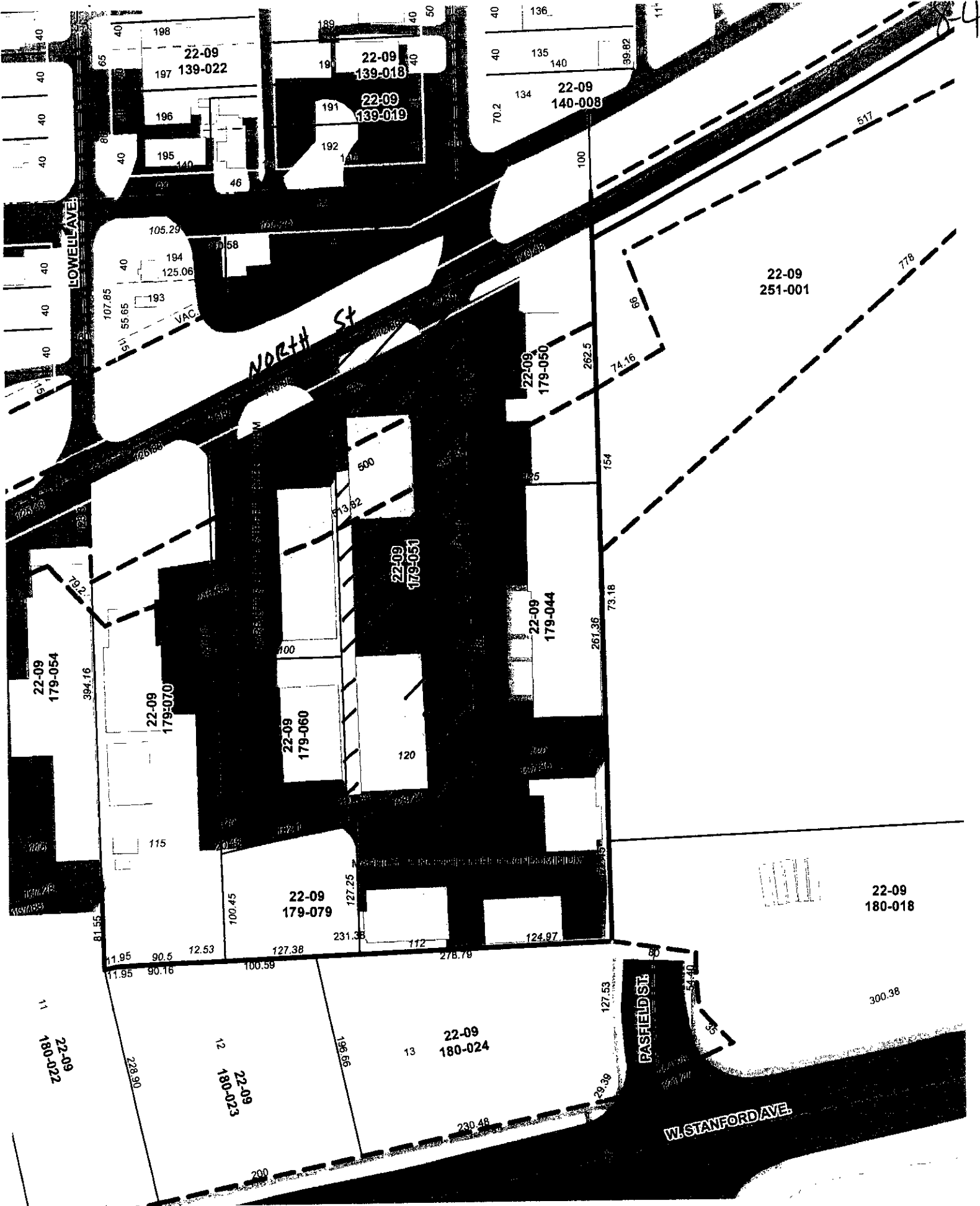
EXHIBIT APARCEL I:

Part of Lot 5 in Loose Estate Subdivision and part of the Northwest Quarter of Section 9, Township 15 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows: From a point on the Quarter Section line 740.19 feet North of the Southeast corner of the Northwest Quarter of said Section 9, South 77 degrees 54 minutes 00 seconds West, 127.85 feet to the point of beginning; thence continuing South 77 degrees 54 minutes 00 seconds West, 123.24 feet; thence North 01 degrees 00 minutes 43 seconds East, 452.42 feet; thence on a curve to the left of radius 8,039.81 feet, a chord distance of 112.39 feet; thence South 01 degree 00 minutes 43 seconds West, 409.61 feet; thence deflecting to the left 90 degrees, 20.00 feet; thence South 01 degree 00 minutes 43 seconds West, 66.78 feet to the point of beginning. EXCEPTING THEREFROM THE FOLLOWING: From a point on the Quarter Section line 740.19 feet North of the Southeast corner of the Northwest Quarter of said Section 9, South 77 degrees 54 minutes 00 seconds West, 127.85 feet to the point of beginning; thence continuing South 77 degrees 54 minutes 00 seconds West, 20.53 feet; thence North 01 degree 00 minutes 43 seconds East, 71.42 feet; thence East at right angles 20.00 feet; thence South 01 degree 00 minutes 43 seconds West, 66.78 feet to the point of beginning.

PARCEL II:

Part of Lot 5 Loose Estate Subdivision and part of the Northwest Quarter of Section 9, Township 15 North, Range 5 West of the Third Principal Meridian, described as follows: From the point of intersection of the South right-of-way line of the Norfolk and Western Railroad and the East line of the Northwest Quarter of said Section 9, said point being 1264.05 feet North of the Southeast corner of said Quarter Section, Southwesterly on a curve to the right of radius of 8039.81 feet, a chord distance of 140.48 feet to the point of beginning; thence continuing Southwesterly on said curve a chord distance of 22.36 feet; thence South parallel to the Quarter Section line 409.61 feet; thence East at right angles 20.00 feet; thence North parallel to the Quarter Section line 419.62 feet; to the point of beginning.

Situated in Sangamon County, Illinois.



LOWELL AVE

NORTH ST

PASFIELD ST

W. STANFORD AVE

22-09
139-022

22-09
139-018

22-09
139-019

22-09
140-008

22-09
251-001

22-09
179-050

22-09
179-051

22-09
179-044

22-09
179-054

22-09
179-070

22-09
179-060

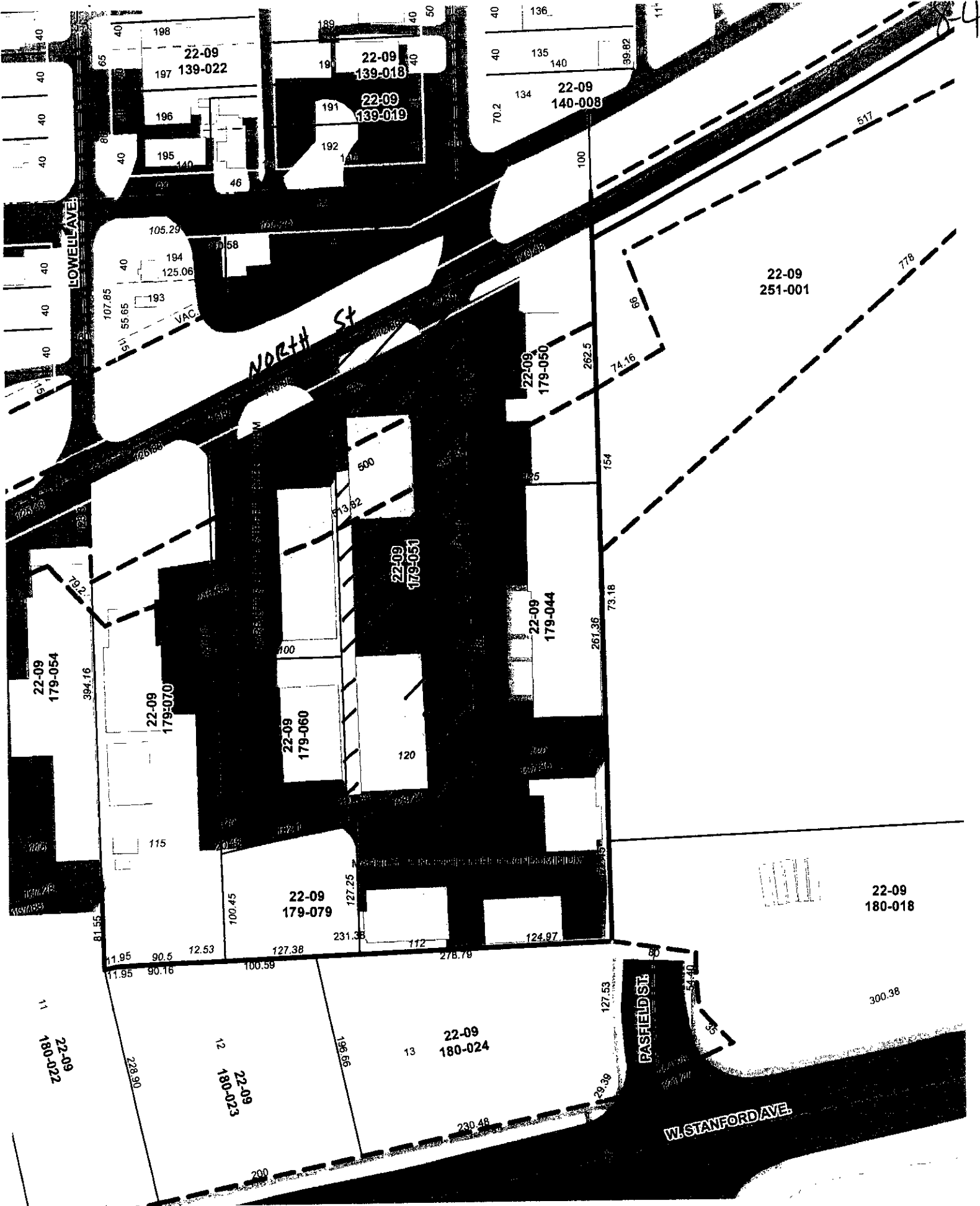
22-09
179-079

22-09
180-018

22-09
180-022

22-09
180-023

22-09
180-024



RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 21 NAME: Clyde Bunch

DOCKET NUMBER: 2007-28

ADDRESS: 400 North Street, Springfield, IL 62704

PETITIONER: Kim Shirley

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

REQUESTED ZONING CLASSIFICATION: "I-1" Restricted Industrial District with a conditional permitted use to allow for a body shop including spray painting.

AREA: 1.29 acres

COMMENTS: None

OBJECTORS: None

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: **2007-28**
 Kim Shirley)
)
) PROPERTY LOCATED AT:
) **400 North Street**
) **Springfield, IL 62704**
)

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 **400 North Street, Springfield, IL 62704** and more particularly described as:

See Exhibit A

- 3. That the present zoning of said property is **"I-1" Restricted Industrial District.**
- 4. That the present land use of said property is **storage facility for industrial products use by Connor Company.**
- 5. That the proposed land use of said property is **a body shop.**
- 6. That the requested **conditional permitted use** of said property **is to allow for a body shop including 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** 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 **granted.**

Charles Chimento

 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Peggy Egizii** 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: **Charles Chimento, Peggy Egizii, Judith Johnson, Patrick Somers, Marvin Traylor**

NO:

ABSENT:

Bob Armstrong

 RECORDING SECRETARY

EXHIBIT A

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Situated in Sangamon County, Illinois.

84

SSCRPC **Springfield Sangamon County Regional Planning Commission**

Staff Findings and Recommendation
 (inspected 5/7/07 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-28
 ADDRESS 400 North Street
 Property Index # 22-09-179-051

PETITIONER Shirley, Kim

REQUESTED ZONING A Conditional Permitted Use to allow for a body shop to include spray painting.

PROPOSED LAND USE Body shop including spray painting

EXISTING:

ZONING I-1

LAND USE Warehouses

ROAD FRONTAGE North Street 134.75' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Business

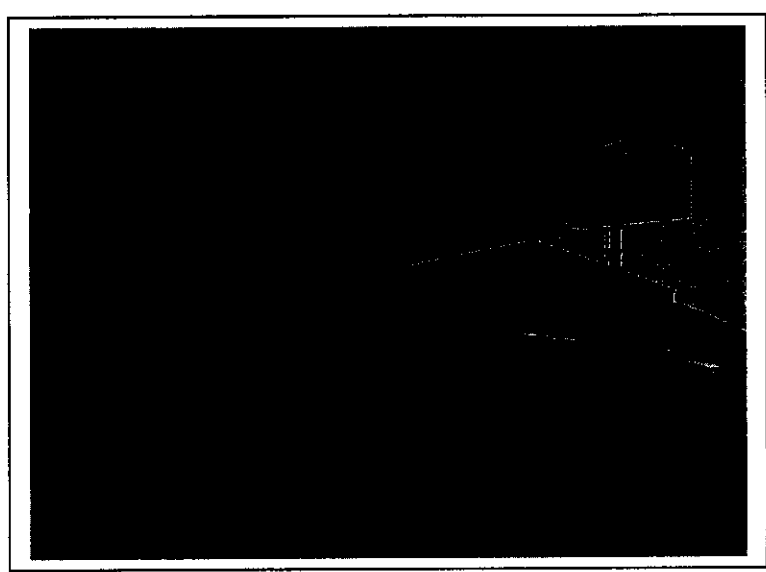
CONDITION OF STRUCTURE Good

LOT AREA 1.29 acres

FRONT YARD Varied

SIDE YARDS Varied

REAR YARD Varied

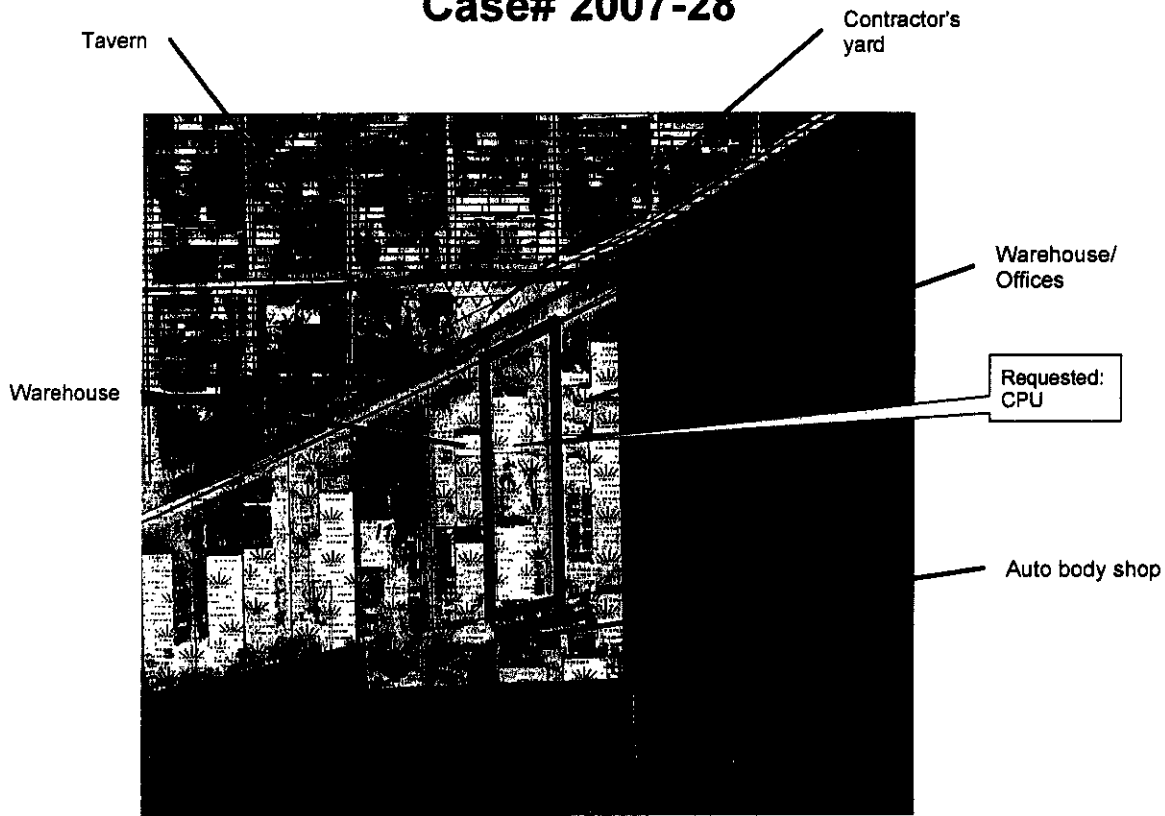


Would the proposed zoning be spot zoning? NA

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

County Zoning

Case# 2007-28

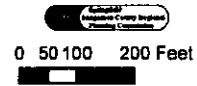


County Zoning

| | | | |
|--|------|--|----|
| | 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 #: 2007-28

Address: 400 North Street

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 site is surrounded by similar uses.

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

Yes. The subject property is among similar uses.

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

No foreseen 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