

CASE # 2008-65
RESOLUTION NUMBER 9-1

DENYING A REZONING
FOR CERTAIN PROPERTY LOCATED AT
1420 N. 29TH ST., 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 **deny an amendment** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

Lot 108 of Wanless Ridgewood Addition.

WHEREAS, the Petitioner, **Michael T. Ivy**, has petitioned the Sangamon County Board for a **rezoning from "R2" Single Family and Two Family Residence District to "B3" General Business District to allow for mini storage buildings; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **October 16, 2008**, 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 **deny the rezoning; and**

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

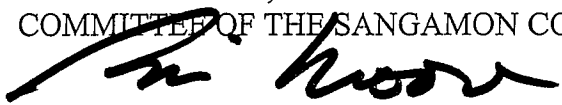
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NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12th day of November, 2008 that the request to rezone the above described property "R2" Single Family and Two Family Residence District to "B3" General Business District to allow for mini storage buildings is hereby denied.

Signed and passed by the Sangamon County Board in session on this 12th day of November, 2008.

Respectfully submitted,

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



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JENNIFER DILLMAN

DAVID MENDENHALL

GEORGE PRECKWINKLE

SAM SNELL

DON STEPHENS

LINDA DOUGLAS WILLIAMS

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

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14-24
378-035

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378-036

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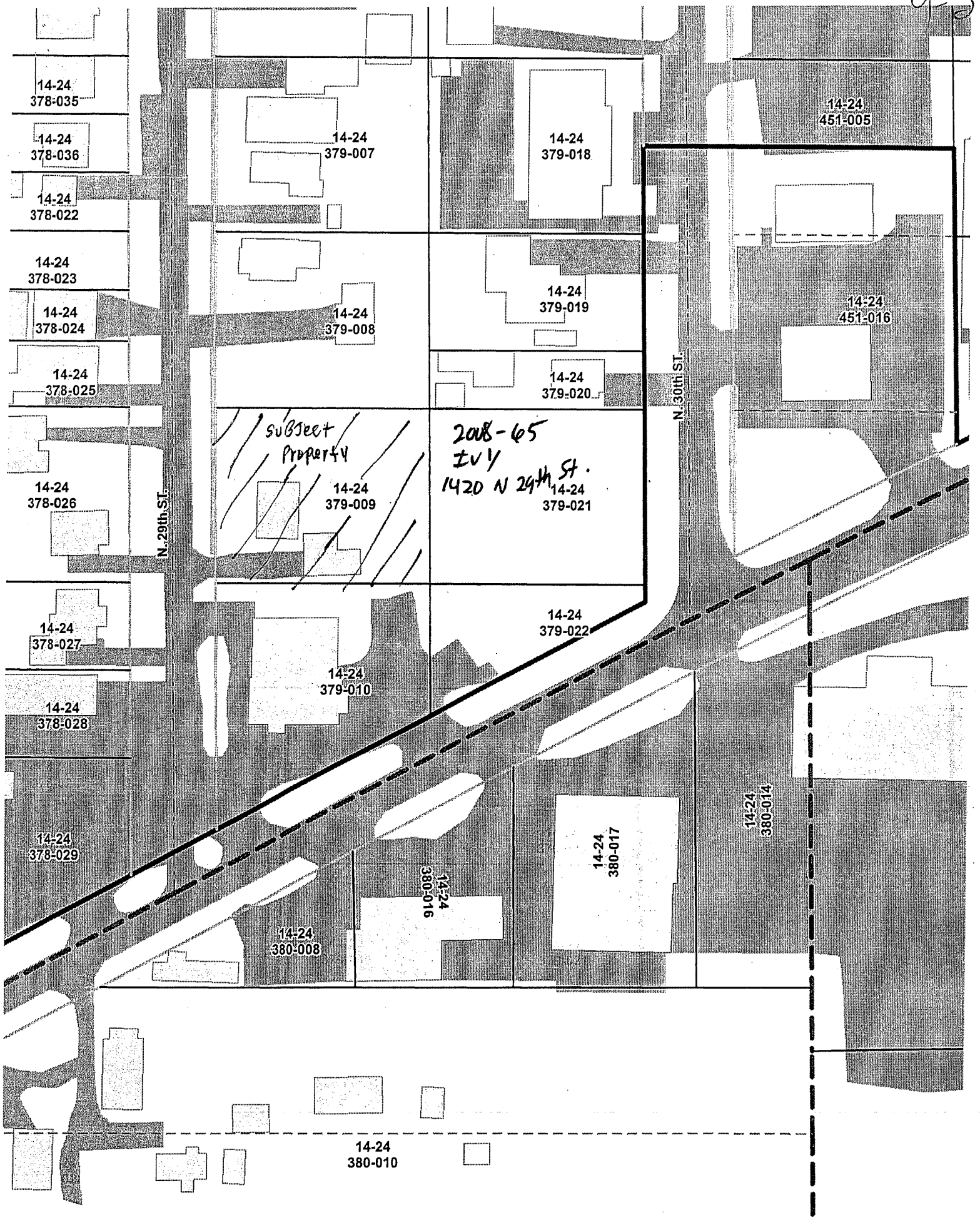
14-24
380-014

N. 29th ST.

N. 30th ST.

subject
property

2008-65
ZVY
1420 N 29th St.
14-24
379-021



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RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 10 NAME: Rose Long

DOCKET NUMBER: 2008-65

ADDRESS: 1420 N. 29th St., Springfield, IL 62702

PETITIONER: Michael T. Ivy

PRESENT ZONING CLASSIFICATION: "R2" Single Family and Two Family Residence District

REQUESTED ZONING CLASSIFICATION: "B3" General Business District

AREA: 17,250 sq ft

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend denial of requested B-3 zoning. The subject property sits in a residential neighborhood and B-3 zoning is seen as too intense. A use variance is not recommended at this location because the standards for variation are not met and is meant to support a non-permitted use when no other viable option is apparent.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Denial



RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2008-65
Michael T. Ivy)	
)	PROPERTY LOCATED AT:
)	1420 N. 29 th St
)	Springfield, IL 62702
)	

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 an **amendment** 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 **October 16, 2008** 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 **1420 N. 29th St., Springfield, IL 62702** and more particularly described as:

Lot 108 of Wanless Ridgewood Addition.

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3. That the present zoning of said property is **"R2" Single Family and Two Family Residence District.**
4. That the present land use of said property is **Single Family Residence.**
5. That the proposed land use of said property is **Mini Storage Buildings.**
6. That the requested **rezoning** of said property is **from "R2" Single Family and Two Family Residence District to "B3" General Business District to allow for mini storage buildings.**
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 not** support the proposition that the adoption of the proposed **rezoning** 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 **rezoning** be **denied**.

Charles Chimento
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Byron Deaner** to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **denied** which was duly seconded by **Judith Johnson**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Judith Johnson, Don Wulf**

NO: **Marvin Traylor**

ABSENT: **Peggy Egizii**

G. Armstrong
RECORDING SECRETARY

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SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 9/26/08 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2008-65
 ADDRESS 1420 N. 29th Street
 Property Index # 14-24-379-009

PETITIONER Ivy, Michael T.

REQUESTED ZONING B-3

PROPOSED LAND USE Mini storage building

EXISTING:

ZONING R-2

LAND USE Single family residence

ROAD FRONTAGE N. 29th St. - 118' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Residence

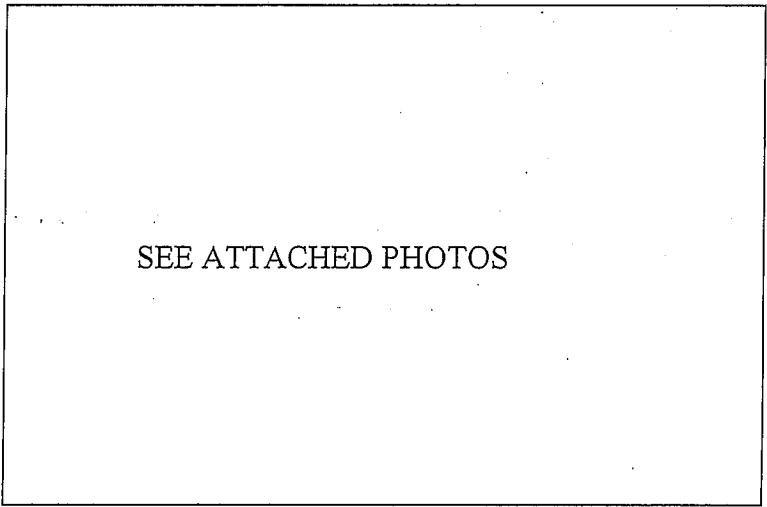
CONDITION OF STRUCTURE Good

LOT AREA 17,250 sq.ft.

FRONT YARD 22'

SIDE YARDS 47' / 20'

REAR YARD 84'



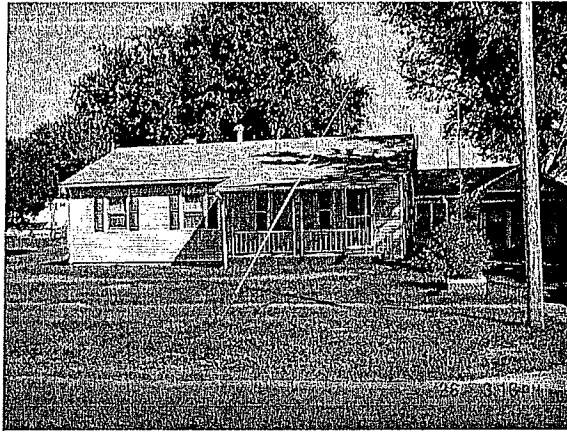
Would the proposed zoning be spot zoning? No

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend denial of requested B-3 zoning. The subject property sits in a residential neighborhood and B-3 zoning is seen as too intense. A use variance is not recommended at this location because the standards for variation are not met and is meant to support a non-permitted use when no other viable option is apparent.

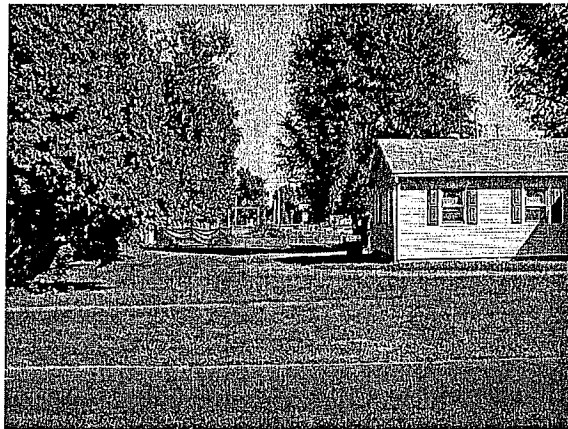
9-8

Case #: 2008-65

Address: 1420 N. 29TH St.



1420 N. 29th Street



1420 N. 29th Street



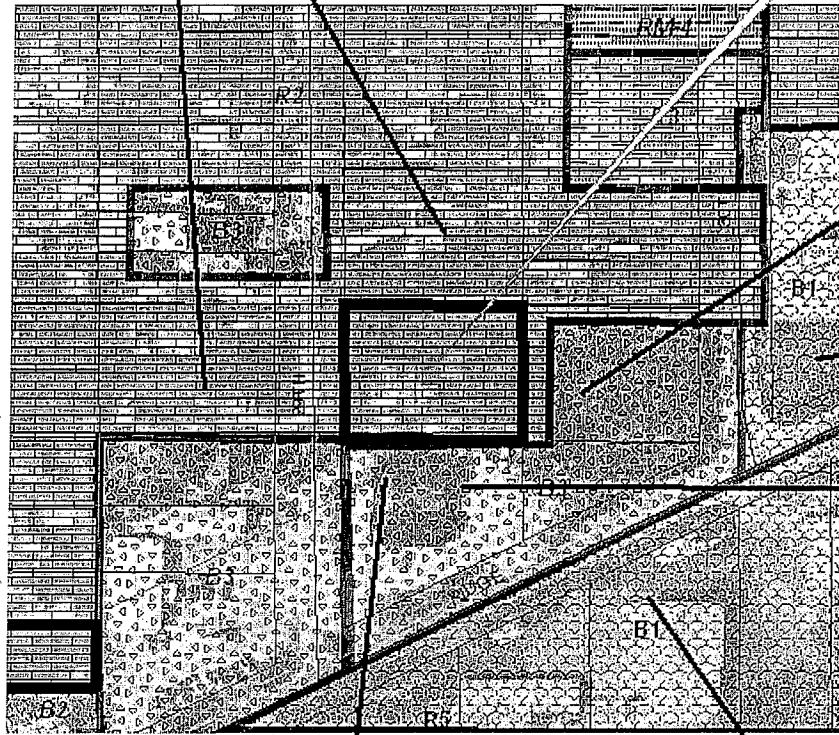
1420 N. 29th Street

County Zoning

Case# 2008-65

Requested:
B-3

Single Family
Residence



Construction
Company
Storage

Gas
Station

Concrete
Company

Motorcycle/
ATV Service &
Repair

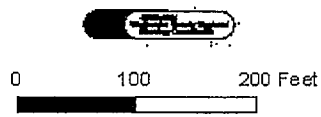
Tobacco
Store

County Zoning

City Zoning

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

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



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RECOMMENDED STANDARDS FOR USE VARIATIONS

Case #: 2008-65

Address: 1420 N. 29th St.

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.

No. There is no hardship in relation to this property.

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

The area has remained residential in character with some commercial activity along Ridge.

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

There is no particular benefit to the community in having a mini storage building at this location.

- (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.

The subject property is residential in character. Having a mini storage building at this location will alter the character of the area.

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**SANGAMON COUNTY
RECOMMENDED - FINDINGS OF FACT**

Case #: 2008-65

Address: 1420 N. 29th Street

- (i) Existing uses of property within the general area of the property in question.

To the west and north are single family residences. To the east is a lot for construction company storage. To the south is a tobacco store and a concrete company.

- (ii) The zoning classification of property within the general area of the property in question.

To the west and north is R-2. To the east and south is B-3. Further northwest is B-3 and further northeast is R-3 and RM-4.

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

There is a single family residence on the subject property and is suited to the current R-2 zoning.

- (iv) The trend of development, within the vicinity since the property was originally classified.

Property to the northwest was rezoned to B-3 in 1976. Property to the south was rezoned to B-3 in 1994 and 1997. Property further northeast was rezoned to R-3 in 1976 and RM-4 in 1983.