

FILED

CASE # 2009-63

JAN 04 2010

RESOLUTION NUMBER 11-1

Joe Aiello
Sangamon County Clerk

DENYING A REZONING
GRANTING A USE VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
4168 RIVERSIDE DRIVE, 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 but, in the alternative, grant a use variance to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

Tract M in Riverside Subdivision Number 1, a subdivision of part of the South Half of Section 1, Township 16 North, Range 5 West of the Third Principal Meridian

WHEREAS, the Petitioners, **Ralph Jennings**, has petitioned the Sangamon County Board for a rezoning from "R-1" Single Family Residential District to "B-3" General Business District to allow for parking of three (3) work trucks, and storage for carpet cleaning business in the existing pole barn; and

WHEREAS, a public hearing was held at the Sangamon County Building on **November 19, 2009**, 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 but, in the alternative, grant a use variance based on the amended staff recommendation; and

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

11-2

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12th day of January, 2010 that the request for rezoning from "R-1" Single Family Residential District to "B-3" General Business District to allow for parking of three (3) work trucks, and storage for a carpet cleaning business in the existing pole barn on the above-described property is hereby denied but, in the alternative, grant a use variance based on the amended staff recommendation.

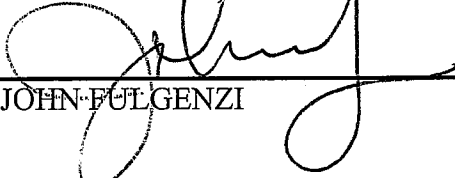
Signed and passed by the Sangamon County Board in session on this 12th day of January, 2010.

Respectfully submitted,

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

TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN



JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

11-3

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 8 NAME: Jim Good

DOCKET NUMBER: 2009- 63

ADDRESS: 4168 Riverside Dr., Springfield, IL. 62707

PETITIONER: Ralph Jennings

PRESENT ZONING CLASSIFICATION: "R-1" Single Family Residential.

REQUESTED ZONING CLASSIFICATION: "B-3" General Business District to allow for parking of three (3) work trucks and storage of carpet cleaning equipment in the existing pole barn.

AREA: .9 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend denial of requested B-3 zoning. Such intense commercial zoning is not seen as appropriate at this location. Recommend approval of a use variance to allow a carpet cleaning business with all storage inside. The potential for development under the existing residential zoning is questionable given the property is currently developed with a business use.**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Denial of the rezoning to B-3 but, in the alternative, grant a use variance as recommended by the staff.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2009-63
Ralph Jennings))
)	PROPERTY LOCATED AT:
)	4168 RIVERSIDE DRIVE
)	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 **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 **December 17, 2009** 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 **4168 RIVERSIDE DRIVE, SPRINGFIELD, IL. 62707** and more particularly described as:

Tract M in Riverside Subdivision Number 1, a subdivision of part of the South Half of Section 1, Township 16 North, Range 5 West of the Third Principal Meridian

115

- 3. That the present zoning of said property is "R-1" Single Family Residence District.
- 4. That the present land use of said property is residential.
- 5. That the proposed land use of said property is to park 3 work trucks and store equipment for a carpet cleaning business.
- 6. That the requested use variance of said property is to allow for parking of three (3) work trucks and storage of carpet cleaning equipment in existing pole barn.
- 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 but, in the alternative, grant a use variance as amended by the staff recommendation.

Charles Chimento/ck
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 for rezoning but, in the alternative, a use variance be granted** which was duly seconded by **Peggy Egizii**.

The vote of the Board was as follows:

YES: Charles Chimento, Peggy Egizii, Judith Johnson, Byron Deaner, John Luchessi.

NO:

ABSENT: Marvin Traylor

Cyndi Knowles
RECORDING SECRETARY