

CASE # 2007-37
RESOLUTION NUMBER 11-1

GRANTING A USE VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
601 S. OAKLANE 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 a use variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Thomas M. Donelan**, has petitioned the Sangamon County Board for a **use variance for an auto repair shop including spray painting**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **June 21, 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 use variance with the condition that there shall be no outside storage**; and

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

FILED

JUN 29 2007

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10th day of July that the request for a use variance for an auto repair shop including spray painting on the above described property is hereby approved with the condition that there shall be no outside storage.

Signed and passed by the Sangamon County Board in session on this 10th day of July, 2007.

Respectfully submitted,

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

TIM MOORE, CHAIRMAN

abe Forsyth

ABE FORSYTH, VICE CHAIRMAN

BILL MOSS

SAM SNELL

DON STEPHENS

DAVID MENDENHALL

ATTEST:

Joe Aull

SANGAMON COUNTY CLERK

A. W. [Signature]

COUNTY BOARD CHAIRMAN

EXHIBIT A

Part of the Southeast quarter of Section 32, Township 16 North, Range 4 West of the Third Principal Meridian more particularly described as follows:

From the Northeast corner of said Southeast Quarter, measure South along the East line of said Quarter Section 528 feet to the point of beginning; thence continuing South along said East line, measure 183.50 feet; thence deflecting right 90 degrees 35 minutes, measure Westerly 396 feet; thence deflecting right 89 degrees 25 minutes, measure Northerly 183.50 feet; thence deflecting right 90 degrees 35 minutes, measure Easterly 396 feet to the point of beginning.

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR USE VARIATIONS
▶ As Recommended by the Board of Appeals ◀**

Case #: **2007-37**

Address: **601 S. Oaklane Road, Springfield, IL**

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.

There are special circumstances as the building is well suited to non-residential use and the "A" district does allow many non-residential uses.

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

There is a trend toward home-based business.

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

Yes, there is a demand for repair services in the county.

- (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.

Since there will be no outside storage the use will have minimal impact.

528

36

15-32
400-016

528

16

316.01

-637

132

396

15-32
400-025

SUBJECT PROPERTY

183.5

283.04



15-33-300-032

1530.5

Rd

430

15-32
400-026

15-33
300-028

412.5

OAK Lane

222

121.5

160

172

150

15-33
300-039

315

116

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 9 NAME: Sarah Musgrave

DOCKET NUMBER: 2007-37

ADDRESS: 601 S. Oaklane Road, Springfield, IL 62712

PETITIONER: Thomas M. Donelan

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a use variance for an auto repair shop including spray painting.

AREA: 1.67 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend denial. The standards for use variations are not met.**

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION: **Approval with the condition that there shall be no outside storage.**



RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2007-37
Thomas M. Donelan)	
)	PROPERTY LOCATED AT:
)	601 S. Oaklane Road
)	Springfield, IL 62712
)	

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 **use variance** 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 **June 21, 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 **601 S. Oaklane Road, Springfield, IL 62712** and more particularly described as:

See Exhibit A

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3. That the present zoning of said property is "A" Agricultural District.
4. That the present land use of said property is **Single Family Residence & Auto Repair**.
5. That the proposed land use of said property is **Residential and Auto Repair**.
6. That the requested **use variance** of said property is: **for an auto repair 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 **use variance** 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 **use variance** be **approved with the condition that there shall be no outside storage**.


 CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Patrick Somers** to concur with the amended findings of fact and to recommend to the County Board that the petition be **approved with the condition that there shall be no outside storage**, which was duly seconded by **Barbara Braner**.

The vote of the Board was as follows:

YES: **Charles Chimento, Peggy Egizii, Judith Johnson, Patrick Somers, Barbara Braner**

NO:

ABSENT: **Marvin Traylor**


 RECORDING SECRETARY

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