

CASE # 2006-13  
RESOLUTION NUMBER 2-1

**GRANTING A USE VARIANCE**  
**FOR CERTAIN PROPERTY LOCATED AT**  
**3540 S. PARK, SPRINGFIELD, IL 62704**  
**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:

**The South one half of lot 70, except the South 40' of the West 160', Pierik Place.**

WHEREAS, the Petitioners, **Jan & Lisa Creasey**, have petitioned the Sangamon County Board for a **use variance to allow a 40' x 96' office/warehouse for a building/remodeling business with a front yard of 30', a rear yard of 233', a south side yard of 10' and a north yard side yard of 30'**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **March 16, 2006**, 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**; and

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

**FILED**

MAR 24 2006

*Joe Aiello*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 4<sup>th</sup> day of April, 2006 that the request for a use variance to allow a 40' x 96' office/warehouse for a building/remodeling business with a front yard of 30', a rear yard of 233', a south side yard of 10' and a north yard side yard of 30'; with no outside storage on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 4<sup>th</sup> day of April, 2006.

Respectfully submitted,

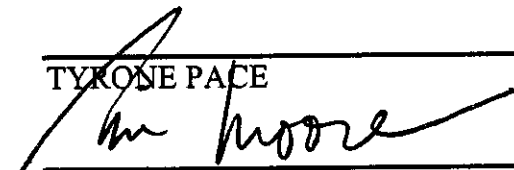
PUBLIC HEALTH, SAFETY & ZONING  
COMMITTEE OF THE SANGAMON COUNTY BOARD

\_\_\_\_\_  
DAN VAUGHN, CHAIRMAN

\_\_\_\_\_  
ABE FORSYTH

\_\_\_\_\_  
BILL MOSS


\_\_\_\_\_  
TYRONE PACE

  
\_\_\_\_\_  
TIM MOORE

\_\_\_\_\_  
DON STEPHENS

\_\_\_\_\_  
DAVID MENDENHALL

**ATTEST:**

  
\_\_\_\_\_  
SANGAMON COUNTY CLERK

  
\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 12      NAME: **Cathy Scaife**

DOCKET NUMBER:      **2006-13**

ADDRESS:      **3540 S. Park, Springfield, IL 62704**

PETITIONER:      **Jan & Lisa Creasey**

PRESENT ZONING CLASSIFICATION: **"R-1" Single Family Residence**

REQUESTED ZONING CLASSIFICATION: **"R-1" Single Family Residence with a use variance to allow a 40' x 96' office/warehouse for a building/remodeling business with a front yard of 30', a rear yard of 233', a south side yard of 10' and a north yard side yard of 30'**

AREA:      **.8 acre**

COMMENTS:      **None**

OBJECTORS:      **Yes**

PLANNING COMMISSION RECOMMENDATION:      **Recommend denial. Allowing a heavy commercial use in this residential area would have a negative impact, is not in line with the trend of development (including a new residential subdivision to the west), and would set an unfortunate precedent.**

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

  
\_\_\_\_\_  
RECORDING SECRETARY

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR USE VARIATIONS**

**► As Recommended by the Board of Appeals ◀**

Case #: 2006-13

Address: 3540 S. Park, 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.

**Circumstances are special due to the number of businesses in the area and the lots are large for a single family residence.**

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

**Use variances have been granted in the area.**

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

**The improved business will benefit the community.**

- (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.

**All storage will be in the building and the building will be used for an office with storage with no fabrication. In addition the use will generate very little traffic.**

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2006-13</b>
<b>Jan &amp; Lisa Creasey</b> )	
)	PROPERTY LOCATED AT:
)	<b>3540 S. Park</b>
)	<b>Springfield, IL 62704</b>
)	

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 **March 16, 2006** 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 **3540 S. Park, Springfield, IL 62704** and more particularly described as:

**The South one half of lot 70, except the South 40' of the West 160', Pierik Place**

- 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 **Single Family Residence.**
- 5. That the proposed land use of said property is **Office/Warehouse.**
- 6. That the requested **use variance** of said property is: **a 40’ x 96’ office/warehouse for a building/remodeling business with a front yard of 30’, a rear yard of 233’, a south side yard of 10’ and a north yard side yard of 30’**
- 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.**

Charles Chimento Ags  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Patrick Somers in accord with the amended standards for a use variance** to recommend to the County Board that the petition be **approved**, which was duly seconded by **Donn Malwick.**

The vote of the Board was as follows:

**YES: Charles Chimento, Donn Malwick, Peggy Egizii, Patrick Somers, Marvin Traylor**

**NO:**

**ABSENT:**

AJ Armstrong  
RECORDING SECRETARY



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CASE #: 2006-13

INDEX #: 22-08-452-038

DATE: 3-3-06

INSPECTED BY: DK LW

**USE VARIANCE CHECK LIST**

PETITIONER: Creasey, Jan & Lisa

ADDRESS: 3540 South Park CITY OR VILLAGE OR NEAREST ONE: Springfield

REQUEST DESCRIPTION: A 40' x 96' warehouse for a building remodeling business/office with a front yard of 30', a rear yard of 233', south side yard of 10' and a north side yard of 30'.

EXISTING ZONING: R-1

EXISTING LAND USE: Single Family Residence

PROPOSED LAND USE: Office/Warehouse

LAND AREA: .8 acre ROAD FRONTAGE: 40 Lineal Ft. ROAD COND: Good

STRUCTURE DESIGNED FOR: Residence CONDITION OF STRUCTURE: Fair

EXISTING YARDS: Front 20 ft. Side 5/5 ft. Rear 420 ft.

- NEARBY LAND USE:
- a. To North Single Family Residences, Multi-Family
  - b. To South Single Family Residences, Mobile Home Park
  - c. To East Warehouses/Offices
  - d. To West Single Family Residences

**OTHER COMMENTS:**

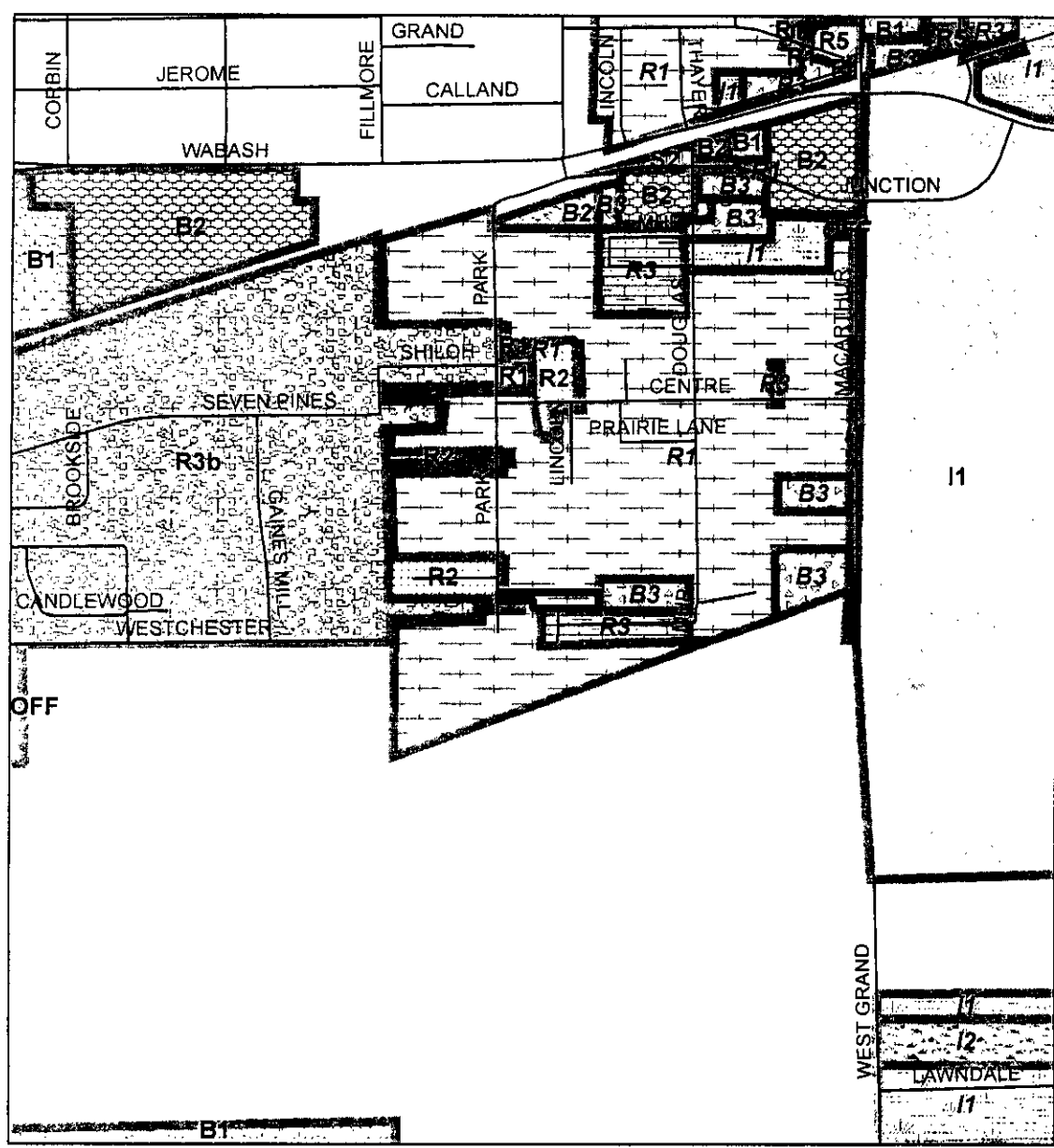
Staff Estimate of the Effect of the Use Variance on the Area		None	Slight	Mod.	Great
CONTRASTS:	land use				X
	appearance				X
CURRENT VS. PROPOSED	height	X			
	parking spaces			X	
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow			X	
WILL USE INCREASE	pop. density	X			
	dwellings, density	X			
	school pop.	X			
	traffic volume			X	



**RECOMMENDATIONS:** Recommend denial. Allowing a heavy commercial use in this residential area would have a negative impact, is not in line with the trend of development (including a new residential subdivision to the west), and would set an unfortunate precedent.



# County Zoning Case# 2006-13

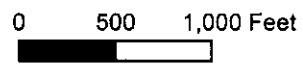


## County Zoning

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

## City Zoning

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





## RECOMMENDED STANDARDS FOR USE VARIATIONS

Case #: **2006-13**

Address: **3540 South Park**

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.

**The property is currently zoned residential and there is a single family residence on the property. This is a residential area.**

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

**No. Although there have been some commercial uses allowed to the east off of Douglas, this street has remained residential and a residential subdivision was recently developed directly to the west.**

- (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 allowing a heavy commercial use in a residential neighborhood.**

- (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 proposed heavy commercial use would alter the character of this residential area and potentially have a very negative impact. As is evident along Douglas to the east, once an initial use variance is granted other requests are made. The change in character could also impair property values of the surrounding residences.**