

CASE # 2006-03  
RESOLUTION NUMBER 3-1

**DENYING A REZONING**  
FOR CERTAIN PROPERTY LOCATED AT  
**986 EAST ANDREW ROAD**  
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:

See **EXHIBIT A**

WHEREAS, the Petitioner, **Sandy Stephens**, has petitioned the Sangamon County Board for a **rezoning from "R1" Single Family Residence District to "B3" General Business District**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **January 19, 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 **deny the rezoning**; and

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

**FILED**

JAN 20 2006

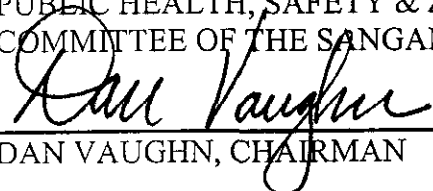
*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 1<sup>st</sup> day of February, 2006 that the request to rezone the above described property from "R1" Single Family Residence District to "B3" General Business District is hereby denied.

Signed and passed by the Sangamon County Board in session on this 1<sup>st</sup> day of February, 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

## Exhibit A

Part of the southeast quarter of section 27, township 17 north, range 5 west of the third principal meridian, bounded as follows: Beginning at a point in the South line of the public highway 213.93 feet west and 29.74 feet south of the northeast corner of said quarter section, and running thence south 63.27 feet to a point 20 feet distance from the center line of the Chicago, Peoria & St. Louis Railway Company's spur to the Cora Coal Company, as now located, thence in an easterly direction, in a curve, following the course of said spur 20 feet distant from the center line thereof 105.52 feet to a point 133 feet distant from the center line of the Chicago, Peoria, & St. Louis Railway Company's main line as now located; thence in a northwesterly direction along a line parallel to the 133 feet distant from the center line of said main railway line 123.08 feet to the south line of the public highway; and thence west along the south line of said public highway 36 feet to the place of beginning.

Also, beginning at a stone at the northeast corner of the southeast quarter of the section 27, township 17 north, range 5 west of the third principal meridian, measure west along the half section line 137.32 to a point; thence in a southerly direction along a line and parallel to and 83 feet distant from the centerline of the C. & I. M. Railway Company's main track as now laid down 224 feet to the place of beginning; thence in a northwesterly direction 230 feet, thence south 40.6 feet; thence southeast a distance of 267.5 feet to a point; which point is on the section line; thence north along the section line, a distance of 9 feet; thence northwesterly 60.9 feet to the place of beginning.

Except all coal and other minerals with the right to mine and remove same.

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: #2 NAME: **Dan Vaughn**

DOCKET NUMBER: 2006-03

ADDRESS: 986 E. Andrew Road, Springfield, IL 62707

PETITIONER: Sandy Stephens

PRESENT ZONING CLASSIFICATION: "R1" Single Family Residence District

REQUESTED ZONING CLASSIFICATION: "B3" General Business District

AREA: .34 acre

COMMENTS:

OBJECTORS:

PLANNING COMMISSION RECOMMENDATION: **Recommend denial. Commercial zoning and uses would not be appropriate in this residential area.**

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: <b>2006-03</b>
<b>Sandy Stephens</b> )	)
)	PROPERTY LOCATED AT:
)	<b>986 E. Andrew Road</b>
)	<b>Springfield, IL 62707</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 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 **January 19, 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 **986 E. Andrew Road, Springfield, IL 62707** and more particularly described as:

See **EXHIBIT A**

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- 3. That the present zoning of said property is **"R1" Single Family Residence District.**
- 4. That the present land use of said property is **Garage.**
- 5. That the proposed land use of said property is **to use for commercial or future commercial.**
- 6. That the requested **rezoning** of said property is: **from "R1" Single Family Residence District to "B3" General Business District**
- 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 *CHA*  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Pat Somers** 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 **Donn Malwick**.

The vote of the Board was as follows:

YES: **Charles Chimento, Peggy Egizii, Pat Somers, Donn Malwick, Barbara Braner**

NO: **None**

ABSENT: **Marvin Traylor**

R. G. Armstrong  
RECORDING SECRETARY

## Exhibit A

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Except all coal and other minerals with the right to mine and remove same.

3-8



CASE #: 2006-3  
 INDEX #: 06-27-428-010  
 DATE: 1-9-06  
 INSPECTED BY: DK LW

**ZONING AMENDMENT CHECK LIST**

PETITIONER: Stephens, Sandy  
 ADDRESS: 986 East Andrew Road TWP. 17 RANGE 5 W SEC. 27 ¼ SEC. SE  
 (OR NEAREST IDENTIFIABLE ROAD) TWP. \_\_\_\_\_ RANGE \_\_\_\_\_ W SEC. \_\_\_\_\_ ¼ SEC. \_\_\_\_\_  
 CITY OR VILLAGE OR NEAREST ONE: Sherman

EXISTING ZONING: R-1 PROPOSED ZONING: B-3

LAND AREA: .34 acre ROAD FRONTAGE: 36 Lineal Ft. ROAD COND: Good  
Hinds - 183 Fair

EXISTING LAND USE: Unknown Commercial  
 PROPOSED LAND USE: Unstated Commercial

TYPE OF STRUCTURE: Garage CONDITION OF STRUCTURE: Fair

EXISTING YARDS: Front -- ft. Side -- ft. Rear -- ft.

SPOT ZONING: X  
 Yes No

- NEARBY LAND USE:
- a. To North Single Family Residence, Cropland
  - b. To South Single Family Residences, Cropland
  - c. To East Cropland
  - d. To West Single Family Residences

**OTHER COMMENTS:**

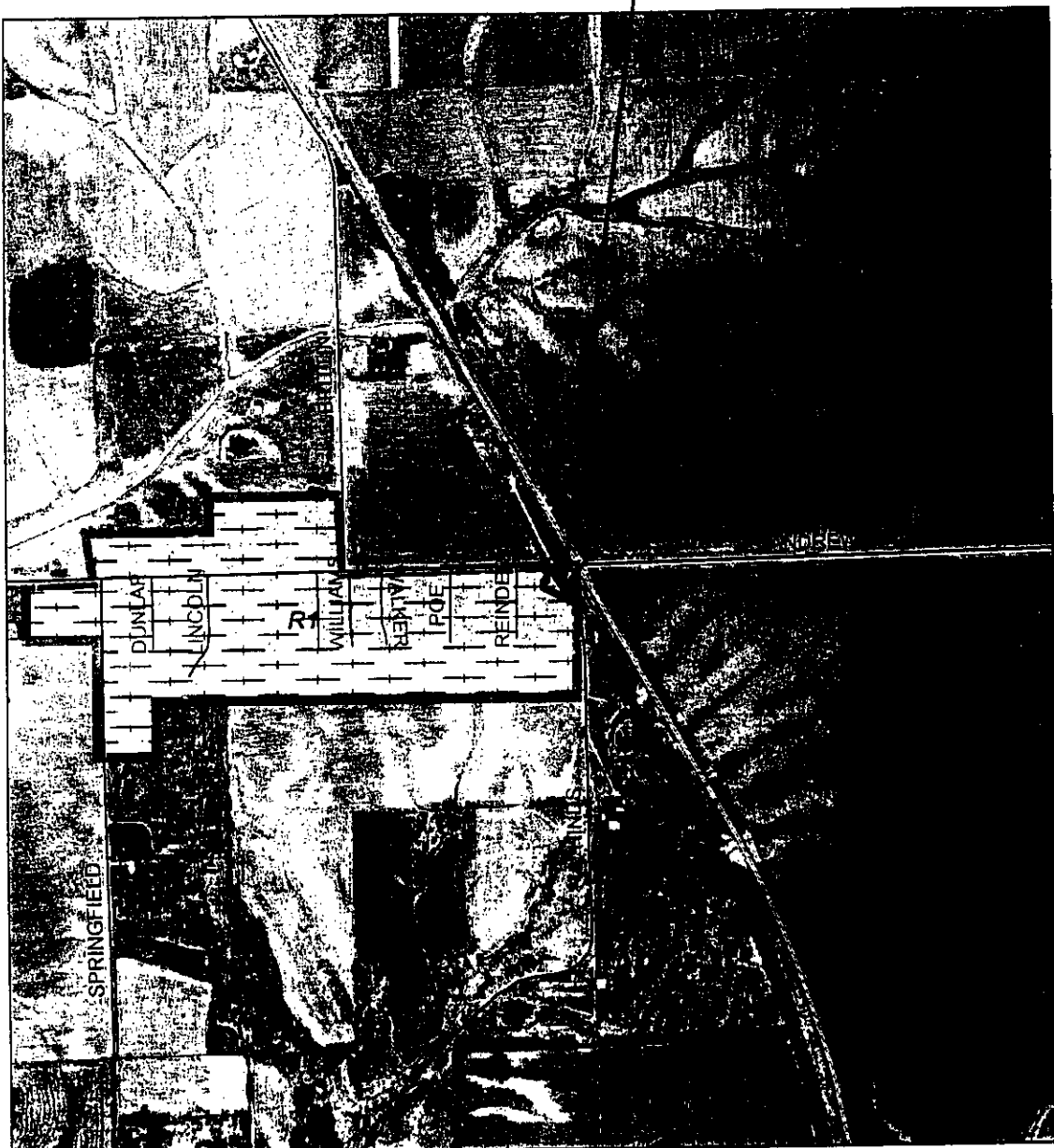
Staff Estimate of the Effect of the Amendment on the Area		None	Slight	Mod.	Great
CONTRASTS: CURRENT VS. PROPOSED	land use				X
	appearance				X
	height				X
	parking spaces			X	
PROBLEMS FORESEEN	drainage	X			
	sewer			X	
	traffic flow		X		
WILL USE INCREASE	pop. density	X			
	dwellings, density	X	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



**RECOMMENDATIONS:** **Recommend denial. Commercial zoning and uses would not be appropriate in this residential area.**



# County Zoning Case# 2006-03

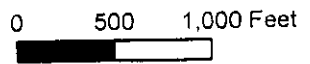


## County Zoning

	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 FINDINGS OF FACT**

Case #: **2006-3**

Address: **986 East Andrew Road**

- (i) Existing uses of property within the general area of the property in question.  
**To the north is a single family residence and cropland. To the east is vacant, railroad tracks and cropland. To the south are residences. To the west are single family residences.**
  
- (ii) The zoning classification of property within the general area of the property in question.  
**To the south and west is R-1.  
To the north and east is A.**
  
- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.  
**The property is located in a residential area and is suited to residential zoning.**
  
- (iv) The trend of development, within the vicinity since the property was originally classified.  
**The area has remained stable.**