

CASE # 2006-31
RESOLUTION NUMBER 11-1

DENYING A USE VARIANCE
FOR CERTAIN PROPERTY LOCATED AT
1103 W. CALHOUN, 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 a Use Variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

The East ½ of lot 29, Lot 30 and the West 30 feet of Lot 31 of Block 12 of Payne and Jones Addition.

WHEREAS, the Petitioner, **Lyman M. Henderson DBA AOA Springfield**, has petitioned the Sangamon County Board for a **use variance to allow for a private club in a “R2” Single and Two-Family Residence District**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **June 15, 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 Use Variance**; and

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

FILED

JUN 30 2006

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 11th day of July, 2006 that the request for a use variance to allow for a private club in a "R2" Single and Two-Family Residence District on the above described property is hereby denied.

Signed and passed by the Sangamon County Board in session on this 11th day of July, 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

ATTEST:



SANGAMON COUNTY CLERK



COUNTY BOARD CHAIRMAN

14-28
104-035

14-28
104-041

14-28
104-037

14-28
104-016

14-28
104-028

14-28
104-029

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104-030

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104-031

14-28
104-032

14-28
104-038

14-28
104-039

20 20

30 10

*subsee
RECORD H*



W. CALHOUN AVE.

KINGS HWY.

14-28
151-011

14-28
151-012

14-28
151-013

14-28
151-014

14-28
151-015

11-3

11-4

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #11 NAME: **Dick Bond**

DOCKET NUMBER: **2006-31**

ADDRESS: **1103 W. Calhoun, Springfield, IL 62702**

PETITIONER: **Lyman M. Henderson DBA AOA Springfield**

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

REQUESTED ZONING CLASSIFICATION: **"R2" Single and Two-Family Residence District with a use variance to allow for a private club.**

AREA: **12,600 sq. ft.**

COMMENTS: **None**

OBJECTORS: **Yes**

PLANNING COMMISSION RECOMMENDATION: **Recommend denial. A private club in a residential neighborhood would not be a suitable environment for activities associated with a residential setting.**

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: 2006-31
Lyman M. Henderson DBA AOA)	
Springfield)	PROPERTY LOCATED AT:
)	1103 W. Calhoun
)	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 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 15, 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 **1103 W. Calhoun, Springfield, IL 62702** and more particularly described as:

The East ½ of lot 29, Lot 30 and the West 30 feet of Lot 31 of Block 12 of Payne and Jones Addition.

- 3. That the present zoning of said property is **“R2” Single and Two-Family Residence District.**
- 4. That the present land use of said property is **Vacant Church Building.**
- 5. That the proposed land use of said property is **Private Club.**
- 6. That the requested **Use Variance** of said property is: **to allow for a private club in a “R2” Single and Two-Family Residence 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 **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 **denied.**

Charles Chimento
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor** to recommend to the County Board that the petition be **approved limited to 6:00 pm to 9:00 pm on Tuesdays and 6:00 pm to 1:00 am on Fridays and Saturdays**, which was duly seconded by **Patrick Somers.**

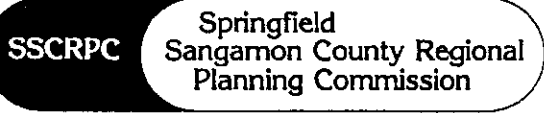
The vote of the Board was as follows:

YES: Patrick Somers and Marvin Traylor

NO: Charles Chimento, Donn Malwick, and Peggy Egizii

ABSENT:

RD Armstrong
RECORDING SECRETARY



CASE #: 2006-31
 INDEX #: 14-28-104-031,032,038
 DATE: 6/2/06
 INSPECTED BY: DK JH LW

USE VARIANCE CHECK LIST

PETITIONER: Lyman M Henderson DBA AOA Springfield
 ADDRESS: 1103 W. Calhoun CITY OR VILLAGE OR NEAREST ONE: Springfield
 REQUEST DESCRIPTION: A private club
 EXISTING ZONING: R-2
 EXISTING LAND USE: Vacant church building
 PROPOSED LAND USE: Private club

LAND AREA: 12,600 sp.ft. ROAD FRONTAGE: 90 Lineal Ft. ROAD COND: good

STRUCTURE DESIGNED FOR: Church CONDITION OF STRUCTURE: Fair

EXISTING YARDS: Front 30 ft. Side 32/23 ft. Rear 57 ft.

- NEARBY LAND USE:
- a. To North Single family residence
 - b. To South Single family residence
 - c. To East Single family residence
 - d. To West Single family residence

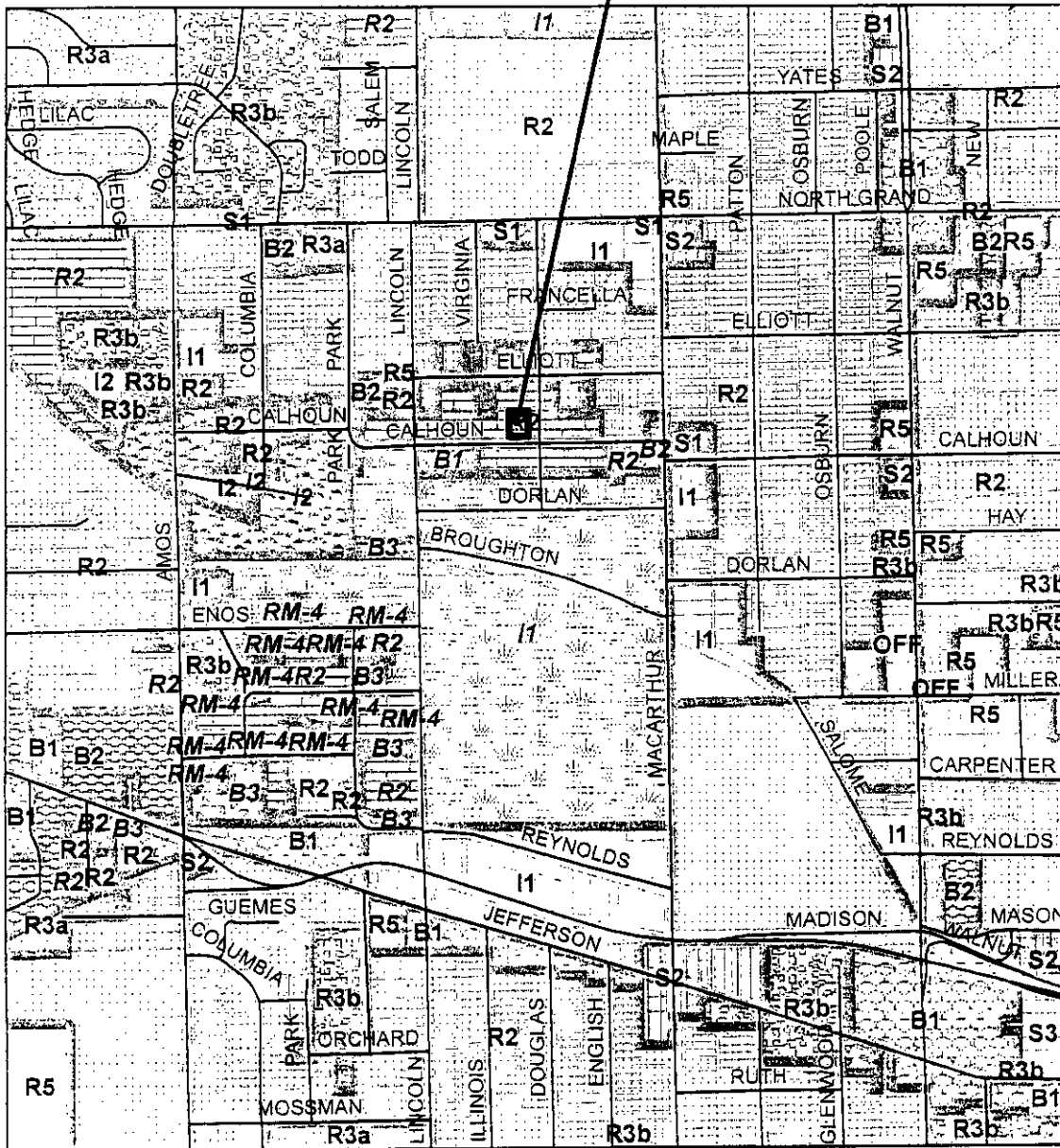
OTHER COMMENTS:

Staff Estimate of the Effect of the Use Variance 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		



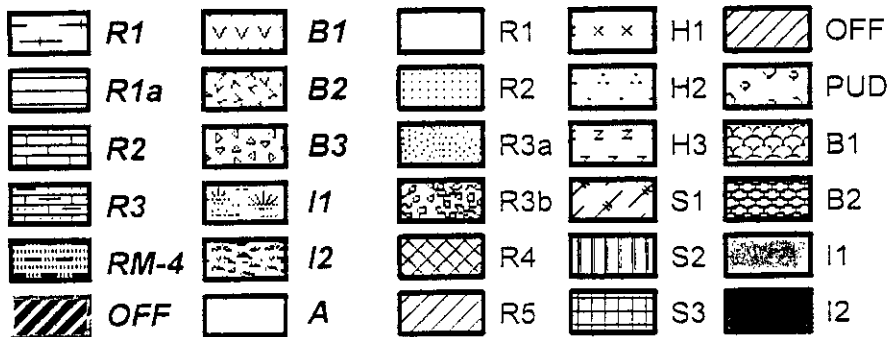
RECOMMENDATIONS: Recommend denial. A private club in a residential neighborhood would not be a suitable environment for activities associated with a residential setting.

County Zoning Case# 2006-31



County Zoning

City Zoning



0 500 1,000 Feet



11-9



RECOMMENDED STANDARDS FOR USE VARIATIONS

Case #: 2006-31,32,38

Address: 1103 W. Calhoun

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 conversion of a church building to residential use can demonstrate practical difficulties, but can be done.

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

The variance is not compatible with the stable residential area.

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

The private club would not be in harmony with a suitable environment for activities associated with a residential setting.

- (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 potential noise and traffic and change in essential character of the locality would negatively impact the area.