

CASE # 2007-47
RESOLUTION NUMBER 9-1

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
9560 WITHERS ROAD, LOAMI
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 conditional permitted use** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

The South 775 feet of the North 1625 feet of East one-half of the Northwest quarter of Section 24, Township 14 North, Range 7 West excepting that part lying South of Withers Rd., and the North 440 feet of the East 610 feet of that part of the East half of the Northwest Quarter of Section 24, Township 14 North, Range 7 West lying South of Withers Rd.

WHEREAS, the Petitioner, **Nipper Wildlife Sanctuary Trust**, has petitioned the Sangamon County Board for a **conditional permitted use to allow for a Public Park (Wildlife Sanctuary)**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **August 16, 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 conditional permitted use**; and

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

FILED

AUG 24 2007

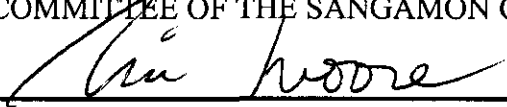
Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 11th day of September, 2007 that the request for a conditional permitted use to allow for a Public Park (Wildlife Sanctuary) on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 11th day of September, 2007.

Respectfully submitted,

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



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JENNIFER DILLMAN

DAVID MENDENHALL

GEORGE PRECKWINKLE

SAM SNELL

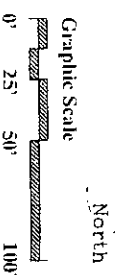
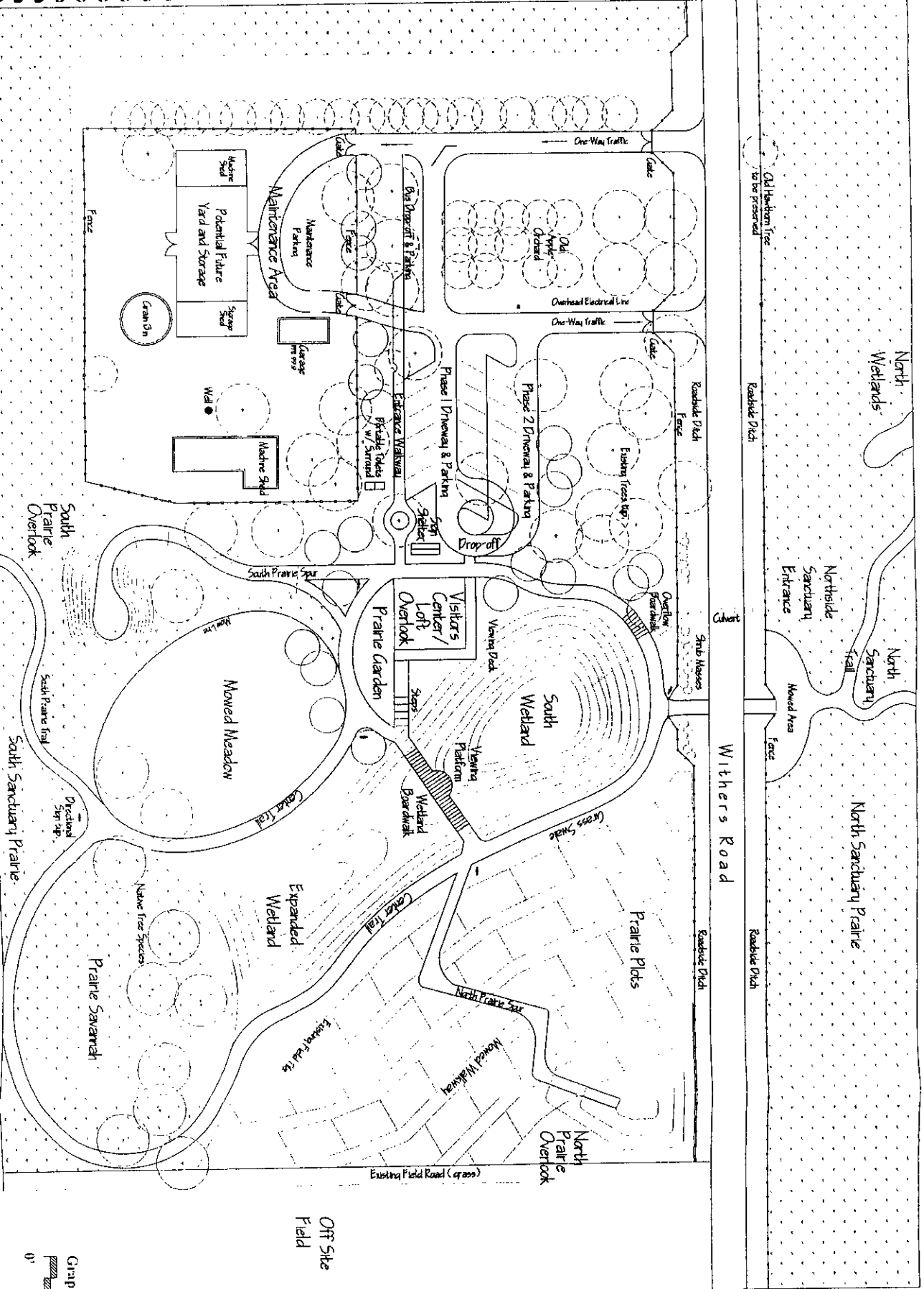
DON STEPHENS

LINDA DOUGLAS WILLIAMS

ATTEST:

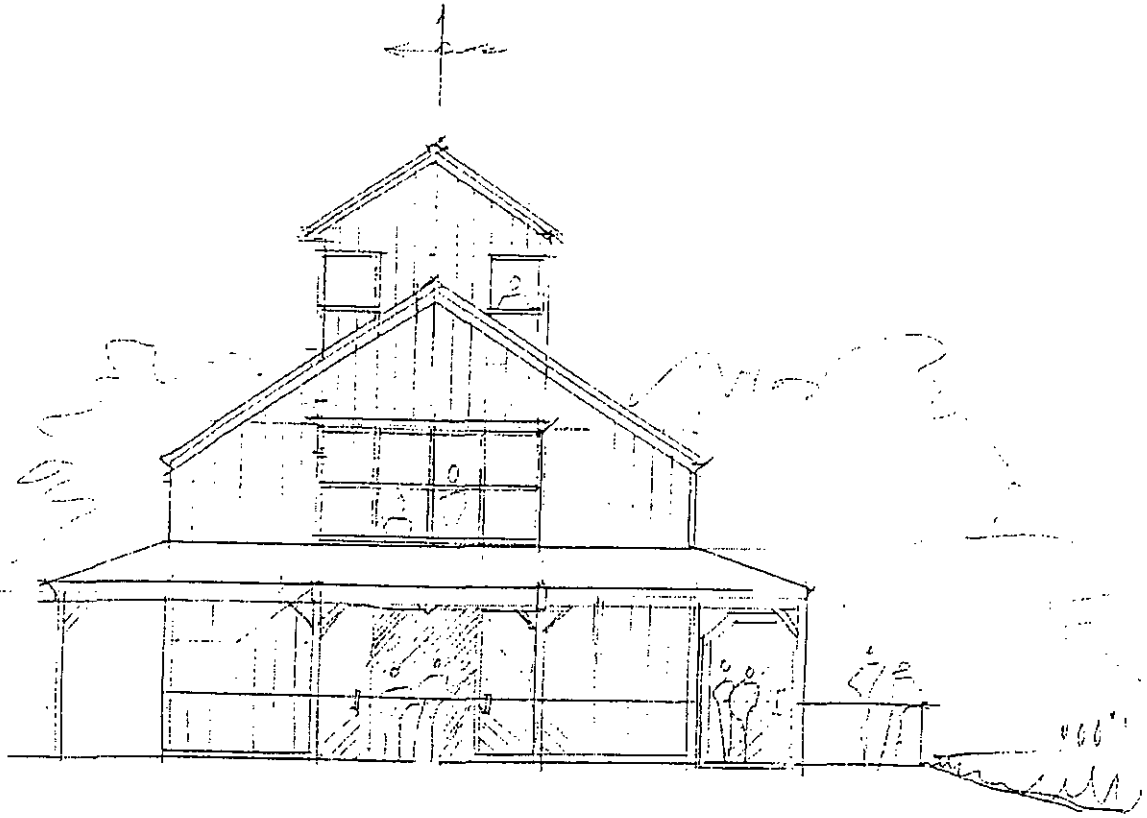
SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

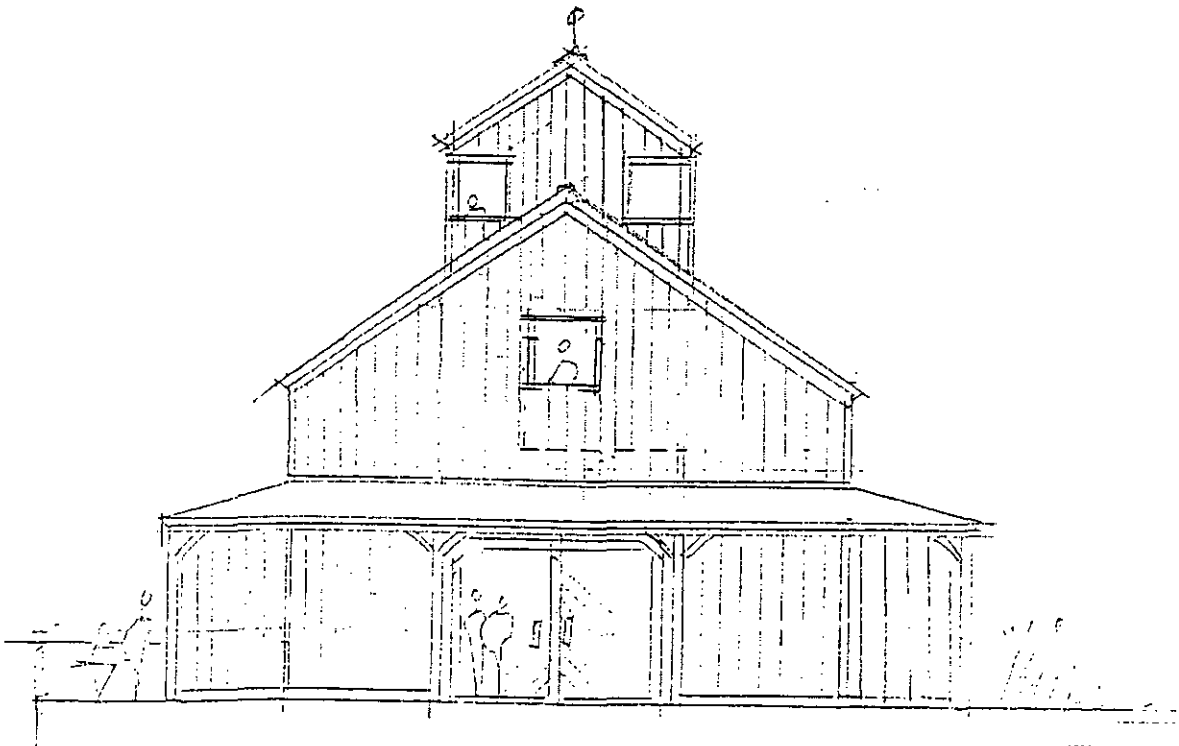


**Master Plan for Nipper Center
 Nipper Wildlife Sanctuary**
 Loami, Illinois
 May 2007

**Massie & Massie
 Associates**
 Inc.
 Land Planning and Landscape Architecture
 1210 S. 5th St., Springfield, IL 62703 317-544-3310
 411 W. Main St., Decatur, IL 62522
 MassieAssociates@SBCglobal.net
 www.Massie-Massie-Associates.com

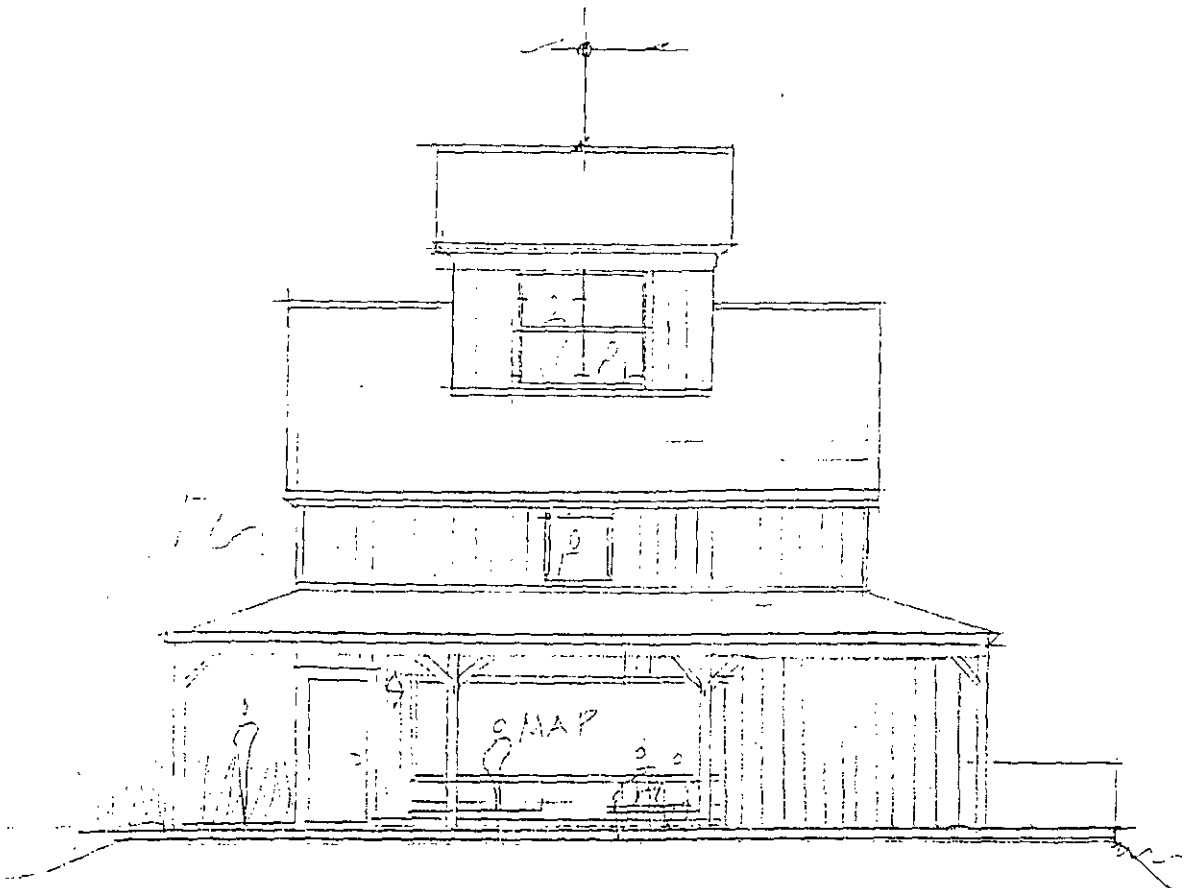


East Elevation

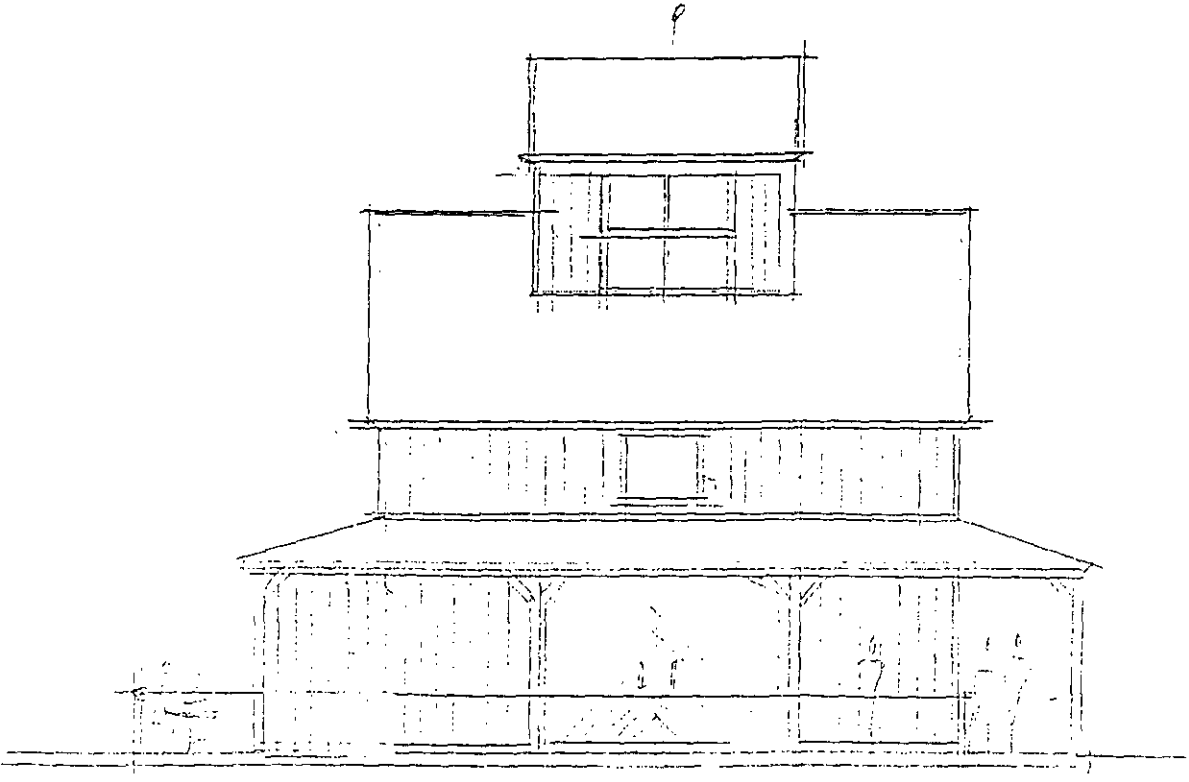


West Elevation

9-6



South Elevation



North Elevation

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 7 NAME: **Craig Hall**

DOCKET NUMBER: **2007-47**

ADDRESS: **9560 Withers Road, Loami, IL**

PETITIONER: **Nipper Wildlife Sanctuary Trust**

PRESENT ZONING CLASSIFICATION: **"A" Agricultural District**

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a conditional permitted use to allow for a Public Park (Wildlife Sanctuary).**

AREA: **27.2 acres**

COMMENTS: **None**

OBJECTORS: **Yes**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval.**

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



RECORDING SECRETARY

Page 2

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is **wildlife sanctuary and crop land.**
- 5. That the proposed land use of said property is **Public Park (Wildlife Sanctuary).**
- 6. That the requested **conditional permitted use** of said property is: **to allow for a Public Park (Wildlife Sanctuary).**
- 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 **conditional permitted use** 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 **conditional permitted use** be **approved.**

Charlie Chimento
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor** to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **approved**, which was duly seconded by **Patrick Somers**.

The vote of the Board was as follows:

YES: **Charles Chimento, Peggy Egizii, Patrick Somers, Marvin Traylor, Barbara Braner**

NO:

ABSENT: **Judith Johnson**

AD Armstrong
RECORDING SECRETARY

SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 8/1/07 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-47

ADDRESS 9560 Withers Road

Property Index # Pt. 27-24-100-004

PETITIONER Nipper Wildlife Sanctuary Trust

REQUESTED ZONING A Conditional Permitted Use to allow for a public park and wildlife sanctuary.

PROPOSED LAND USE Public Park (Wildlife Sanctuary)

EXISTING:

ZONING A

LAND USE Wildlife Sanctuary and cropland

ROAD FRONTAGE Withers Road 1319' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Outbuildings

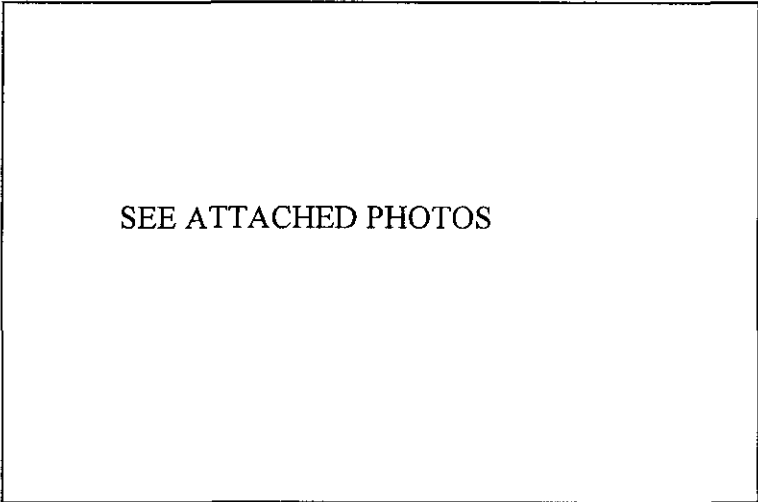
CONDITION OF STRUCTURE Good

LOT AREA 27.2 acres

FRONT YARD NA

SIDE YARDS NA

REAR YARD NA

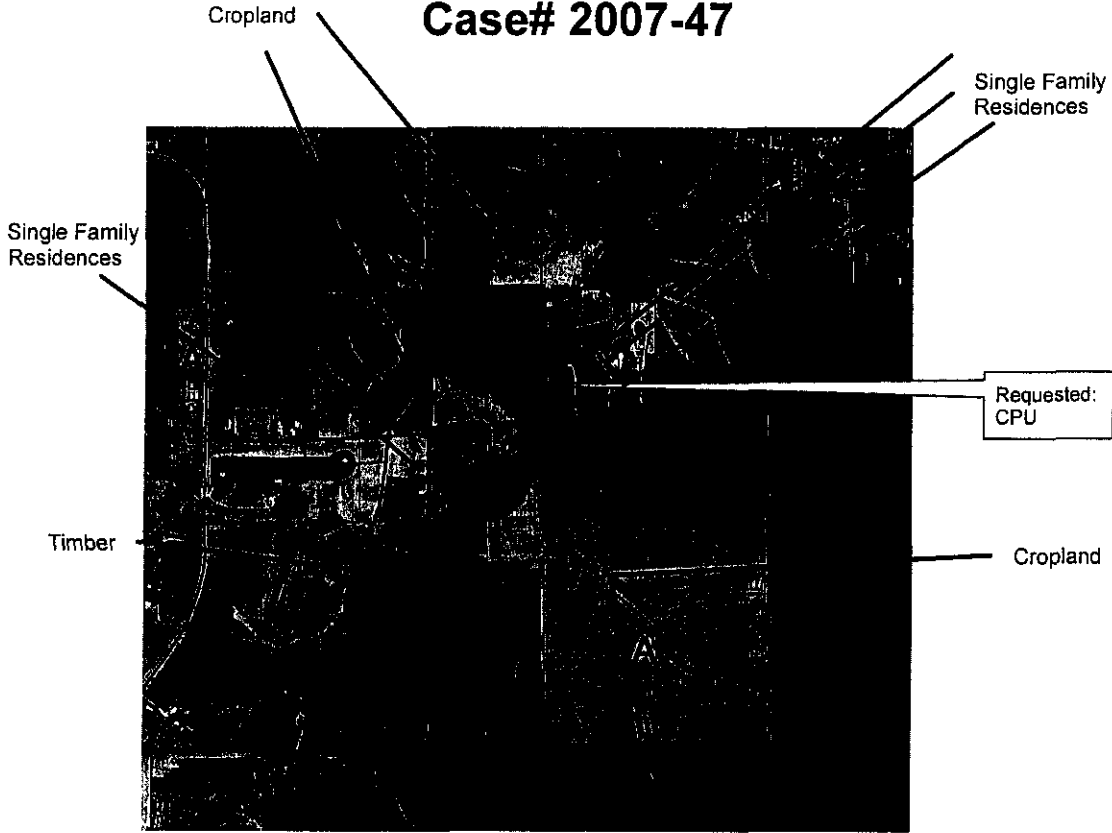


Would the proposed zoning be spot zoning? NA

PLANNING COMMISSION STAFF RECOMMENDATION: **Recommend approval.**

County Zoning

Case# 2007-47



County Zoning

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

City Zoning

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



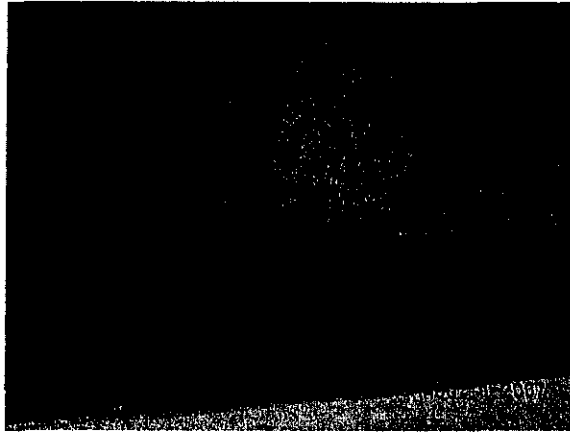
020000 800 Feet

Case #: 2007-47

Address: 9560 Withers Road



South side of road



North side of road

**SANGAMON COUNTY - RECOMMENDED FINDINGS OF FACT
FOR CONDITIONAL PERMITTED USES**

Case #: **2007-47**

Address: **9560 Withers Road**

No conditional permitted uses shall be granted by the County Board unless the conditional permitted use:

- (i) Is so proposed that the proposed location, design and method of operation of such use will minimize the adjacent effects on the character of the surrounding area.

There are three residences to the east of the property on the north side of the road and one residence directly west of the property on the south side of the road. Otherwise there is cropland. The proposed location of the Visitor's Center is approximately 1000 feet from the nearest residence. Public use of the property will be for passive recreational activities (observation of nature) only.

- (ii) Is so proposed to be operated, designed and located so that the public health, safety, and welfare will be protected.

Yes, Plans submitted show the proposed location of the Visitor's Center and trails.

- (iii) Will not cause substantial injury to the value of other property in the vicinity in which it is located.

No negative impact is anticipated.

- (iv) In addition to the above general standards for all conditional permitted uses that may be allowed, no conditional permitted use listed below shall be granted unless the proposed use can meet the standards as noted:

- (a) Fairgrounds, public or private outdoor recreation centers - that the principal vehicle access for such use is located on a major thoroughfare or a secondary thoroughfare or within one-quarter mile of a major thoroughfare, that such use is so located as to draw a minimum of vehicular traffic to and through minor and collector streets in residential areas. **NA**

- (b) Mobile home parks - must meet the requirements of Section III(R) Large Scale Development. **NA**

- (c) Tourist home, motels, hotels - that the proposed use must be located on or within 400 feet of a major thoroughfare. **NA**

- (d) Taverns and liquor stores - that the following distances be maintained: (1) schools - 100' from the property line of the school to the property line of the tavern or liquor store; (2) churches - 100' from the church building to the tavern or liquor store building; and (3) residences - 100' from the tavern or liquor store property line to the residential structure or institutional care facility. **NA**

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2007-47
Nipper Wildlife Sanctuary Trust)	
)	PROPERTY LOCATED AT:
)	9560 Withers Road
)	Loami, IL62661
)	

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 **conditional permitted use** 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 **August 16, 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 **9560 Withers Road, Loami, IL** and more particularly described as:

The South 775 feet of the North 1625 feet of East one- half of the Northwest quarter of Section 24, Township14 North, Range 7 West excepting that part lying South of Withers Rd., and the North 440 feet of the East 610 feet of that part of the East half of the Northwest Quarter of Section 24, Township14 North, Range 7 West lying South of Withers Rd.