

CASE # 2008-39  
RESOLUTION NUMBER 7-1

**GRANTING A REZONING**  
FOR CERTAIN PROPERTY LOCATED AT  
**4133 OLD JACKSONVILLE 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 an amendment** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Terrence J. Farmer**, has petitioned the Sangamon County Board for a rezoning from **"A" Agricultural District with a Use Variance and "B3" General Business District to "B2" Retail Business District to allow a photography studio with the development of film and pictures and professional offices; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **June 19, 2008**, 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 rezoning; and**

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

**FILED**

JUN 27 2008

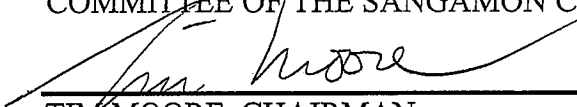
*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 8<sup>th</sup> day of July, 2008 that the request to rezone the above described property from "A" Agricultural District with a Use Variance and "B3" General Business District to "B2" Retail Business District to allow a photography studio with the development of film and pictures and professional offices is hereby approved.

Signed and passed by the Sangamon County Board in session on this 8<sup>th</sup> day of July, 2008.

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

**EXHIBIT A**

PART OF LOT 6 OF ROBERT ARCHER ESTATE PLAT, BEING PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 16 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN, SANGAMON COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM A DISK AT THE SOUTHEAST CORNER OF SAID SECTION 35; THENCE NORTH 06 DEGREES 04 MINUTES 14 SECONDS WEST, A DISTANCE OF 490.92 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE SOUTH 34 DEGREES 16 MINUTES 13 SECONDS WEST, A DISTANCE OF 584.99 FEET TO A RIGHT OF WAY MARKER, THENCE SOUTH 84 DEGREES 29 MINUTES 12 SECONDS WEST, A DISTANCE OF 302.97 FEET TO AN IRON PIN; THENCE NORTH 06 DEGREES 07 MINUTES 00 SECONDS WEST, A DISTANCE OF 767.33 FEET TO A STONE; THENCE NORTH 83 DEGREES 45 MINUTES 57 SECONDS EAST, A DISTANCE OF 170.71 FEET TO A PIPE; THENCE SOUTH 06 DEGREES 01 MINUTES 52 SECONDS EAST, A DISTANCE OF 291.90 FEET TO AN IRON PIN; THENCE NORTH 83 DEGREES 36 MINUTES 35 SECONDS EAST, A DISTANCE OF 511.76 FEET TO AN IRON PIN; THENCE SOUTH 06 DEGREES 04 MINUTES 14 SECONDS EAST, A DISTANCE OF 35.84 FEET TO THE POINT OF BEGINNING. CONTAINING 292,091.89 SQ. FEET (6.706 ACRES), MORE OR LESS.



RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: #27      NAME: Abe Forsyth

DOCKET NUMBER: 2008-39

ADDRESS: 4133 Old Jacksonville Road, Springfield, Illinois

PETITIONER: Terrence J. Farmer

PRESENT ZONING CLASSIFICATION: "A" Agricultural District with a Use Variance and "B-3" General Business District

REQUESTED ZONING CLASSIFICATION: "B-2" Retail Business District

AREA: 6.77 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The standards for variation are met. There appears to be a natural barrier surrounding the 6.77 acres separating it from the nearby residences.**

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

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

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2008-39</b>
Terrence J. Farmer )	
)	PROPERTY LOCATED AT:
)	<b>4133 Old Jacksonville Road,</b>
)	<b>Springfield, Illinois 62711</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 **June 19, 2008** 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 **4133 Old Jacksonville Road, Springfield, Illinois 62711** and more particularly described as:

**See Exhibit A**

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3. That the present zoning of said property is "A" Agricultural District with a Use Variance and "B-3" General Business District.
4. That the present land use of said property closed floriculture and horticultural business.
5. That the proposed land use of said property is a photography studio with development of film and pictures and professional offices.
6. That the requested rezoning of said property is from "A" Agricultural District with a Use Variance and "B3" General Business District to "B2" Retail Business District to allow a photography studio with the development of film and pictures and professional offices.
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 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 approved.

  
 \_\_\_\_\_  
 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 **Byron Deaner**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Judith Johnson, Marvin Traylor, Don Wulf**

NO:

ABSENT: **Peggy Egizii**

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

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**SSCRPC** Springfield  
Sangamon County Regional  
Planning Commission

**Staff Findings and Recommendation**  
(inspected 6/2/08 by MB & AJ)

SANGAMON COUNTY ZONING CASE # 2008-39  
 ADDRESS 4133 Old Jacksonville Road  
 Property Index # 13-35-426-006

PETITIONER Farmer, Terrance J.

REQUESTED ZONING B-2

PROPOSED LAND USE Photography studio with development of film and pictures and professional offices.

EXISTING:

ZONING A and B-3

LAND USE Vacant greenhouses

ROAD FRONTAGE Old Jacksonville Rd. 302.97' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Greenhouse

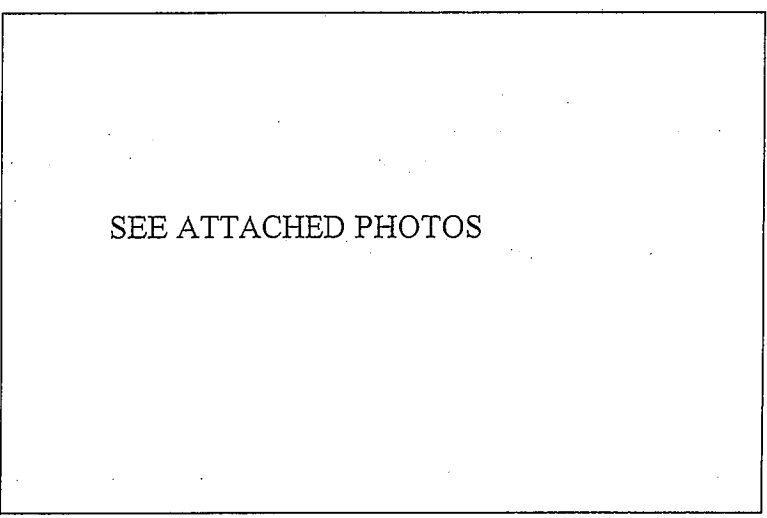
CONDITION OF STRUCTURE Poor

LOT AREA 6.77 acres

FRONT YARD N/A

SIDE YARDS N/A

REAR YARD N/A



Would the proposed zoning be spot zoning? No

**PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval. The standards for variation are met. There appears to be a natural barrier surrounding the 6.77 acres separating it from the nearby residences.**

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Case #: 2008-39

Address: 4133 Old Jacksonville Road



4133 Old Jacksonville Road (A)



4133 Old Jacksonville Road (B)



4133 Old Jacksonville Road (C)



4133 Old Jacksonville Road (D)

# County Zoning

## Case# 2008-39

Requested:  
B-2

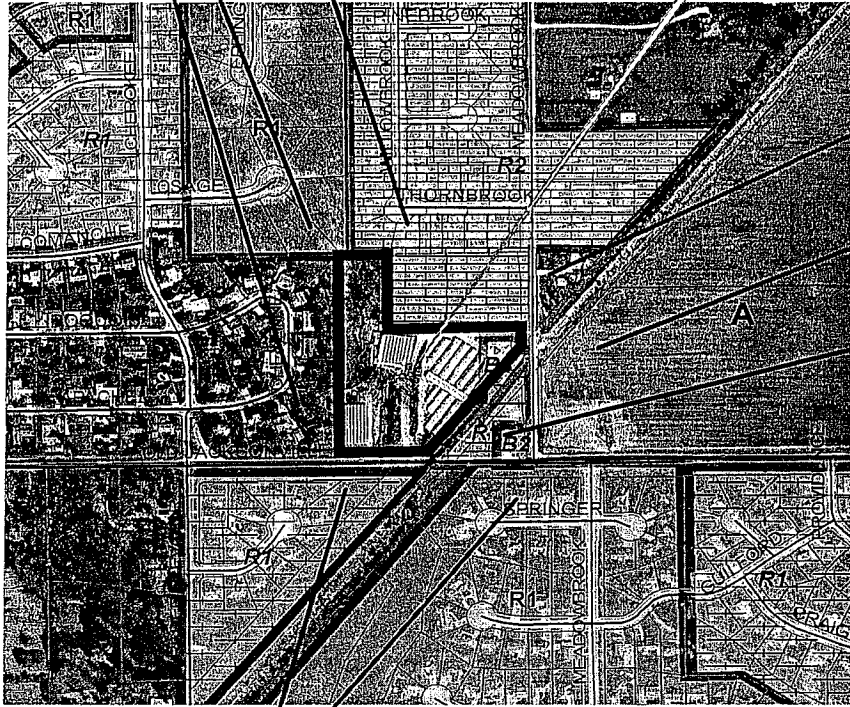
Single Family  
Residences

Single Family  
Residence

Cropland

Landscaping  
Company

Single Family  
Residences

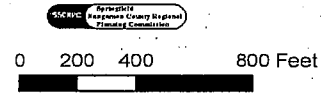


### County Zoning

	<i>RM-4</i>		<i>I1</i>
	<i>R3</i>		<i>I2</i>
	<i>R2</i>		<i>B3</i>
	<i>R1a</i>		<i>B2</i>
	<i>R1</i>		<i>B1</i>
	<i>OFF</i>		<i>A</i>

### City Zoning

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



**SANGAMON COUNTY  
RECOMMENDED - FINDINGS OF FACT**

Case #: **2008-39**

Address: **4133 Old Jacksonville Road**

- (i) Existing uses of property within the general area of the property in question.

**To the north, south, and west are single family residences. To the east is a single family residence and cropland. To the southeast is a landscaping business.**

- (ii) The zoning classification of property within the general area of the property in question.

**To the north is City R-1 and R-2. To the east is agricultural, R-1 and B-2. To the south is R-1 and City R-1. To the west is agricultural.**

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

**The property is not suited to the current agricultural zoning.**

- (iv) The trend of development, within the vicinity since the property was originally classified.

**Property to the north was rezoned to R-2 in 1987 and City R-1 in 1993. Property to the east was rezoned to B-2 in 1989. A portion of the subject property was rezoned to B-3 in 1982 to allow for auto repair but was denied B-3 on the entire parcel.**