

**GRANTING A CONDITIONAL PERMITTED USE AND VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**4055 W JEFFERSON, 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 a conditional permitted use and variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **Georgianna Kirbach**, has petitioned the Sangamon County Board for a **variance of the lot depth to exceed two and one-half (2 ½) times the lot width for one (1) parcel and a variance to allow two (2) uses on the property, providing that all storage for each use is inside. A conditional permitted use to allow for an auto body and paint shop on the entire parcel; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **January 20, 2011** 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 variances; and**

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

**FILED**

JAN 27 2011

*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 February, 2011 that the request for a variance of the lot depth to exceed two and one-half (2 ½) times the lot width for one (1) parcel and a variance to allow two (2) uses on the property providing that all storage for each use is inside. A conditional permitted use to allow for an auto body and paint shop on the entire parcel on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 8<sup>th</sup> day of February, 2011.

Respectfully submitted,

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



TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

DON STEPHENS

GREG STUMPF

LINDA DOUGLAS WILLIAMS

**ATTEST:**

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

**Exhibit A**

**Part of the Northeast Quarter of the Southeast Quarter of Section 23, Township 16 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois, Described as Follows:**

**Beginning At A Point on the South Right-Of-Way Line of the Baltimore and Ohio Southwestern Railroad and 45.80 Feet South of the Northeast Corner of Aforesaid Quarter Quarter Section; Thence South on the East Line of Aforesaid Quarter Quarter Section, a Distance of 419.30 Feet to a Point on the Northerly Right-Of-Way Line of Beardstown Road, Illinois Route 125; Thence Deflecting to the Right 106 Degrees 41 Minutes 00 Seconds, a Distance of 370.83 Feet; Thence 316.46 feet Parallel to the Aforesaid Section Line to the Aforesaid Railroad Right-Of-Way Lie; Thence Easterly on said Right-Of-Way Line 355.24 Feet To The Point of Beginning.**

**Situated In Sangamon County, Illinois.**

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RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: #1                      NAME: Harry "Tom" Fraase

DOCKET NUMBER: 2011-001

ADDRESS: 4055 W. Jefferson, Springfield, Il 62707-2707

PETITIONER: Georgianna Kirbach

PRESENT ZONING CLASSIFICATION: **I-2 General Industrial District w/CPU to allow for auto repair and refinishing, including spray painting, limited to the existing 40' X 60' building.**

REQUESTED ZONING CLASSIFICATION: **I-2 General Industrial District with a Conditional Permitted Use to allow for an existing auto body shop to move to a new building once constructed. A variance of the lot depth to exceed two and one-half (2 1/2) times the lot width for one (1) parcel and a variance to allow two (2) uses on the property.**

AREA: 3 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested variance of the lot depth to exceed 2 1/2 times the lot width for one (1) parcel as it is necessary to divide the mini storage facility from the auto body paint shop. The standards for variation are met. Recommend approval of the requested variance to allow two (2) uses on one (1) parcel. The petitioner is requesting construction of an additional building to house the existing auto**

body shop and to allow a used auto sales business that is internet based only. Staff recommends approval of this variance with the restriction that all vehicles be stored inside and the auto sales business is strictly internet based with no option of an open used car sales and lot. Recommended approval of the requested conditional permitted use to allow for the existing auto body and paint shop to expand to the new building once constructed. In 2006, a conditional permitted use for the same use was requested and was granted for the existing 40' X 60' structure. Allowing the same use on the entire parcel with construction of another building, with the stipulation that all storage to be inside, seems appropriate since there are similar commercial uses nearby and there are no residences in close proximity.

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

  
RECORDING SECRETARY

Approval

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2011-001</b>
<b>Georgianna Kirbach</b> )	
)	PROPERTY LOCATED AT:
)	<b>4055 W. Jefferson</b>
)	<b>Springfield, IL. 62707-2707</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 **variances and 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 **January 20, 2011** 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, contract to purchase, or is the County Board Member representing the property commonly known as: **4055 W. Jefferson, Springfield, IL.** and more particularly described as:

**See Exhibit A**

- 3. That the present zoning of said property is **I-2 General Industrial District w/CPU to allow for auto repair and refinishing, including spray painting, limited to the existing 40' X 60' building.**
- 4. That the present land use of said property is **an auto body shop, construction company, storage units, and modular home sales.**
- 5. That the proposed land use of said property is **construction of a new building to house existing auto body and paint shop and rent out the existing building to one (1) tenant to be used as a dealership for used auto sales all on the same parcel.**
- 6. That the requested **variances and conditional permitted use** of said property is **approved.**
- 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 **variances and 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 **variances and conditional permitted use** be **approved.**

*Charles Chimento/cx*  
 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, Peggy Egizii, John Luchessi, Marvin Traylor**

NO:

ABSENT: **Judith Johnson, Don Wulf**

*Cyndi Knowles*  
 RECORDING SECRETARY