

CASE# 2016-004 3-1  
RESOLUTION NUMBER

**GRANTING A REZONING AND VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**1800 CAMP LINCOLN 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 and variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **1800 Camp Lincoln Road, LLC**, have petitioned the Sangamon County Board for a **rezoning from "A" Agricultural District to "I-2" General Industrial District and a variance to allow two (2) principal uses (cell tower and asphalt plant with material storage and recycling) on one (1) parcel; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **February 18, 2016** 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 variance; and**

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

**FILED**

FEB 25 2016

*Don J. Hayes*  
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 March, 2016** that the request for a rezoning from **"A" Agricultural District to "I-2" General Industrial District** and a variance to allow two **(2) principal uses (cell tower and asphalt plant with material storage and recycling)** on one **(1) 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 March, 2016.**

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING  
COMMITTEE OF THE SANGAMON COUNTY BOARD

  
\_\_\_\_\_  
GREG STUMPF, CHAIRMAN

\_\_\_\_\_  
DAVID MENDENHALL, VICE CHAIRMAN

\_\_\_\_\_  
CRAIG HALL

\_\_\_\_\_  
SAM SNELL

\_\_\_\_\_  
ABE FORSYTH

\_\_\_\_\_  
JASON RATTIS

\_\_\_\_\_  
LINDA DOUGLAS WILLIAMS

\_\_\_\_\_  
ANNETTE FULGENZI

\_\_\_\_\_  
LINDA FULGENZI

\_\_\_\_\_  
LISA HILLS

\_\_\_\_\_  
MIKE SULLIVAN

**ATTEST:**

\_\_\_\_\_  
SANGAMON COUNTY CLERK

\_\_\_\_\_  
COUNTY BOARD CHAIRMAN

**EXHIBIT A**

That part of the East Half of the Northeast Quarter of Section 20, Township 16 North, Range 5 West of the Third Principal Meridian, lying East of Camp Lincoln Road and South of Veterans Parkway right of way, EXCEPTING THEREFROM all that part of the following described tract lying within the Northeast Quarter of said Section 20; Part of the East Half of the Northeast Quarter and part of the East Half of the Southeast Quarter of Section 20, Township 16 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois described as follows: From the Southeast corner of the Northeast Quarter of said Section 20; thence North on the Section line 60.28 feet to a point in the middle of Spring Creek, said point being the point of beginning; thence Westerly following the meanderings of said Spring Creek, South 80 degrees 52 minutes 11 seconds West, 191.30 feet; then South 56 degrees 38 minutes 25 seconds West, 350.86 feet to the centerline of a public road; thence North 23 degrees 43 minutes 15 seconds West 1601.13 feet along the approximate center line of said road; then North 66 degrees 21 minutes 41 seconds East, 1236.1 feet to a point on the East line of said Section; thence South 00 degrees 12 minutes 34 seconds West 1738.21 feet to the point of beginning. Basis of bearing is South 00 degrees 12 minutes 34 seconds West along the East line of the Northeast Quarter of said Section 20. AND FURTHER EXCEPTING that part thereof conveyed by Warranty Deed dated September 19, 1986 and recorded November 14, 1986 as Document No. 44894, made by John J. Donovan to the People of the State of Illinois, Department of Transportation. AND FURTHER EXCEPTING any interest in the coal, oil, gas and other minerals underlying the land which have been heretofore conveyed or reserved in prior conveyances, and all rights and easements in favor of the estate of said coal, oil, gas and other minerals, if any. Situated in Sangamon County, Illinois

**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: #17                      NAME: **Annette Fulgenzi**

DOCKET NUMBER: **2016-004**

ADDRESS: **1800 Camp Lincoln Road, Springfield, IL 62707**

PETITIONER: **1800 Camp Lincoln Road, LLC**

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

REQUESTED ZONING CLASSIFICATION: **"I-2" General Industrial District and a variance to allow two (2) principal uses (cell tower and asphalt plant with material storage and recycling) on one (1) parcel.**

AREA: **20.99 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval of the requested I-2 zoning. The LESA score of 67 indicates the property is suitable for non-agricultural development and there is industrial zoning directly south and east of the subject property. Recommend approval of the requested variance for two (2) principal uses, i.e. a cellular tower and an asphalt batch plant with materials storage and recycling.**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

**Approval as staff recommended.**

  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2016-004</b>
<b>1800 Camp Lincoln Road, LLC</b> )	
)	PROPERTY LOCATED AT:
)	<b>1800 Camp Lincoln 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 and 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 **February 18, 2016** 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: **1800 Camp Lincoln 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 **"A" Agricultural District.**
4. That the present land use of said property is **a cellular tower.**
5. That the proposed land use of said property is **a cellular tower, and asphalt plant with material storage and recycling.**
6. That the requested **rezoning and variance** of said property **are a zoning from "A" Agricultural District to "I-2" General Industrial District and a variance to allow two (2) principal uses (cell tower and asphalt plant with material storage and recycling) on one (1) parcel.**
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 and 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 **rezoning and variance** be **approved.**

Charles Chimento/kc  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Andrew Spiro**, 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 **Anthony Mares**.

The vote of the Board was as follows:

YES: **Charles Chimento, Anthony Mares, Andrew Spiro, Merilyn Herbert, and John Lucchesi**

NO:

PRESENT:

ABSENT: **Don Wulf**

Cyndi Knowles  
RECORDING SECRETARY

**SANGAMON COUNTY  
RECOMMENDED - FINDINGS OF FACT**

Case #: **2016-004**

Address: **1800 Camp Lincoln Road, Springfield**

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

**To the north is cropland owned by the Airport. To the east is Camp Lincoln. To the south is an asphalt batch plant (construction) with outside storage. To the west are residences and a gymnasium with a tavern.**

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

**To the north (across Veterans) is Springfield I-2. To the east is I-1. To the south is I-2. To the west are Agricultural and B-3.**

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

**The subject property is zoned Agricultural and is located in a mixed area with residential, business, and industrial uses. The LESA score of 67 indicates the property is suitable for non-agricultural use. The subject property contains a cellular tower. The Agricultural zoning classification does not allow asphalt batch plants with material storage and recycling.**

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

**In 1994, a CPU in I-1 was granted for an auto body repair and spray painting business to the southwest of the subject property. In 1995, a rezoning to I-1 was granted to the southwest of the subject property. In 2000, a rezoning to B-3 was granted to the west across the street from the subject property. In 2001, a CPU to allow a tavern with a maximum size was granted to the west across the street from the subject property. In 2005, a CPU to allow the operation of a private outdoor recreation center was granted to the west across the street from the subject property. In 2014, a sign variance was granted to the west across the street from the subject property.**

**RECOMMENDED STANDARDS FOR USE VARIATIONS**

Case #: 2016-004

Address: 1800 Camp Lincoln Road, Springfield

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 cellular tower is existing. Absent the variance for two (2) principal uses, there could be practical difficulties associated with relocating the cellular tower.**

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

**The variance for the two (2) principal uses (cellular tower and asphalt batch plant with material storage and recycling) could be compatible at this location to the extent the asphalt batch plant equipment meets the performance standards of Chapter 17.34. There are several industrial-type uses directly adjacent to the subject property, e.g. military installation with rifle range, construction/asphalt plant with outdoor storage, and truck/tree service.**

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

**To the extent the proposed operations avoid the regulatory floodplain, there might be a public benefit to a permanent asphalt batch plant at this location because it could minimize adjacent effects as it is already in operation. A similar argument could be made for the cellular tower.**

- (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 petitioner submitted a packet of information related to the performance standards of Chapter 17.34. There is a letter from a licensed professional engineer attesting the petitioner complies with the County's performance standards.**



**LAND EVALUATION AND SITE ASSESSMENT**

**Part 1: Site Assessment**

	Available Points	Points
<b><u>AGRICULTURAL/RURAL LAND WITHIN .5 MILE</u></b>		
90% or more	20	
75-89%	10	
<b>50-74%</b>	<b>5</b>	<b>5</b>
Under 50%	0	
<b><u>CONTIGUOUS AGRICULTURAL/RURAL LAND</u></b>		
90% or more	20	
75-89%	10	
50-74%	5	<b>0</b>
<b>Under 50%</b>	<b>0</b>	
<b><u>PERCENTAGE OF SITE AGRICULTURAL/RURAL</u></b>		
75-100%	10	
50-74%	5	<b>0</b>
<b>Under 50%</b>	<b>0</b>	
<b><u>COUNTY SECTOR</u></b>		
Rural	20	
<b>0.5 mile from incorporated area</b>	<b>10</b>	<b>10</b>
Incorporated area	0	
<b><u>SOIL WITH SEVERE RESTRICTIONS FOR ON-SITE WASTE DISPOSAL</u></b>		
75% or more	20	
50-74%	10	<b>0</b>
25-49%	5	
<b>Less than 25% or sewer available</b>	<b>0</b>	
<b><u>ENVIRONMENTAL IMPACT OF PROPOSED USE</u></b>		
Negative impact	15	
<b>Little or none with protective measures</b>	<b>5</b>	<b>5</b>
Little or none	0	

<u>IMPACT ON UNIQUE HISTORICAL/CULTURAL FEATURES</u>		
Negative impact	10	
<b>No impact</b>	<b>0</b>	<b>0</b>

<u>CONDITION OF ROAD</u>		
unpaved, <40' ROW, or < 16' pavement	20	
<b>16'-18' pavement, 40' ROW</b>	<b>15</b>	<b>15</b>
18'-20' pavement, 40' ROW	10	
> 20' pavement, 40' ROW or County or State Highway	0	

<u>AVAILABILITY OF PUBLIC SEWER</u>		
Not available	15	
Sewer over 600'-1200' away	8	
Private central sewage system	5	
<b>Sewer 600' or less away and available</b>	<b>0</b>	<b>0</b>

<u>AVAILABILITY OF PUBLIC WATER</u>		
Not available	20	
1,000-1,500' away	15	
Less than 1,000' away	5	
<b>Public water available at site</b>	<b>0</b>	<b>0</b>

<u>DISTANCE FROM RESPONDING FIREHOUSE</u>		
Not in fire protection district	20	
More than 5 miles or fire protection by assignment	10	
2.6-5 miles	5	
<b>0-2.5 miles</b>	<b>0</b>	<b>0</b>

<u>DRIVING TIME TO HIGH SCHOOL</u>		
Over 30 minutes	10	
15-30 minutes	5	
<b>Less than 15 minutes</b>	<b>0</b>	<b>0</b>

<b>SITE ASSESSMENT TOTAL</b>		<b>35</b>
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**Part 2: Agricultural Land Evaluation (Based on Sangamon County Soil Survey)**

<u>Soil</u>	<u>Name</u>	<u>Type</u>	<u>%</u>	<u>Relative Value</u>	<u>Points</u>
198A	Elburn	P		100	
199A	Plano	P		100	
43A	Ipava	P		100	
7148A	Proctor	P		100	
46A	Herrick	P		100	
7037A	Worthen	P		100	
705A	Buckhart	P		98	
199B	Plano	P		98	
36B	Tama	P		98	
244A	Hartsburg	P2		98	
257A	Clarksdale	P2		98	
68A	Sable	P2		87	
679B	Blackberry	P		87	
705B	Buckhart	P		87	
86B	Oscos	P		87	
684B	Broadwell	P		87	
50A	Virden	P2		87	
712A	Spaulding	P2		87	
127B	Harrison	P		87	
3077A	Huntsville	P3		87	
138A	Shiloh	P2		87	
249A	Edinburg	P2		87	
242A	Kendall	P2		87	
7242A	Kendall	P2		87	
134A	Camden	P		87	
17A	Keomah	P2		87	
3451A	Lawson	P3		75	
3107A	Sawmill	P5		75	
7075B	Drury	P	7	75	5
8396A	Vesser	P2		75	
3074A	Radford	P3		75	
3073A	Ross	P3		75	
3284A	Tice	P3		75	
279B	Rozetta	P	24	75	18
45A	Denny	P2		75	
134B	Camden	P		75	
112A	Cowden	P2		75	
685B	Middletown	P		75	
3405A	Zook	P5		75	
131C2	Alvin	P		75	
86C2	Oscos	I		74	
36C2	Tama	I		74	
684C2	Broadwell	I		74	
119C2	Elco	I		74	
119D	Elco	I		74	
127C2	Harrison	I		74	
119D2	Elco	I		74	
567C2	Elkhart	I		74	
134C2	Camden	I		74	

259C2	Assumption	I		74	
685C2	Middletown	I		74	
280D2	Fayette	I		74	
119D3	Elco	N		74	
259D2	Assumption	I		74	
212C2	Thebes	I		74	
630C2	Navlys	I		74	
630D2	Navlys	I		74	
630D3	Navlys	I		57	
131D2	Alvin	I		57	
8D	Hickory	I		50	
8D2	Hickory	I		50	
280D3	Fayette	I		44	
8D3	Hickory	I	21	44	9
8F	Hickory	N		44	
549G	Marseilles	N	12	0	
533	Urban Land	N			
536	Dumps	N			
830	Orthents, Land	N			
862	Pits, Sand	N			
864	Pits, Quarries	N			
801C	Orthents, Silty	N			
W	Water				

Prime/Important Farmlands Designations:

P: Prime farmland

P2: Prime where drained

P3: Prime where protected from flooding or flooding is less often than once in two years during the growing season.

P5: Prime where drained and either protected from flooding or flooding is less often than once in two years during the growing season.

I: Important farmland

N: Not Prime/Important Farmland

<b>AGRICULTURAL LAND EVALUATION TOTAL</b>	<b>32</b>
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<b>GRAND TOTAL</b>	<b>67</b>
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**Fewer than 150 points shall be deemed acceptable for non-agricultural development.**

From 150 - 175 points is considered marginal requiring mitigating factors for non-ag development.

Greater than 175 points shall be considered suitable for agricultural use only.