

CASE# 2011-016
RESOLUTION NUMBER 5-1

GRANTING A CONDITIONAL PERMITTED USE AND VARIANCE

FOR CERTAIN PROPERTY LOCATED AT
3590 RISING MOON 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 a conditional permitted use and variance** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **William H. Wikoff**, has petitioned the Sangamon County Board for a **conditonal permitted use to allow a landscaping business and a variance to allow two (2) principal uses on one (1) parcel; and**

WHEREAS, a public hearing was held at the Sangamon County Building on **April 21, 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 variance; and**

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

FILED

APR 29 2011

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 10th day of May, 2011 that the request for a conditional permitted use to allow a landscaping business and a variance to allow two (2) principal uses on one (1) parcel on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 10th day of May, 2011.

Respectfully submitted,

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

Tim Moore /ck
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 NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 15 NORTH, RANGE 6 WEST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED MORE PARTICULARLY AS FOLLOWS: COMMENCING AT AN IRON PIPE MARKING THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE AFORMENTIONED SECTION 14; THENCE SOUTH 0 DEGREES 07 MINUTES 40 SECONDS WEST ALONG THE QUARTER QUARTER SECTION LINE A DISTANCE OF 56.88 FEET TO AN IRON PIPE ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE N & W RAILROAD, SAID PIPE MARKS THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0 DEGREES 07 MINUTES 40 SECONDS WEST ALONG THE QUARTER QUARTER SECTION LINE A DISTANCE OF 600.00 FEET TO AN IRON PIPE; THENCE NORTH 79 DEGREES 43 MINUTES 57 SECONDS WEST A DISTANCE OF 638.26 FEET TO AN IRON PIPE; THENCE NORTH 0 DEGREES 07 MINUTES 40 SECONDS EAST AS DISTANCE OF 306.95 FEET TO AN IRON PIPE ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE N& W. RAILROAD; THENCE NORTH 74 DEGREES 05 MINUTES 01 SECONDS EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 653.76 FEET TO THE TRUE POINT OF BEGINNING.

SITUATED IN SANGAMON COUNTY, ILLINOIS.

RECAP
(For County Board Use)

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

DOCKET NUMBER: 2011-016

ADDRESS: 3590 Rising Moon Road, Springfield, IL. 62711

PETITIONER: William H. Wikoff

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTED ZONING CLASSIFICATION: "A" Agricultural District with a conditional permitted use to allow a landscaping business and a variance to allow two (2) principal uses on one (1) parcel.

AREA: 6.54 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. Testimony provided at the hearing related to the method and hours of operation address the Standards for Variation for a Conditional Permitted Use and a variance to allow two (2) principal uses.**

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: 2011-016
William H. Wikoff)	
)	PROPERTY LOCATED AT:
)	3590 Rising Moon Road
)	Springfield, IL. 62711

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 and a 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 **April 21, 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: **3590 Rising Moon Road, Springfield, IL.** and more particularly described as:

See Exhibit A

- 3. That the present zoning of said property is "A" Agricultural District.
- 4. That the present land use of said property is a **single family residence and landscaping business.**
- 5. That the proposed land use of said property is a **single family residence and landscaping business.**
- 6. That the requested **conditional permitted use** of said property is **to allow a landscaping business and a variance to allow two (2) principal uses 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 **conditional permitted use 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 **conditional permitted use and variance** be approved.

Charles Chimento/cx
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Byron Deaner**, to concur with the amended 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 **Peggy Egizii**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, Marvin Traylor**

NO:

ABSENT:

Cyndi Knowles
RECORDING SECRETARY