

CASE# 2019-007  
RESOLUTION NUMBER 5-1

**GRANTING A CONDITIONAL PERMITTED USE AND VARIANCES**  
FOR CERTAIN PROPERTY LOCATED AT  
**1501 S. GROTH STREET, 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, **Taylor Collision Enterprises, LLC**, has petitioned the Sangamon County Board for a **Conditional Permitted Use for an automobile wrecking yard and junk yard; a variance to allow the off-street parking to not be located on the same zoning lot as the use served, and a variance to allow the existing fencing to remain six (6) feet tall instead of the required eight (8) feet tall fencing on rear and side yards; and, a variance to allow no fencing along the south property line; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **April 18, 2019** 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**

APR 30 2019

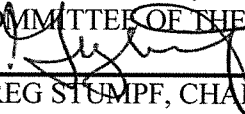
*Don Hayes*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 14<sup>th</sup> Day of May, 2019 that the requests for a **Conditional Permitted Use for an automobile wrecking yard and junk yard; a variance to allow the off-street parking not to be located on the same zoning lot as the use served; a variance to allow the existing fencing to remain six (6) feet tall instead of the required eight (8) feet tall fencing on rear and side yards; and, a variance to allow no fencing along the south property line on the above described property is hereby approved.**

Signed and passed by the Sangamon County Board in session on this 14<sup>th</sup> day of May, 2019.

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 RATTS

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

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

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

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

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

\_\_\_\_\_  
ROSE RUZIC

**ATTEST:**

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

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

## EXHIBIT A

### Parcel I:

Part of Lots Five (5) and Six (6) of the Subdivision of the Northeast Quarter and part of the North Half of the Northwest Quarter of Section 2, Township 15 North, Range 5 West of the Third Principal Meridian, recorded on page 581, Book 56 of Deeds in the Office of the Sangamon County Recorder, described more particularly as follows:

Commencing at an iron pin at the Southeast corner of Lot 6 in the Subdivision of the Northeast Quarter and part of the North Half of the Northwest Quarter of Section 2, Township 15 North, Range 5 West of the Third Principal Meridian, said pin being located in the center line of Laurel and Groth Streets; thence North 00 degrees 00 minutes East 529.20 feet to a point; thence South 89 degrees 03 minutes 40 seconds West, 25 feet; and thence continuing South 89 degrees 03 minutes 40 seconds West 544.50 feet to an iron pin, the point of beginning; thence North 00 degrees 00 minutes East 160 feet to an iron pin; thence South 89 degrees 03 minutes 40 seconds West 125.25 feet to an iron pin in the East right-of-way line of the Illinois Traction Railway; thence South 23 degrees 06 minutes 15 seconds West along said right-of-way line a distance of 175.18 feet to an iron pin; thence North 89 degrees 03 minutes 40 seconds East 194 feet to the place of beginning, and depicted as Parcel C on Plat of Survey attached to Trustees Deed recorded June 25, 1990 as Document Number 90J016173.

EXCEPT THAT PART THEREOF conveyed by Warranty Deed recorded October 1, 1990 as Document Number 90J025665 and described as follows:

Part of Lots Five (5), Six (6), Seven (7) and Eight (8) of the Subdivision of the Northeast Quarter and part of the North Half of the Northwest Quarter of Section 2, Township 15 North, Range 5 West of the Third Principal Meridian, described as follows:

Commencing at the Northeast corner of Lot 6 of said Subdivision; thence South 0 degrees 00 minutes 00 seconds along the East line of said Lot 6, measure 118.00 feet; thence South 89 degrees 03 minutes 40 seconds West, measure 25.00 feet to an iron pin; thence South 89 degrees 03 minutes 40 seconds West, measure 583.53 feet to a set iron pin, being the point of beginning; thence South 89 degrees 03 minutes 40 seconds West measure 154.97 feet to an iron pin in the Easterly right-of-way line of the Norfolk and Western Railway, (formerly Illinois Terminal

Railroad); thence North 23 degrees 18 minutes 34 seconds East measure a chord distance of 175.46 feet to a set iron pin; thence North 89 degrees 03 minutes 40 seconds East measure 91.97 feet to a set iron pin; thence South 2 degrees 17 minutes 57 seconds measure 160.23 feet to the point of beginning.

### Parcel II:

Part of Lots Five (5) and Six (6) of the Subdivision of the Northeast Quarter and part of the North Half of the Northwest Quarter of Section 2, Township 15 North, Range 5 West

of the Third Principal Meridian, recorded on page 581, Book 56 of Deeds in the Office of the Sangamon County Recorder, described more particularly as follows:

Commencing at an iron pin at the Southeast corner of Lot 6 in the Subdivision of the Northeast Quarter and part of the North Half of the Northwest Quarter of Section 2; thence North 00 degrees 00 minutes East, 529.20 feet along the East line of Lot 6; thence South 89 degrees 03 minutes 40 seconds West, 25.00 feet to a found iron pin on the Westerly line of Groth Avenue and also lying 118.00 feet South of the North line of said Lot 6, said point being the point of beginning; thence South 89 degrees 03 minutes 40 seconds West, 544.50 feet along a line lying 118.00 feet South of the North line of said Lot 6 to a set iron pin; thence North 00 degrees 00 minutes East, 160.00 feet to a set iron pin lying 42.00 feet North of the South line of said Lot 5; thence North 89 degrees 03 minutes 40 seconds East, 544.50 feet to a set iron pin on the West line of Groth Avenue; thence South 00 degrees 00 minutes West, 160.00 feet to the point of beginning.

Except 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.

Parcel Numbers: 22-02.0-226-018, 026

**RECAP**  
(For County Board Use)

COUNTY BOARD MEMBER: #19 NAME: Vera Small

DOCKET NUMBER: 2019-007

ADDRESS: 1501 S. Groth Street, Springfield, IL 62703

PETITIONER: Taylor Collision Enterprises, LLC

PRESENT ZONING CLASSIFICATION: "I-2" General Industrial District.

REQUESTED ZONING CLASSIFICATION: **A Conditional Permitted Use (CPU) for an automobile wrecking yard and junk yard; a variance to allow the off-street parking to not be located on the same zoning lot as the use served; a variance to allow the existing fencing to remain six (6) feet tall instead of the required eight (8) feet tall fencing on rear and side yards; and, a variance to allow no fencing along the south property line.**

AREA: 2.14 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The proposed Conditional Permitted Use for the automobile wrecking yard and junk yard will be located in the middle of an area that contains industrial type uses including: a towing yard, warehouses, maintenance yards, and storage facilities. As there are no residences in the vicinity, staff believes the Conditional Permitted Uses will have a minimal impact on the area. For the parking variance, the petition indicates that by granting the variance customers will be directed to one place for parking and not be confused by multiple parking lots on different parcels**

that all serve the same business. For the fence variances, granting the requested variances will allow for uniformity of fences between the parcels in Sangamon County and the parcels in the City of Springfield, which have different rules regarding placement and height. The Standards for Variation are met.

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

Approval of Staff Recommendation.

  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: <b>2019-007</b>
<b>Taylor Collision Enterprises, LLC</b> )	
)	PROPERTY LOCATED AT:
)	<b>1501 S. Groth Street</b>
)	<b>Springfield, IL 62703</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 a **Conditional Permitted Use and variances** 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 18, 2019** 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: **1501 S. Groth Street, Springfield, IL 62703** and more particularly described as:

**See Exhibit A**



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3. That the present zoning of said property is **"I-2" General Industrial District.**
4. That the present land use of said property is **vacant.**
5. That the proposed land use of said property is an **automobile towing business.**
6. That the requested **Conditional Permitted Use and variances** of said property is a **Conditional Permitted Use for an automobile wrecking yard and junk yard; a variance to allow the off-street parking to not be located on the same zoning lot as the use served, and a variance to allow the existing fencing to remain six (6) feet tall instead of the required eight (8) feet tall fencing on rear and side yards; and, a variance to allow no fencing along the south property line.**
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 variances** are 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 variances** be **approved.**

  
CHAIRMAN 46

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 **Tony Mares**.

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, JD Sudeth, Andrew Spiro, Larry Beaty**

NO:

PRESENT:

ABSENT:

  
RECORDING SECRETARY

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

Case #: **2019-007**

Address: **1501 South Groth Street, Springfield**

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.

**Yes. The proposed Conditional Permitted Use for the automobile wrecking yard and junk yard will be located in the middle of an area that contains industrial type uses including: a towing yard, warehouses, maintenance yards, and storage facilities. As there are no residences in the vicinity, staff believes the Conditional Permitted Uses will have a minimal impact on the area.**

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

**Yes. The public health, safety, and welfare will be protected as the proposed use is compatible with the surrounding industrial type uses.**

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

**Negative impacts are not anticipated due to the surrounding industrial type uses.**

- (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.

**N/A**

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

**N/A**

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

**N/A**

- (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.

**N/A**

**SANGAMON COUNTY  
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: **2019-007**

Address: **1501 South Groth Street, Springfield**

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of this ordinance be varied as authorized in F. (1) hereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the property in question cannot be economically used or yield a reasonable return, if permitted to be used only for the conditions allowed by the regulations.

**There is a community benefit in allowing the parking on a separate lot from the use served, as this will consolidate the parking areas to one smaller space in the City of Springfield, thereby reducing confusion among users and reducing the parking footprint of the development. There are no residences immediately adjacent to the subject property. Therefore, requiring fences in compliance with the ordinance without the variances serves no purpose in this specific case and would constrain the reasonable return on the subject property with no apparent benefit to the community.**

- (ii) that the plight of the owner is due to circumstances unique to the property and not generally applicable to other property in the area.

**For the parking variance, the petition indicates that by granting the variance customers will be directed to one place for parking and not be confused by multiple parking lots on different parcels that all serve the same business. For the fence variances, granting the requested variances will allow for uniformity of fences between the parcels in Sangamon County and the parcels in the City of Springfield, which have different rules regarding placement and height.**

- (iii) that the variation, if granted, 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.

**Negative impacts are not anticipated.**