

CASE # 2010-002

RESOLUTION NUMBER 7-1

**DENYING A REZONING**  
**GRANTING A USE VARIANCE**  
FOR CERTAIN PROPERTY LOCATED AT  
**3800 RADFORD 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 use variance** the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioners, **Jami L. Fuess**, has petitioned the Sangamon County Board for rezoning from **"A" Agricultural District** to **"B-2" Retail Business District** to allow for a **taxidermy business**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **January 21, 2010**, 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 **deny the rezoning but, in the alternative, grant a use variance with no signage**; and

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

**FILED**

JAN 28 2010

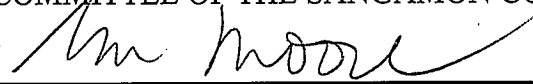
*Joe Aiello*  
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 9<sup>th</sup> day of February, 2010 that the request for rezoning on the above described property from "A" Agricultural District to "B-2" Retail Business District to allow for a taxidermy business is hereby denied but, in the alternative, grant a use variance with no signage.

Signed and passed by the Sangamon County Board in session on this 9<sup>th</sup> day of February, 2010.

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

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## Exhibit A

Part of the Northeast Quarter of the Northeast Quarter of Section 7, Township 16 North, Range West of the Third Principal Meridian in Sangamon County, Illinois, Being Described as Follows: Commencing At An Iron Pipe at the Northwest Corner of said Quarter Quarter Section; Thence North 89 Degrees 09 Minutes 53 Seconds East 162.48 Feet to an Iron Pin at the point of Beginning; Thence North 89 Degrees 09 Minutes 53 seconds East 101.30 Feet to an Iron Pin; Thence South 0 Degrees 45 Minutes 35 Seconds East 330.00 Feet to an Iron Pipe; Thence South 89 Degrees 09 Minutes 53 Seconds West 126.03 Feet to an Iron Pin; Thence North 3 Degrees 31 Minutes 28 Seconds East 331.06 Feet to the Point of Beginning, Containing 0.84 Acres More or Less. (As Per Plat of Survey Approved By SSCRPC 5-19-2008 and recorded on 5-20-2008 As Doc#2008R20677).

The Above Described Being the Easterly Portion of the following described; (As Taken from book 526 page 451, Doc#273689 recorded on April 9, 1958), Part of the Northeast Quarter of the Northeast Quarter of Section 7, Township Sixteen (16) North Range Four (4), West of the Third Principal Meridian; Beginning at the Northwest Corner of said Quarter, Quarter Section, Running Thence South 20 Rods; Thence East 16 Rods; Thence North 20 Rods; Thence West 16 Rods to the Place of Beginning, Containing 2 Acres.

And Also;

The following described: (As taken from book 526 page 544, Recorded on April 14, 1958), "Part of the Northeast Quarter of the Northeast Quarter of Section Seven (7), Township Sixteen (16) North, Range Four (4), West of the Third Principal Meridian, Described as follows: Beginning at a Point that is 16 Rods East of the Northwest Corner of said Quarter Quarter Section, and Running Thence East 12.12 Chains, thence in a Southeasterly Direction 4.53 Chains to a Point on the East Line of said Section Seven (7) That is 2.41 Chains South of the Northeast Corner of said Section, Thence South 2.41 Chains, Thence West 16.19 Chains, Thence North to the Place of Beginning, 4.82 Chains, Containing 7.31 Acres, More or Less."

EXCEPT the following described and All That Part Lying East of the following described: (As taken from Document 1988R97010 dated March 21, 1988),

"Part of the Northeast Quarter of Section 7, Township 16 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

Beginning at a Point on the North Line of said Section 7, Said Point Being 493.86 Feet East of the Northwest Corner of the Northeast Quarter of the Northeast Quarter of said Section 7, Thence East 215.00 Feet on the Section Line; Thence South 318.12 Feet; Thence West 255.00 Feet; Thence Northeasterly, 189.25 Feet to a Point 133.12 Feet South of the Section Line; Thence North 133.12 Feet to the Point of Beginning."

Subject Property Containing 2.45 Acres More or Less.

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RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 8 NAME: **Jim Good**

DOCKET NUMBER: **2010-002**

ADDRESS: **3800 Radford Road, Springfield, IL. 62707**

PETITIONER: **Jami L. Fuess**

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

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

AREA: **2.46 acres**

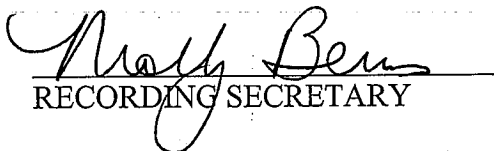
COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend denial of the requested B-2 zoning such intense commercial zoning is not appropriate. Staff recommends approval of a use variance to allow for a taxidermy business providing that the signage is prohibited. This recommendation to prohibit signage is consistent with previous Zoning Board of Appeals recommendations. There is not a concern with noise and activity associated with the business given the size of the parcel and nearby residences. There is one other taxidermist located within the City of Springfield besides the subject property making this use a direct benefit to the community.**

SANGAMON COUNTY BOARD OF APPEALS

RECOMMENDATION: **Approval of Use Variance with no signage.**

  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS  
SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: ) DOCKET NO: **2010-002**  
**Jami L. Fuess** )  
)  
) PROPERTY LOCATED AT:  
) **3800 Radford Road,**  
) **Springfield, IL 62707**

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 **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 **January 21, 2010** 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: **3800 Radford 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 **single family residence and a taxidermy business.**
5. That the proposed land use of said property is a **single family residence and a taxidermy business.**
6. That the requested **rezoning** of said property is **from "A" Agricultural District to "B-2" Retail Business District to allow for a taxidermy business.**
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 not** support the proposition that the adoption of the proposed **amendment** 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 **denied but, in the alternative, grant a use variance with no signage.**

Charles Chimento /cc  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Byron Deaner**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **denied but, in the alternative, grant a use variance with no signage** which was duly seconded by **John Luchessi**.

The vote of the Board was as follows:

**YES: Charles Chimento, Peggy Egizii, Judith Johnson, Byron Deaner, John Luchessi.**

**NO:**

**ABSENT: Marvin Traylor, Don Wulf.**

Molly Bews  
RECORDING SECRETARY

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