

CASE# 2017-067  
RESOLUTION NUMBER 9-1

**APPROVING A CONDITIONAL PERMITTED USE**  
**FOR CERTAIN PROPERTY LOCATED AT**  
**6495 OLD SALEM LANE, 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 **approve a Conditional Permitted Use** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**See Exhibit A**

WHEREAS, the Petitioner, **Darrell Lynch**, has petitioned the Sangamon County Board for a **Conditional Permitted Use for greenhouses**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **December 21, 2017** 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 **approve the Conditional Permitted Use for one (1) greenhouse limited to four hundred (400) square feet provided it is for personal use only with no retail sales on-site**; and,

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

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this **9<sup>th</sup> Day of January, 2018** that the request for a **Conditional**

**FILED**

DEC 28 2017


*Don Mahan*

**Permitted Use (CPU) for one (1) greenhouse limited to four hundred (400) square feet provided it is for personal use only with no retail sales on-site on the above described property is hereby approved.**

Signed and passed by the Sangamon County Board in session on this **9<sup>th</sup> day of January, 2018.**

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**

Part of the Northeast Quarter of Section 33, Township 16 North, Range 6 West of the Third Principal Meridian, described as follows:

Beginning at an iron pin at the center of Section 33; thence North 3 degrees 08 minutes 30 seconds West 25.00 feet along the West line of the said Northeast Quarter to an iron pin; thence continuing North 3 degrees 08 minutes 30 seconds West 621.50 feet along said West line to an iron pin; thence North 87 degrees 10 minutes 00 seconds East, 218.97 feet to an iron pin; thence South 3 degrees 08 minutes 00 seconds East, 621.50 feet to an iron pin; thence continuing South 3 degrees 08 minutes 00 seconds East 25.00 feet to the South line of said Northeast Quarter; thence South 87 degrees 10 minutes 00 seconds West, 218.97 feet to the point of beginning.

**RECAP**  
(For County Board Use)

COUNTY BOARD  
MEMBER:

#1

NAME: **Tom Fraase, Jr.**

DOCKET NUMBER: **2017-067**

ADDRESS: **6495 Old Salem Lane, Springfield, IL 62711**

PETITIONER: **Darrell Lynch**

PRESENT ZONING  
CLASSIFICATION:

**“A” Agricultural District.**

REQUESTED ZONING  
CLASSIFICATION:

**A Conditional Permitted Use for  
greenhouses.**

AREA: **3.12 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION  
RECOMMENDATION:

**Recommend denial. More  
information is needed about the  
proposed operations and locations  
of the greenhouses to evaluate if  
there would a negative impact on  
the adjacent residences.**

**AMENDED: Recommend approval  
limited to one (1) greenhouse of 400  
square feet provided it is for  
personal use only with no retail sales  
on-site. Testimony and a revised site  
plan were provided that the one (1)  
greenhouse will be limited in scope  
and vehicular impacts and not  
result in changes to the essential  
character of the area.**

SANGAMON COUNTY BOARD OF APPEALS  
RECOMMENDATION:

**Approval of the amended Staff  
Recommendation.**

  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: ) DOCKET NO: **2017-067**  
**Darrell Lynch** )  
) )  
) ) PROPERTY LOCATED AT:  
) ) **6495 Old Salem Lane**  
) ) **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** 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 **December 21, 2017** 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: **6495 Old Salem Lane, Springfield, IL 62711** 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 residence and detached accessory buildings.**
- 5. That the proposed land use of said property is **a residence, detached accessory buildings, and greenhouses.**
- 6. That the requested **Conditional Permitted Use** of said property is for **a Conditional Permitted Use for greenhouses.**
- 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 for one (1) greenhouse limited to four hundred (400) square feet provided it is for personal use only with no retail sales on-site** 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 for one (1) greenhouse limited to four hundred (400) square feet provided it is for personal use only with no retail sales on-site** be approved.

  
 CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Larry Beaty**, to concur with the amended findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the **Conditional Permitted Use for one (1) greenhouse limited to four hundred (400) square feet provided it is for personal use only with no retail sales on-site be approved** which was duly seconded by **JD Sudeth**.

The vote of the Board was as follows:

YES: **Tony Mares, Don Wulf, Gina Lathan, JD Sudeth, Larry Beaty**

NO:

RECUSAL: **Andrew Spiro**

ABSENT: **Charles Chimento**

  
RECORDING SECRETARY

9-8

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

Case #: 2017-067

Address: 6495 Old Salem Lane, 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.

**More information is needed about the proposed locations and hours of the greenhouses to evaluate if there would a negative impact on the adjacent residences.**

**AMENDED: Testimony and the revised site plan provided suggest the one (1) greenhouse will be limited in scope, which is less likely to affect the character of the surrounding area.**

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

**More information is needed about locations and hours to determine if this standard is met.**

**AMENDED: Testimony and the revised site plan indicate while a traffic increase is possible, it will likely be small given that there will be only one (1) greenhouse limited in scope to personal use only.**

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

**More information is needed about operations and hours to determine if this standard is met.**

**AMENDED: Based on the additional testimony and the revised site plan, negative impacts are not anticipated.**

- (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