

**GRANTING A CONDITIONAL PERMITTED USE WITH CONDITIONS
FOR CERTAIN PROPERTY LOCATED AT
200-500 BLOCK OF TORONTO 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 with conditions** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **WIEE LLC (series 3) James J. Skeeters**, has petitioned the Sangamon County Board requesting **pursuant to Chapter 17.58 and Section 17.24.020, a Conditional Permitted Use for a tavern (approximately 1,200 square feet)**; and,

WHEREAS, a public hearing was held at the Sangamon County Building on **December 16, 2021** 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 a Conditional Permitted Use with conditions**; 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 **11th Day of January, 2022** that the following request(s) on the above described property is hereby approved:

FILED

DEC 23 2021

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Don H. Hays
Sangamon County Clerk

- Pursuant to Chapter 17.58 and Section 17.24.020, a Conditional Permitted Use for a tavern (approximately 1,200 square feet) with the following conditions:

1. The tavern is limited to approximately 1,200 square feet as indicated in the petition,
and
2. The hours of operation are limited to the Sangamon County Liquor Ordinance.

Signed and passed by the Sangamon County Board in session on this 11th day of January, 2022.

COUNTY BOARD CHAIRMAN

ATTEST:

SANGAMON COUNTY CLERK

EXHIBIT A

Part of the Northeast Quarter of the Northeast Quarter of Section 33, Township 15 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, further described as follow:

Commencing at a PK Nail marking the Northeast corner of said Section 33; thence South 00 degrees 08 minutes 08 seconds West, 595.49 feet along the East line of said Northeast Quarter to the point of beginning; thence continuing South 00 degrees 08 minutes 08 seconds West, 69.18 feet along said East line to the Southeast corner of the North 20 acres of the East Half of said Northeast Quarter; thence South 88 degrees 54 minutes 47 seconds West, 803.88 feet along the South line of the North 20 acres of the East Half of said Northeast Quarter; thence North 00 degrees 11 minutes 56 second West, 284.48 feet; thence South 89 degrees 48 minutes 04 seconds West, 170.00 feet; thence North 00 degrees 11 minutes 56 seconds West, 60.00 feet; thence South 89 degrees 48 minutes 04 seconds West 589.59 feet to a point on the Westerly right of way of South Second Street; thence North 00 degrees 11 minutes 52 seconds East, 260.55 feet along said Westerly right of way line; thence North 89 degrees 23 minutes 01 seconds East, 80.00 feet to a point on the Southerly right of way line of Toronto Road; thence North 68 degrees 56 minutes 24 seconds East, 89.51 feet along said Southerly right of way line; thence North 89 degrees 48 minutes 04 seconds East, 525.00 feet along said Southerly right of way line; thence South 87 degrees 35 minutes 19 seconds East, 363.70 feet along said Southerly right of way line; thence South 00 degrees 11 minutes 56 seconds East, 539.27 feet; thence North 89 degrees 48 minutes 04 seconds East, 310.00 feet to the point of beginning.

Parcel Number: 22-33.0-200-038.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 13 NAME: Brad Miller

DOCKET NUMBER: 2021-044

ADDRESS: 200-500 Block of Toronto Road, Springfield, IL 62711

PETITIONER: WIEE LLC (series 3) James J. Skeeters

PRESENT ZONING CLASSIFICATION: "B-2" Retail Business District.

REQUESTED ZONING CLASSIFICATION: Pursuant to Chapter 17.58 and Section 17.24.020, a Conditional Permitted Use for a tavern (approximately 1,200 square feet).

AREA: 10.84 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval of the requested Conditional Permitted Use for a tavern with the following conditions: 1) the tavern is limited to approximately 1,200 square feet as indicated in the petition and 2) the hours of operation are limited to the Sangamon County Liquor Ordinance. While the requested CPU meets the findings of fact for the use, the site will be served by a well even though public water is available on the property adjacent to the location. It is the staff's opinion that the use of wells for commercial properties should be discouraged as a matter of public policy.

SANGAMON COUNTY ZONING 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: **2021-044**
WIEE LLC (series 3) James J. Skeeters)
)
) PROPERTY LOCATED AT:
) **200-500 Block of Toronto Road**
) **Springfield, IL 62711**

RECOMMENDATION OF THE ZONING 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 16, 2021** 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:

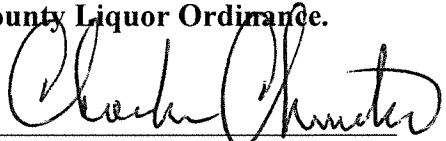
1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **200-500 Block of Toronto Road, Springfield, IL 62711** and more particularly described as:

See Exhibit A

3. That the present zoning of said property is **“B-2” Retail Business District.**
4. That the present land use of said property is **Cropland.**
5. That the proposed land use of said property is **3,600-5,000 square foot three (3) unit strip commercial with one (1) unit having a 1,200 square foot tavern.**
6. That the request(s) for the subject property is **pursuant to Chapter 17.58 and Section 17.24.020, a Conditional Permitted Use for a tavern (approximately 1,200 square feet).**
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 with conditions** 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 following request(s) is **hereby approved:**

- **Pursuant to Chapter 17.58 and Section 17.24.020, a Conditional Permitted Use for a tavern (approximately 1,200 square feet) with the following conditions:**
 1. **The tavern is limited to approximately 1,200 square feet as indicated in the petition, and**
 2. **The hours of operation are limited to the Sangamon County Liquor Ordinance.**


CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **JD Sudeth**, which was duly seconded by **Tony Mares**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the following request(s) **is hereby approved**:

- **Pursuant to Chapter 17.58 and Section 17.24.020, a Conditional Permitted Use for a tavern (approximately 1,200 square feet) with the following conditions:**
 1. **The tavern is limited to approximately 1,200 square feet as indicated in the petition, and**
 2. **The hours of operation are limited to the Sangamon County Liquor Ordinance.**

The vote of the Board was as follows:

YES: **Charlie Chimento, Tony Mares, Don Wulf, Richard Thompson, JD Sudeth**

NO:

PRESENT:

ABSENT:


RECORDING SECRETARY

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

Case #: **2021-044**

Address: **200-500 Block of Toronto Road, 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 tavern is located in a commercial area fronting a four-lane road, and that, along with the proposed conditions limiting the size and hours of operation, should minimize potential impacts.

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

Conditions regarding size and hours of operation should help minimize effects to the public health, safety, and welfare.

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

The tavern, with the proposed size and hours of operation restrictions, will not likely cause substantial injury to property values in the vicinity.

- (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) Manufactured home parks - must meet the requirements of Chapter 17.48 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.

Yes

- (e) Wind energy conversion systems - a WECS shall not be located within 1½ miles of an incorporated area with a population over 10,000 or within ½ mile of an incorporated area with a population of less than 10,000. WECS shall not be located so that they interfere with contiguous urban development.

N/A

- (f) Adult-use cannabis business establishments as defined in Chapter 17.04:
- 1) that the following distances be maintained from the principal structure of an adult-use cannabis business establishment to the property line of a use defined in Chapter 17.04 as a "sensitive area":
 - (A) Adult-use cannabis craft grower – 1,500 feet
 - (B) Adult-use cannabis cultivation center – 1,500 feet
 - (C) Adult-use cannabis dispensing organization (dispensary) – 250 feet
 - (D) Adult-use cannabis infuser organization (infuser) – 1,500 feet
 - (E) Adult-use cannabis processing organization (processor) – 1,500 feet
 - (F) Adult-use cannabis transporting organization (transporter) – 1,500 feet
 - 2) On-premise consumption of cannabis at cannabis dispensing organizations and smoking lounges in unincorporated Sangamon County is prohibited.

N/A