

CASE # 2008-01
RESOLUTION NUMBER 6-1

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
12001 ACKERMAN ROAD, VIRDEN
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** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

The South 240' of the East 430' of the Southeast quarter of the Northeast Quarter of Section 21, Township 13 North, Range 7 West of the Third Principal Meridian.

WHEREAS, the Petitioners, **Kaye & Marvin Barrett**, have petitioned the Sangamon County Board for a **Conditional Permitted Use to allow for a dog kennel**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **January 17, 2008**, 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

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

FILED

JAN 30 2008

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 13th day of February, 2008 that the request for a Conditional Permitted Use to allow for a dog kennel on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 13th day of February, 2008.

RESOLUTION AMENDED TO RESTRICT THE KENNEL TO 40 DOGS.

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

TIM MOORE, CHAIRMAN

Abe Forsyth

ABE FORSYTH, VICE CHAIRMAN

JENNIFER DILLMAN

DAVID MENDENHALL

GEORGE PRECKWINKLE

SAM SNELL

DON STEPHENS

LINDA DOUGLAS WILLIAMS

ATTEST:

Joe Diello

SANGAMON COUNTY CLERK

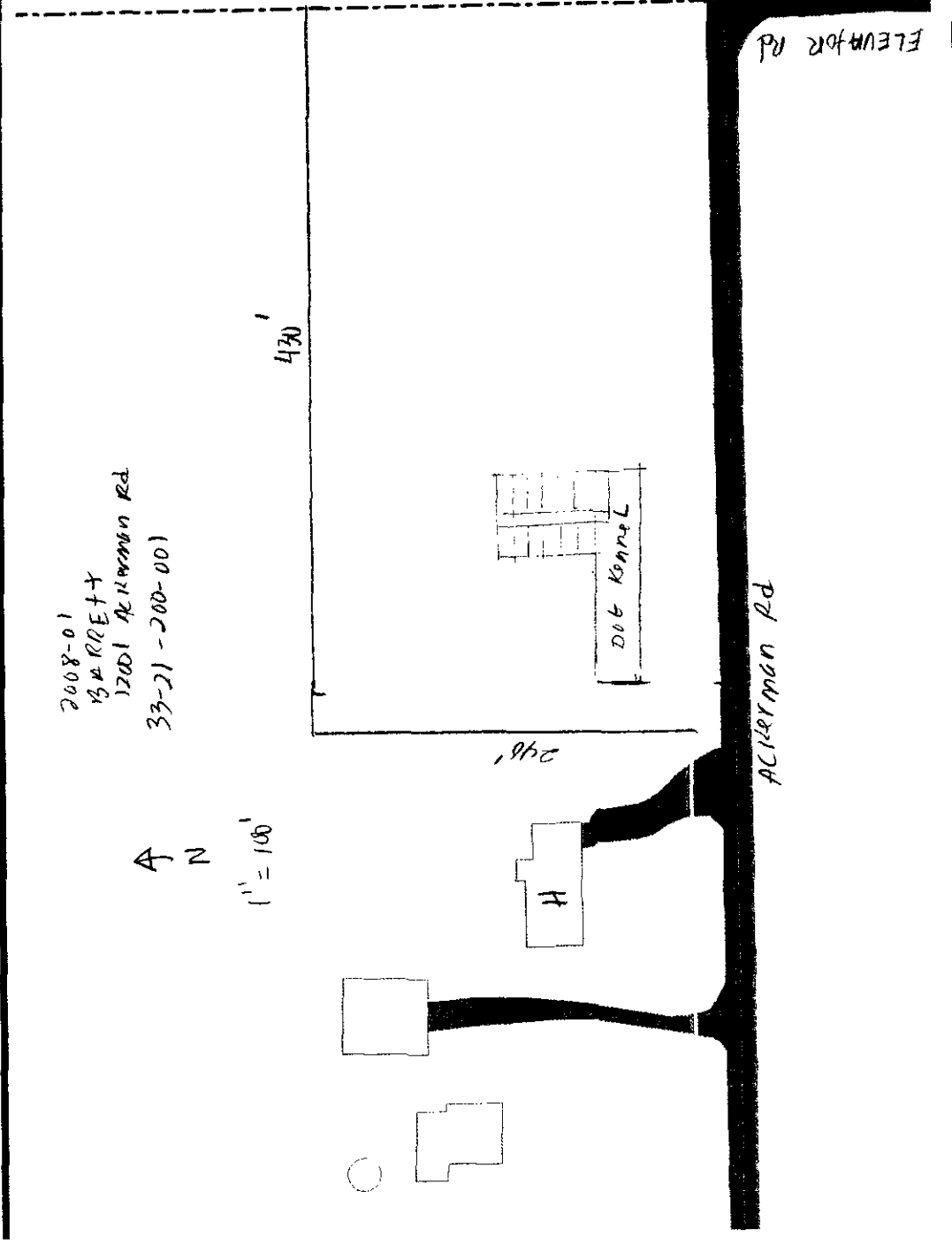
A. W. [Signature]

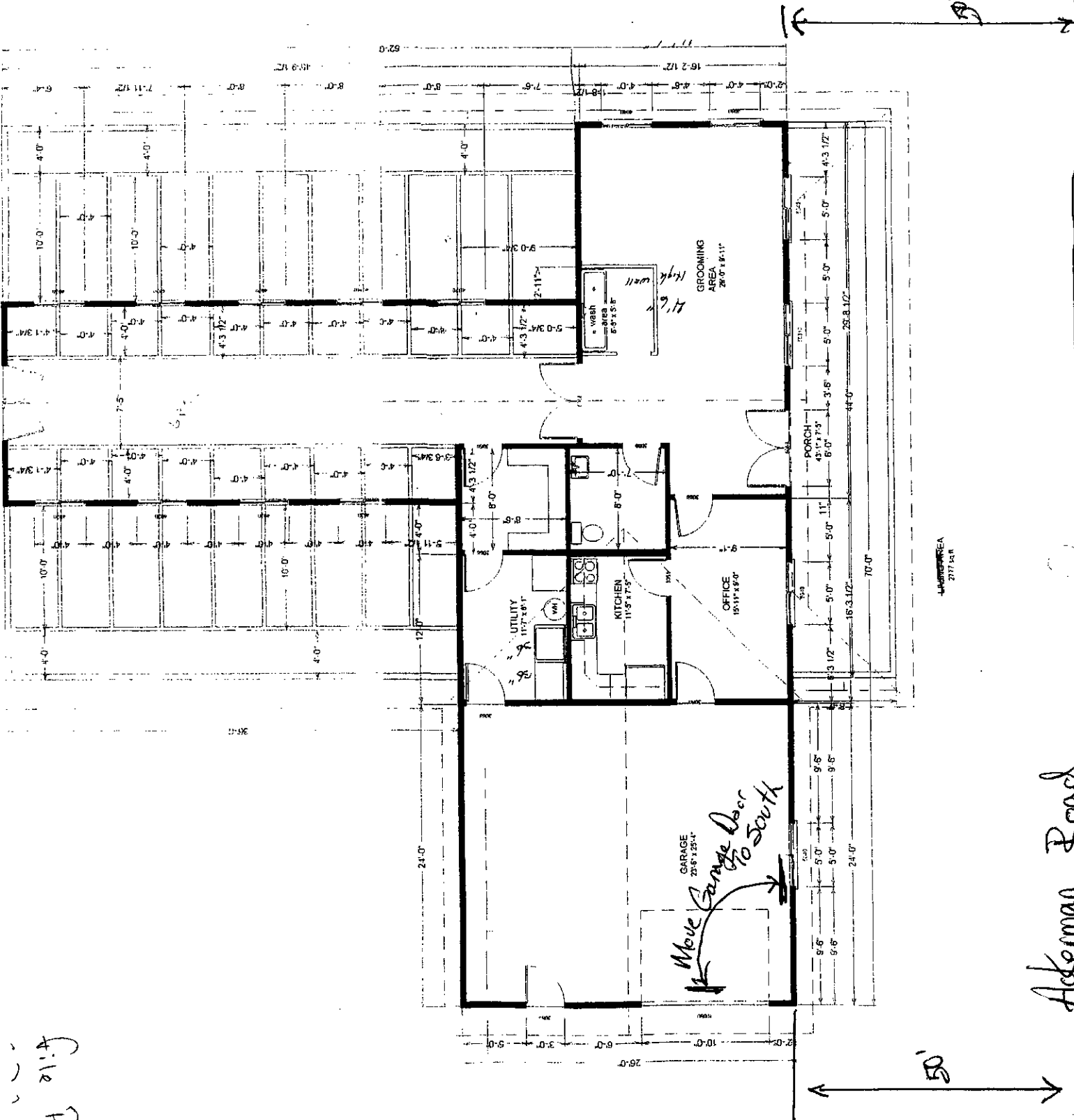
COUNTY BOARD CHAIRMAN

SANGAMON COUNTY
 Geographic Information System

Sangamon County Zoning

Sangamon County makes no warranty, representation, or guarantee as to the accuracy, reliability, or completeness of the information provided herein. The user of this information shall be responsible for verifying the accuracy of the information and for taking any necessary precautions. The user of this information shall be held liable for any damages, including consequential damages, arising from the use of any information provided herein.





File Petition

Ackerman Road

50'

LAURENCE
2777 R.R.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 7 NAME: **Craig Hall**

DOCKET NUMBER: **2008-01**

ADDRESS: **12001 Ackerman Road, Virden, 62690**

PETITIONER: **Kaye & Marvin Barrett**

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

REQUESTED ZONING CLASSIFICATION: **"A" Agricultural District with a Conditional Permitted Use to allow for a dog kennel**

AREA: **2.37 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval with proof of adequate waste disposal on site. A dog kennel at this location seems appropriate given the nearest residential structure is approximately 1900 feet away.**

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: 2008-01
Kaye & Marvin Barrett))
)	PROPERTY LOCATED AT:
)	12001 Ackerman Road
)	Viriden, IL 62690
))

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 **January 17, 2008** 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 or contract to purchase the property commonly known as **12001 Ackerman Road, Viriden, 62690** and more particularly described as:

The South 240' of the East 430' of the Southeast quarter of the Northeast Quarter of Section 21, Township 13 North, Range 7 West of the Third Principal Meridian.

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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 **Vacant with single family residence on portion not included in the case.**
- 5. That the proposed land use of said property is **Dog Kennel.**
- 6. That the requested **conditional permitted use** of said property is: **to allow for a dog kennel.**
- 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** 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** be **approved**.

Charles Chimento
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Marvin Traylor** 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 **Peggy Egizii**.

The vote of the Board was as follows:

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

NO:

ABSENT:

BJ Ampting
RECORDING SECRETARY

6-8

SSCRPC Springfield Sangamon County Regional Planning Commission

Staff Findings and Recommendation
 (inspected 1/7/08 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2008-01
 ADDRESS 12001 Ackerman Road
 Property Index # Pt. 33-21-200-001

PETITIONER Barrett, Kay & Marvin

REQUESTED ZONING A Conditional Permitted Use to allow for a dog kennel.

PROPOSED LAND USE Dog kennel

EXISTING:

ZONING A

LAND USE Vacant with single family residence on portion of the property not included in the case.

ROAD FRONTAGE Ackerman Rd. - 400' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR NA

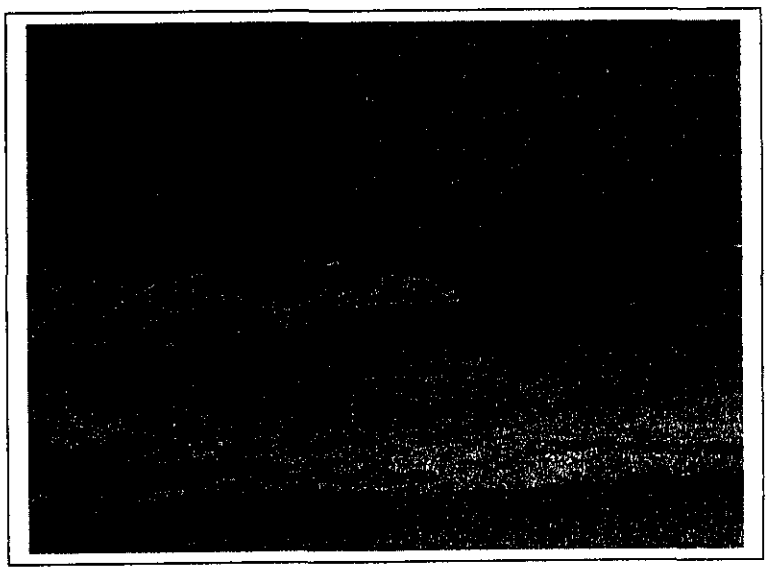
CONDITION OF STRUCTURE NA

LOT AREA 2.37

FRONT YARD NA

SIDE YARDS NA

REAR YARD NA



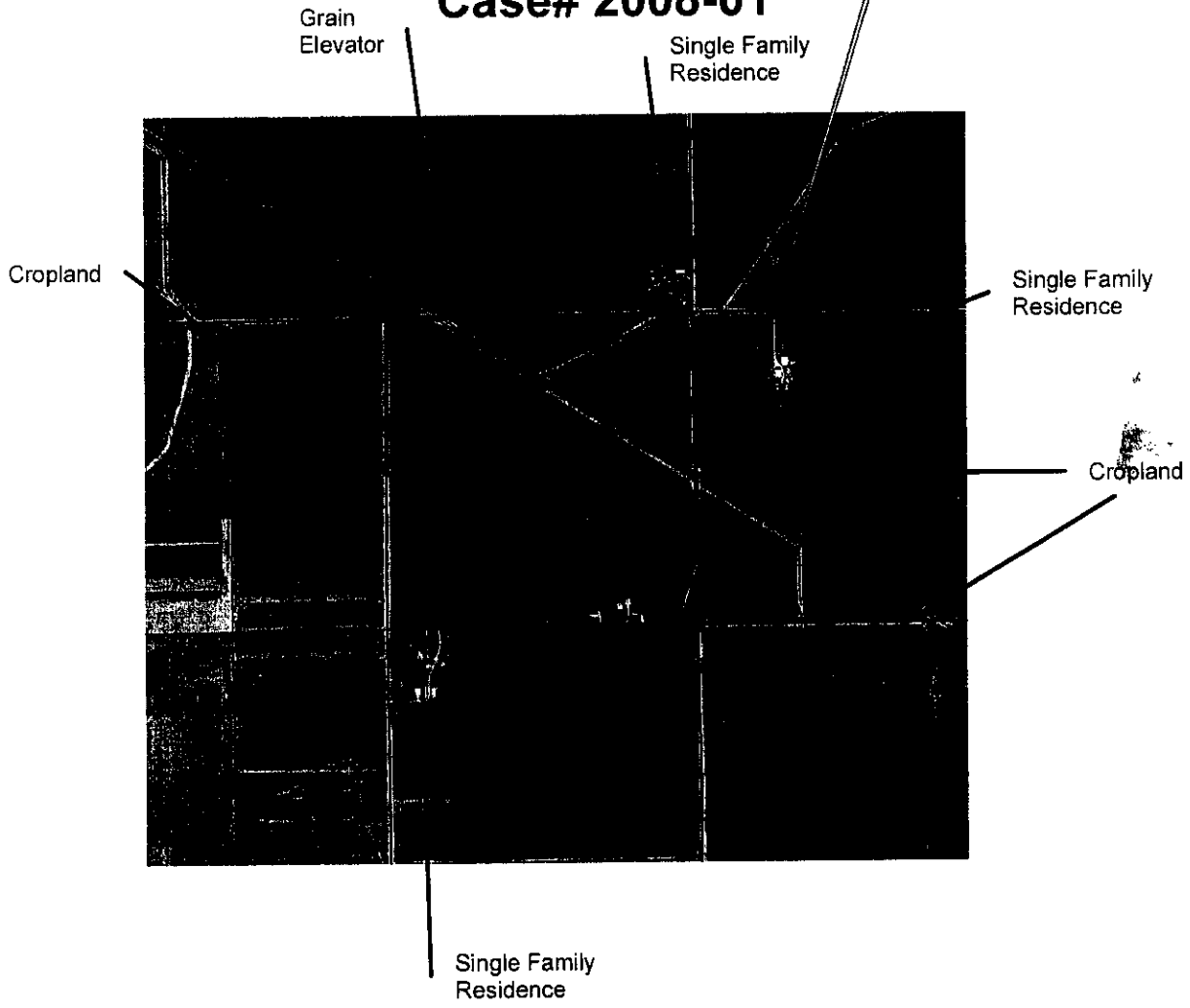
Would the proposed zoning be spot zoning? NA

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend approval with proof of adequate waste disposal on site. A dog kennel at this location seems appropriate given the nearest residential structure is approximately 1900 feet away.

County Zoning

Case# 2008-01

Requested:
CPU

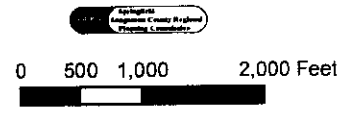


County Zoning

	RM-4		I1
	R3		I2
	R2		B3
	R1a		B2
	R1		B1
	OFF		A

City Zoning

	R5		H1		OFF
	R1		H2		PUD
	R2		H3		B1
	R3a		S1		B2
	R3b		S2		I1
	R4		S3		I2



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

Case #: 2008-01

Address: 12001 Ackerman Road

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 subject property sits approximately 1900 feet from the nearest residential structure.

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

There is concern how the solid waste will be disposed as a septic tank is not an adequate means.

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

There is no foreseen impact.

- (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.

NA

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

NA

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

NA

- (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.

NA