

CASE # 2007-35  
RESOLUTION NUMBER 9-1

**GRANTING A REZONING**  
FOR CERTAIN PROPERTY LOCATED AT  
3012, 3016, 3020, 3024, 3028, 3032, 3036 & 3040 S. 11<sup>TH</sup>, 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 an amendment** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

**Lots 20, 21, 22, 23, 24, 25, 26 and 27 of Block 9 of the Town of Mildred.**

WHEREAS, the Petitioner, **JSP Investments Inc.**, has petitioned the Sangamon County Board for a **rezoning from "R3" General Residence District and "O" Office and College District to "B3" General Business District;** and

WHEREAS, a public hearing was held at the Sangamon County Building on **June 21, 2007**, 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 requested "B3" but in the alternative grant "B2";** and

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

**FILED**

JUN 29 2007

*Joe Aiello*  
Sangamon County Clerk

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Sangamon County, Illinois, in session assembled this 10<sup>th</sup> day of July, 2007 that the request to rezone the above described property from "R3" General Residence District and "O" Office and College District to "B3" General Business District to hereby denied but in the alternative "B2" Retail Business District is hereby granted.

Signed and passed by the Sangamon County Board in session on this 10<sup>th</sup> day of July, 2007.

Respectfully submitted,

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

\_\_\_\_\_  
TIM MOORE, CHAIRMAN

*Abe Forsyth*  
\_\_\_\_\_  
ABE FORSYTH, VICE CHAIRMAN

\_\_\_\_\_

\_\_\_\_\_  
BILL MOSS

\_\_\_\_\_  
SAM SNELL

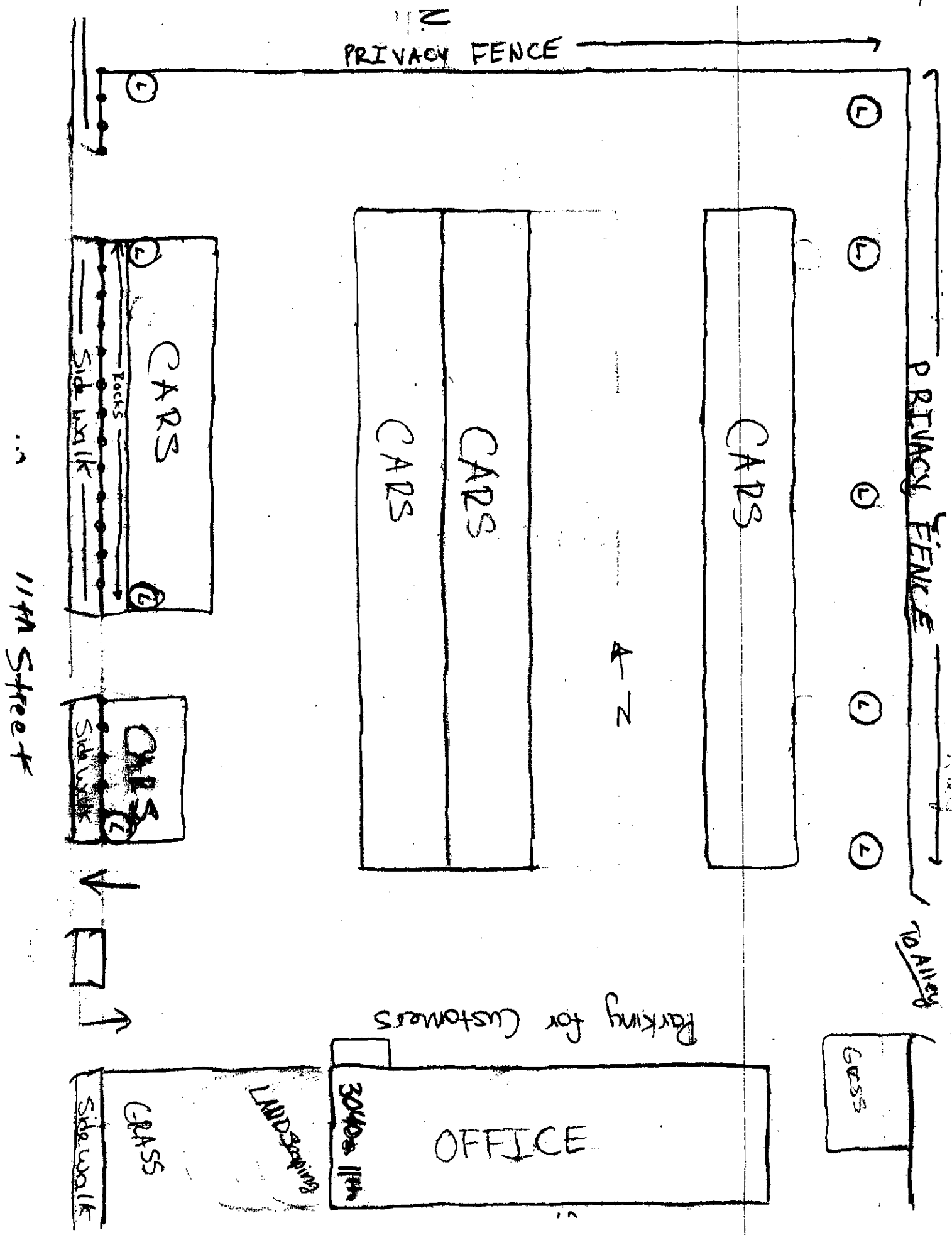
\_\_\_\_\_  
DON STEPHENS

\_\_\_\_\_  
DAVID MENDENHALL

**ATTEST:**

*Joe Quillo*  
\_\_\_\_\_  
SANGAMON COUNTY CLERK

*A. W. [Signature]*  
\_\_\_\_\_  
COUNTY BOARD CHAIRMAN



4

22-10  
376-012

S. 11th St

S. 12th St

22-10  
405-010

22-10  
405-022

22-10  
405-011

22-10  
405-023

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405-024

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405-029

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405-025

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405-030

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451-039

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451-038

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451-018

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451-002

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451-016

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451-017

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451-019

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451-003

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451-020

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451-004

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451-021

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451-027

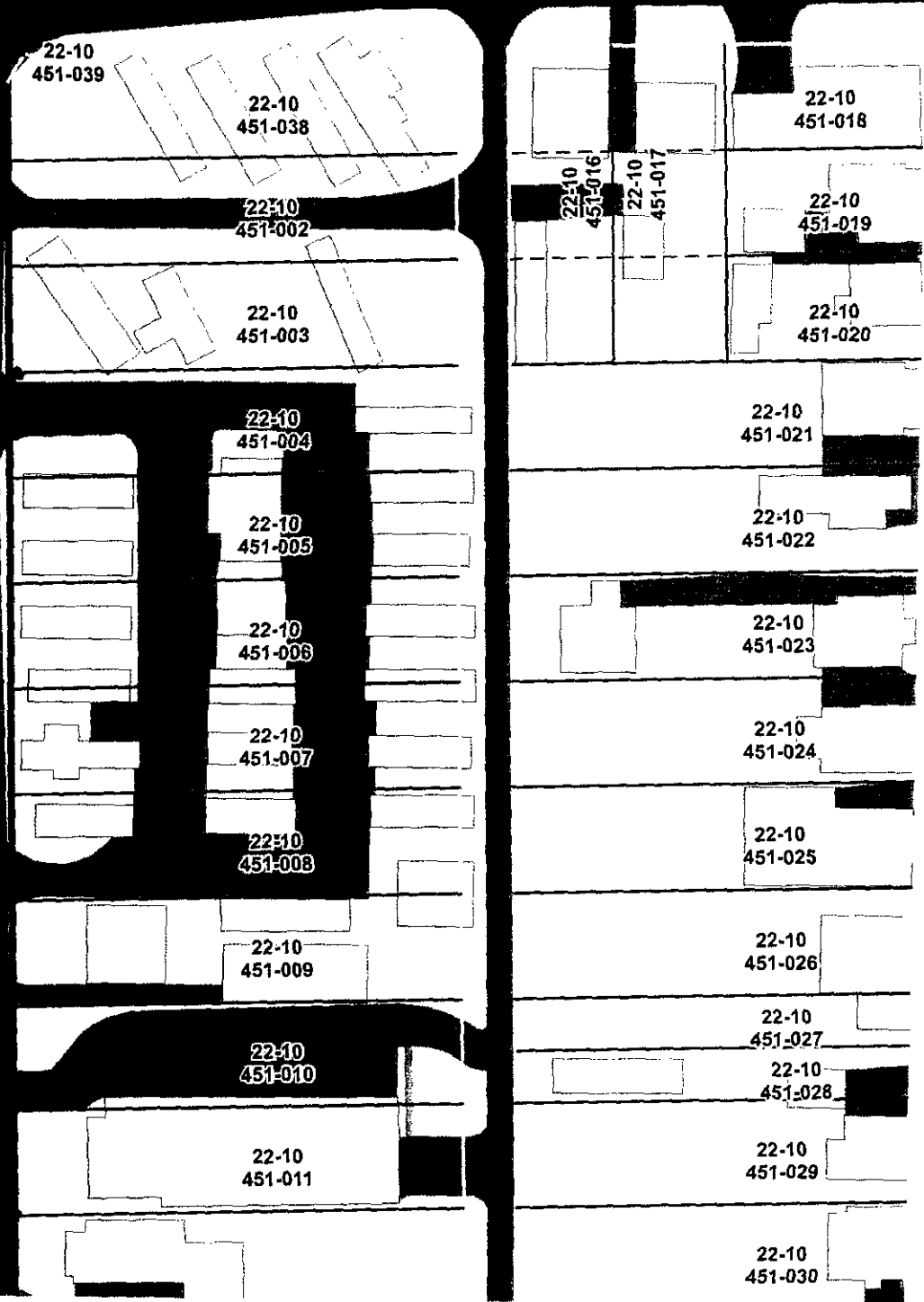
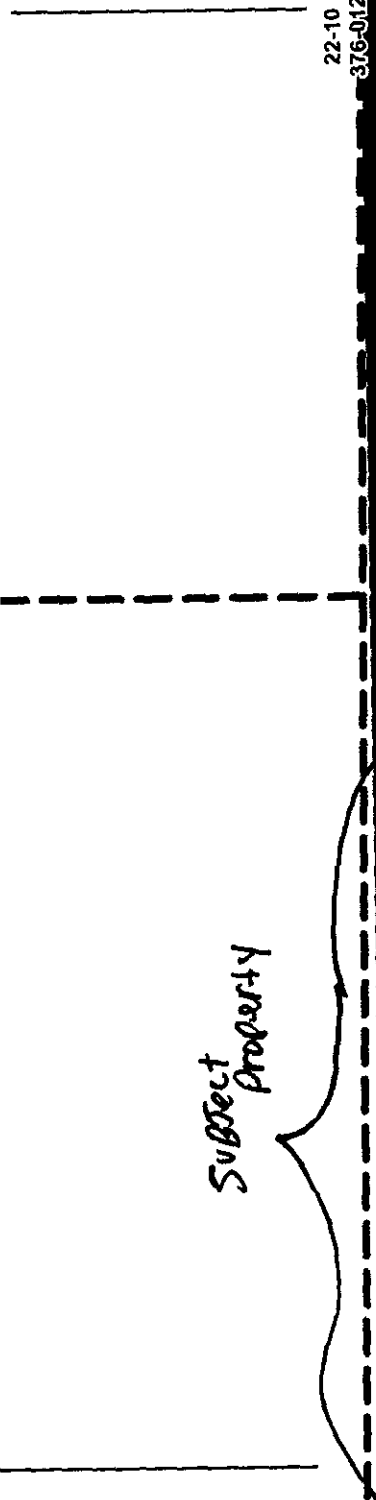
22-10  
451-028

22-10  
451-011

22-10  
451-029

22-10  
451-030

Subject Property



**SANGAMON COUNTY  
RECOMMENDED - FINDINGS OF FACT  
▶ As Amended by the Board of Appeals ◀**

Case #: **2007-35**

Address: **3012, 3016, 3020, 3024, 3028, 3028, 3032, 3036 & 3040 S. 11<sup>th</sup> Street**

(i) Existing uses of property within the general area of the property in question.

**To the west is vacant land, directly south are single family residences, directly east is a mix of two mobile homes among single family residences and a cake bakery. To the north is a mobile home park.**

(ii) The zoning classification of property within the general area of the property in question.

**To the west is city B-1, directly south is R-2, directly east is R-2 and RM-4, to the north is county B-2.**

(iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

**Due to the commercial trend along this section of 11<sup>th</sup> Street commercial zoning is appropriate.**

(iv) *The trend of development, within the vicinity since the property was originally classified.*

**The 2 southern most parcels included in the subject property were rezoned to OFF in 1994 and 1997. Property directly east was rezoned to RM-4 in 1994. A use variance for a cake bakery was granted to the east in 1998. Property to the north was rezoned to B-2 in 1999 but has not developed**

RECAP  
(For County Board Use)

COUNTY BOARD MEMBER: # 21 NAME: Clyde Bunch

DOCKET NUMBER: 2007-35

ADDRESS: 3012, 3016, 3020, 3024, 3028, 3032, 3036 & 3040 S. 11<sup>th</sup>, Springfield

PETITIONER: JSP Investments Inc.

PRESENT ZONING CLASSIFICATION "R3" General Residence District and "O" Office and College District

REQUESTED ZONING CLASSIFICATION: "B3" General Business District

AREA: 1.2 acres

COMMENTS: None

OBJECTORS: Yes

PLANNING COMMISSION RECOMMENDATION:

**Recommend denial. The requested B-3 zoning allows the most intensive commercial uses which are not appropriate adjacent to a residential area and would be out of character with other rezonings granted in the immediate area.**

SANGAMON COUNTY BOARD OF APPEALS RECOMMENDATION:

**Denial of "B3" zoning but in the alternative approval of "B2" zoning.**

  
\_\_\_\_\_  
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF: )	DOCKET NO: 2007-35
JSP Investments Inc. )	
)	PROPERTY LOCATED AT:
)	3012, 3016, 3020, 3024, 3028, 3032, 3036 & 3040 S. 11 <sup>th</sup>
)	Springfield, IL 62703
)	

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 an **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 **June 21, 2007** 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 **3012, 3016, 3020, 3024, 3028, 3032, 3036 & 3040 S. 11<sup>th</sup>, Springfield, IL 62703** and more particularly described as:

**Lots 20, 21, 22, 23, 24, 25, 26 and 27 of Block 9 of the Town of Mildred.**

Page 2

- 3. That the present zoning of said property is **“R3” General Residence District and “O” Office and College District.**
- 4. That the present land use of said property is **Manufactured Home Park and vacant office building.**
- 5. That the proposed land use of said property is **Automobile sales.**
- 6. That the requested **rezoning** of said property is: **“B3” General Business District.**
- 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 **rezoning** 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 that “B2” zoning be approved.**

  
CHAIRMAN

MINUTES OF THE  
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Patrick Somers** to concur with the amended findings of fact and recommend to the County Board that the petition be **denied but in the alternative that “B2” zoning be granted**, which was duly seconded by **Peggy Egizii**.

The vote of the Board was as follows:

YES: **Charles Chimento, Peggy Egizii, Patrick Somers, Barbara Braner**

NO: **Judith Johnson**

ABSENT: **Marvin Traylor**

  
RECORDING SECRETARY



4-9

**SSCRPC** Springfield Sangamon County Regional Planning Commission

**Staff Findings and Recommendation**

(inspected 6/5/07 by LW & AJ)

SANGAMON COUNTY ZONING CASE # 2007-35

ADDRESS 3012, 3016, 3020, 3024, 3028, 3032, 3036 & 3040 S. 11<sup>th</sup> Street

Property Index # 22-10-451-004 thru 011

PETITIONER JSP Investments Inc.

REQUESTED ZONING B-3

PROPOSED LAND USE Automobile sales

EXISTING:

ZONING R3-& O

LAND USE Manufactured Home Park / Vacant office building

ROAD FRONTAGE South 11<sup>th</sup> Street 320' CONDITION OF PAVEMENT Good

STRUCTURE DESIGNED FOR Business, residences

CONDITION OF STRUCTURE Fair

LOT AREA 1.2 acres

FRONT YARD Varied

SIDE YARDS Varied

REAR YARD Varied



Would the proposed zoning be spot zoning? Yes

**3040 South 11<sup>th</sup> Street  
(MORE PHOTOS ATTACHED)**

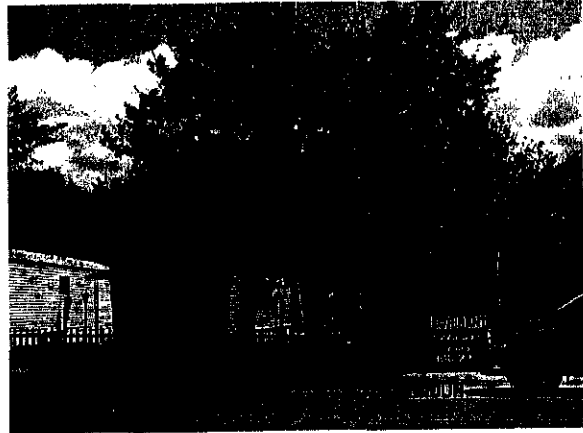
**PLANNING COMMISSION STAFF RECOMMENDATION: Recommend denial. The requested B-3 zoning allows the most intensive commercial uses which are not appropriate adjacent to a residential area and would be out of character with other rezonings granted in the immediate area.**

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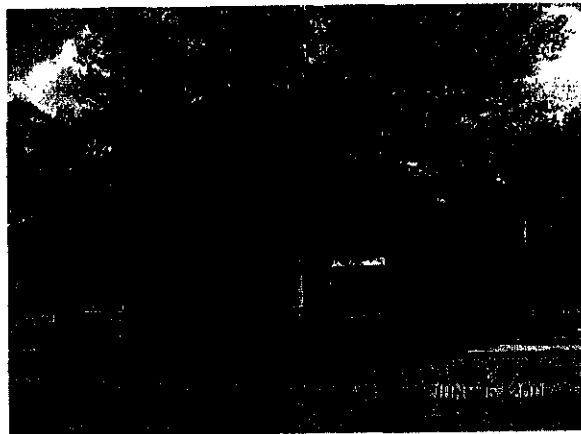
3032 South 11<sup>th</sup> Street



3024 & 3028 South 11<sup>th</sup> Street



3020 South 11<sup>th</sup> Street

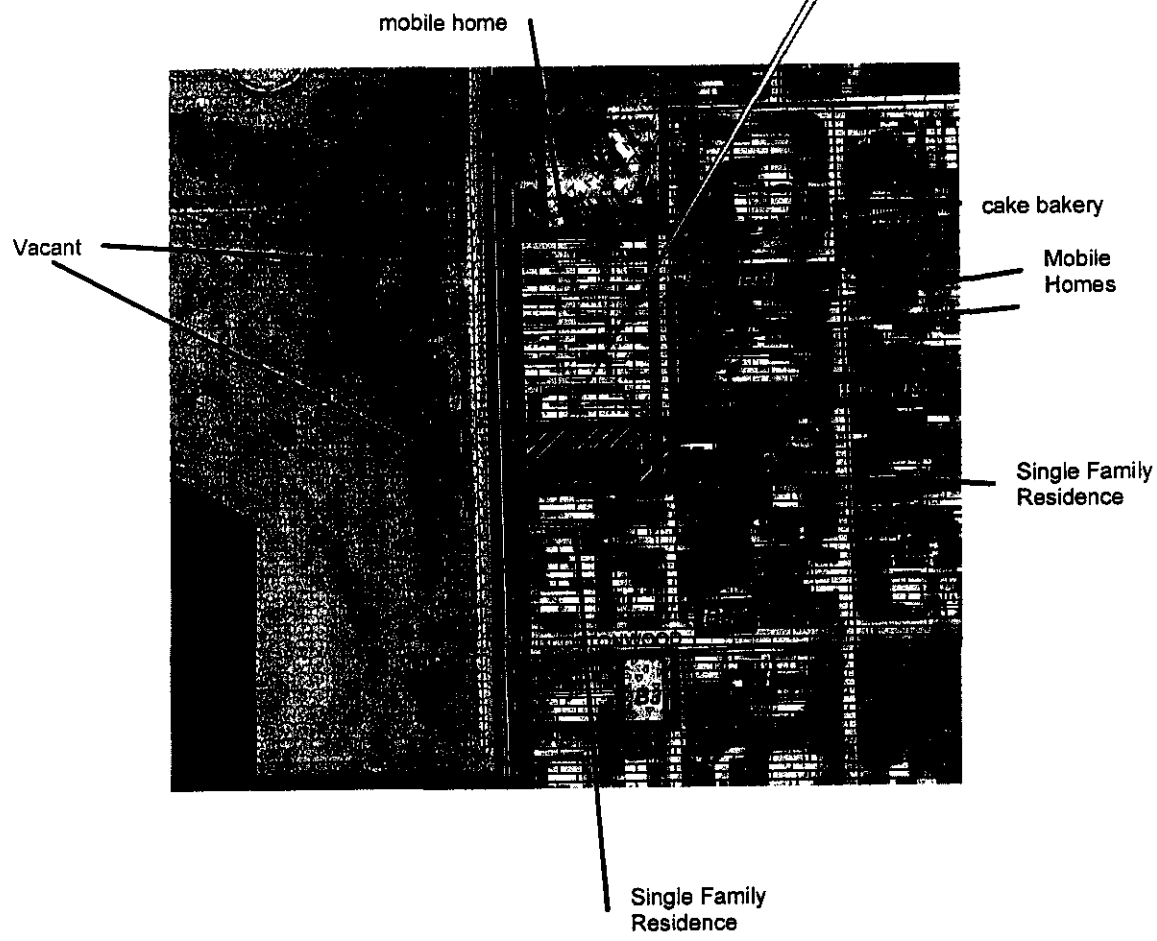


3012 & 3016 South 11<sup>th</sup> Street

# County Zoning

## Case# 2007-35

Requested:  
B-3

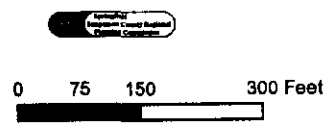


### County Zoning

	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**

Case #: 2007-35

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- (ii) The zoning classification of property within the general area of the property in question.

To the west is city B-1, directly south is R-2, directly east is R-2 and RM-4, to the north is county B-2.

- (iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

Although zoned R-3 (General Residence District) the northern part of the property is developed with a mobile home park that was "grandfathered in" as a non-conforming use. The southern two lots are zoned "O" (Office) and are developed with an office building.

- (iv) The trend of development, within the vicinity since the property was originally classified.

The 2 southern most parcels included in the subject property were rezoned to OFF in 1994 and 1997. Property directly east was rezoned to RM-4 in 1994. A use variance for a cake bakery was granted to the east in 1998. Property to the north was rezoned to B-2 in 1999 but has not developed under that commercial zoning. Single family residences remain to the south and east.