

Sangamon County, Illinois
ZONING BOARD OF APPEALS

The Zoning Board of Appeals met on February 18, 2016, at 7:00 P.M. in the County Board Chamber in the County Complex.

ATTENDANCE (X) denotes present

(X) Chairman Chimento	(X) Committee Member Mares
() Committee Member Wulf	(X) Committee Member Herbert
(X) Committee Member Spiro	(X) Alt. Committee Member Lucchesi
(X) Alt. Committee Member Dobrinsky	

STAFF PRESENT:

Molly Berns, Senior Planner, Spfld-Sang County Regional Planning Commission
Steve Keenan, Associate Planner, Spfld-Sang County Regional Planning Commission
Dwayne Gabb, Assistant States Attorney, States Attorneys Office
Trustin Harrison, Zoning Inspector, Sangamon County Zoning

Chairman Chimento called the meeting to order.

Chairman Chimento states first on the agenda is to approve the minutes of the January meeting.

Committee Member Herbert made a motion to approve the minutes of last months meeting.

Committee Member Mares seconded the motion.

Motion carries 5/0/0

Docket 2015-003 for property located In the 5700 Block of Sagle Road and 5988 Sagle Road, Williamsville, IL 62693

PETITIONER(S): Matthew Hankins & Michael Campbell

OBJECTOR(S): None

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTING: "A" Agricultural District and for Parcel 2: a variance to allow forty (40) feet of road frontage instead of the required one-hundred fifty (150) feet and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width.

Matthew Hankins was sworn.

Matthew Hankins stated that in 2009 I purchased the house and reached an agreement with Mr. Campbell. At the time he was still using the outbuildings and I showed interest for when he was done with them that I would like to have them.

Chairman Chimento asked if there were any questions...hearing none. County Board...hearing none. Objectors...hearing none. Chairman read the staff recommendation.

STAFF RECOMMENDATION: Recommend approval. Granting the variance would allow the property owner to divide the outbuildings from the larger farmland tract and combine them with the residence on the smaller tract with the long driveway. The forty (40) foot of road frontage is existing, platted in 2009. The Standards for Variation are met.

Committee Member Herbert made a motion to recommend approval as staff recommended.

Committee Member Mares seconded the motion.

Motion carries 5/0/0

Docket 2015-004 for property located at 1800 Camp Lincoln Road, Springfield, IL 62707

PETITIONER(S): 1800 Camp Lincoln Road, LLC

OBJECTOR(S): None

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTING: "I-2" General Industrial District and a variance to allow two (2) principal uses (cell tower and asphalt plant with material storage and recycling) on one (1) parcel.

Kurt Wilke, attorney for petitioner. Perry Broughton was sworn.

Kurt Wilke stated that this is a company that owns land adjacent and they wish to expand the business. They need a variance for 2 uses because there is already a cell tower on this property.

Chairman Chimento asked if there were any questions...hearing none. County Board...hearing none. Objectors...are you an objector.

Robert Throop was sworn.

Robert Throop stated I am not objecting, I just have some questions because I live directly across the street from the 21 acres and just want to know about daily operations. Will it be at night to where me and my family will be sleeping. I don't want trucks running up and down the road late at night. Is there going to be a rock crusher close to my house. I want to know about the dust that will be coming onto my property.

Perry Broughton stated that occasionally we have night work that we do for the State projects that are required but it is not very often. This property that we have here will take some pressure off the other recycle projects that we have. With the machines we use, we can keep dust under control. We pave so that the trucks are quieter. We try to be good neighbors. I can't say much about the asphalt side but the recycling side will have some traffic.

Robert Throop stated that he would just like to make sure that he has an open line of communication with Mr. Broughton in case I ever have a situation that I need to talk to him.

Perry Broughton stated that we haven't had any problems but I would be happy to address any of the neighbors down there.

Committee Member Mares stated I have a question in regards to the property. When I went out there to do an inspection, the road was closed. Where are you able to access the road at? I know you can come in off where The Gym is at but I tried to get in through Sangamon and the road is closed. I went out the other way and it is still closed.

Perry Broughton stated that the only egress we have at the moment, the bridge, they shut the road down up there. Heavy truck traffic can't go down through that residential area so we come in and out off of Veterans.

Robert Throop stated that he does have a concern with traffic too because there are lots of people pulling out of The Gym between 3 and 7 pm. Some of those people don't even look anymore when pulling out and I am concerned with the big trucks that there may be more accidents. Someone should maybe look at putting up a stoplight or something there.

Chairman Chimento read the staff recommendation.

STAFF RECOMMENDATION: Recommend approval of the requested I-2 zoning. The LESA score of 67 indicates the property is suitable for non-agricultural development and there is industrial zoning directly south and east of the subject property. Recommend approval of the requested variance for two (2) principal uses, i.e. a cellular tower and an asphalt batch plant with materials storage and recycling.

Committee Member Spiro made a motion to recommend approval as staff recommended.

Committee Member Mares seconded the motion.

Motion carries 5/0/0

Docket 2015-005 for property located at 3456 Brickler Road, Springfield, IL 62707

PETITIONER(S): Kenneth J. Vose

OBJECTOR(S): None

PRESENT ZONING CLASSIFICATION: "R-1" Single-Family Residence District

REQUESTING: "B-3" General Business District, a variance to allow two (2) uses (single-family residence and garage for personal and commercial storage) on one (1) parcel, a variance to allow a single-family residence in the "B-3" General Business District, and a variance to allow an accessory structure height of twenty-five (25) feet instead of the maximum eighteen (18) feet.

Kenneth Vose was sworn.

Kenneth Vose stated that he purchased the property at 3456 Brickler Rd. and I want to put a pole building up and it is beyond the height allowed there. Mainly it will be for my RV but I have a couple of concession trailers that I wanted to store in there also. I am not after a B-3 zoning, I just want the variance because most of it is for personal storage there in the building.

Chairman Chimento asked if there were any questions...hearing none. County Board...

County Board Member Mike Sullivan stated so if I understand it, will be mostly personal what you are looking for.

Kenneth Vose stated yes.

County Board Member Mike Sullivan stated, the commercial, if there is any, will be stored inside at all times.

Kenny Vose stated yes, we are not doing any business there it will just be storage of the concession trailers.

Chairman Chimento asked if there were any objectors...hearing none. Chairman Chimento read the staff recommendation.

STAFF RECOMMENDATION: Recommend denial of the requested B-3 zoning. It is seen as spot zoning and the list of uses permitted in the B-3 district is too intense for the residential area. In the alternative, staff recommends approval of a variance to allow two principal uses, i.e. a single-family residence and a garage for personal and commercial storage, with the following conditions: (1) all trailer and concession stand storage shall occur inside; and, (2) no other business operations or any employees will be located on the subject property. Given the staff recommendation to deny the B-3 zoning, the variance request to allow a residence in the B-3 district is not needed. Recommend approval of the requested variance to allow an accessory structure with a height of twenty-five (25) feet instead of the required eighteen (18) feet. The height requested is consistent with other personal accessory storage structures for which the County Board granted relief in the last few years. The Standards for Variation are met.

Committee Member Herbert made a motion to recommend approval as staff recommended.

Committee Member Lucchesi seconded the motion.

Motion carries 5/0/0

Docket 2015-006 for property located at 816 Forrest, Springfield, IL 62702

PETITIONER(S): George E. & Rose M. Ruzic and George J. Ruzic

OBJECTOR(S): None

PRESENT ZONING CLASSIFICATION: "R-2" Single-Family and Two-Family Residence District

REQUESTING: to "B-3" General Business District to allow a sign shop where design, fabrication, assembly and storage will be done within the building.

George J. Ruzic was sworn in.

George stated he plans to operate business currently located at 824 Forrest Ave. which make race car parts.

Chairman Chimento asked if there were any objectors...hearing none. Chairman Chimento read the staff recommendation.

STAFF RECOMMENDATION: Staff recommends denial of the requested B-3 zoning. The requested classification is seen as too intense for the residential area. In the alternative, staff recommends a Use Variance to allow the assembly of motor vehicle frames. The petitioners want to construct a garage and move the existing motor vehicle frame business from the property to the north of the subject property. In 2003, the County

Board granted a Use Variance to allow motor vehicle frame assembly on the property immediately to the north of the subject property. Given the precedent set by the County Board on the parcel to the north, a Use Variance is warranted.

Committee Member Lucchesi made a motion to recommend approval as staff recommended.

Committee Member Mares seconded the motion.

Motion carries 5/0/0

Docket 2015-007 for property located at 3040 Linden Avenue, Springfield, IL 62702

PETITIONER(S): Central Illinois Sign Co.

OBJECTOR(S): None

PRESENT ZONING CLASSIFICATION: "R-2" Single-Family and Two-Family Residence District

REQUESTING: "B-3" General Business District to allow a sign shop where design, fabrication, assembly and storage will be done within the building.

Fred Conaway was sworn in.

Kurt Wilke state that the former Pleasant Hill Elementary school has been vacant and in auction. Mr. Conaway was the only bidder and would like to relocate business to this location. The sale is contingent on zoning approval. Mr. Wilke is ok with staff recommendation except for they will need some outside storage.

Mr. Conaway stated that his business handle residential and commercial signs some large signs may need to be located outside or on large trucks. He will install a fence for the area that will be used for outside storage.

Chairman asked how often outside storage may be needed.

Mr. Conaway stated it may be every day. But it would be temporary or in a rotation. He used an example of 50 military trucks that may be rotated in. He stated that his children has attended this school and would like to revitalize the property.

Mr. Mares asked staff if we knew the sq. ft of the structure.

Staff replied no.

Mr. Mares asked if the who property will be used for this business only.

Mr. Conaway stated that they may rent out for office space only. Approx. 24,000 sq.ft split between two floors. The primary use of the business would be on the first floor.

Mr. Mares asked what the current business size is.

Mr. Conaway stated approx. 500 sq.ft. stated that the current location has had theft and is located next the railroad tracks and presents problems when on the phone. He has stated current issues with the current location and has outgrown the space.

Mr. Mares ask if the whole 12,000 sq.ft. on the first floor would be used for the sign business.

Mr. Conaway stated yes.

Mr. Spiro asked what the plan is for the playground equipment currently located on the property.

Mr. Conaway stated he would like to keep it to help the neighborhood but has concerns if his insurance will allow it.

Mr. Lucchesi asked for staff opinion.

Staff stated that additional office space would need an additional petition if space is rented out.

Staff stated that it was presumed that outside may be needed but was not put into the staff analysis since it was silent on the petition. How many trucks will be located outside. Staff 44 parking spaces.

Mr. Conaway stated that all storage will be located within the rear fenced in area of the property.

Staff is asking how large the rear storage area will be to know how to change the staff recommendations.

Staff asked for a more specific location that will be used for storage.

Mr. Wilke stated that the fence would run along the east and south property line then to the north along with a gate at the drive.

Counsel clarified the request of the storage not fenced in area. What will be storage.

Mr. Conaway stated that all storage is temporary but would like the rear fenced but the whole area would not be storage.

Mr. Wilke stated that the area located directly behind the building to the rear property line would be used for the storage area.

Staff amended its recommendation on the floor. And read into the record.

STAFF RECOMMENDATION: Staff recommends denial of the requested B-3 zoning. The list of uses permitted in the B-3 District is too intense for what is still a primarily residential area. The petitioner would like to re-purpose an old school into a sign fabrication and sales shop. The school has been on the market a few years since closing in 2013. A proposal process through the district yielded only one (1) bidder. This could be indicative that adaptation of the school to a use permitted in the district could be difficult creating some special circumstances that could warrant a use variance. In the alternative, staff recommends approval of a Use Variance to allow a sign shop provided that: (1) all sign company operations including but not limited to design, fabrication, assembly, and storage are kept inside the existing structure; (2) adequate screening in compliance with the Zoning Ordinance is provided for the residences to the west and to the east of the subject property; and, (3) the hours of operation are from 8:00 AM to 5:00 PM on Monday through Saturday as stated in paragraph 7(a) of the petition dated January 20, 2016.

AMENDED TO REPLACE ABOVE RECOMMENDATION:

Recommend denial of the requested B-3 zoning. The list of uses permitted in the B-3 District is too intense for what is still a primarily residential area. The petitioner would like to re-purpose an old school into a sign fabrication and sales shop. The school has been on the market a few years since closing in 2013. A proposal process through the district yielded only one (1) bidder. This could be indicative that adaptation of the school to a use permitted in the district could be difficult creating some special circumstances that could warrant a use variance. In the alternative staff recommends approval of a Use Variance to allow a sign shop provided that the hours of operation are from 8:00 a.m. to 5:00 p.m. Monday through Saturday as stated in paragraph 7(a) of the petition dated January 20, 2016; that any outside storage is limited to an area starting at the southeast corner of the building south to the property line, west along the south property line then north to the southwest corner of the building located in the rear (south) yard behind the existing structure; and, that the area for outside storage is enclosed by a solid fence that is a minimum of six (6) feet in height but no greater than eight (8) feet in height. The Standards for Variation are met providing the outside area is screened in accordance with the Use Variance.

Committee Member Spiro made a motion to recommend approval as staff recommended.

Committee Member Mares seconded the motion.

Motion carries 5/0/0

Docket 2015-008 for property located at 6547 Johnson Road, Rochester IL 62563

PETITIONER(S): Henry Patterson, contract purchaser

OBJECTOR(S): None

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTING: Petitioner requests a variance to allow Proposed Tract 2 to be less than forty (40) acres.

Mr. Patterson was sworn in.

Paul Presney stated that his client wished to split a parcel less than 40 acres to settle an estate.

Chairman Chimento asked if there were any objectors...hearing none. Chairman Chimento read the staff recommendation.

STAFF RECOMMENDATION: Staff recommends approval. The property can continue to be economically used without the variance. However, the petitioner seeks to divide the property to help settle an estate. The petitioner wishes to divide off fifteen (15) acres for farmland purposes in conjunction with the division of five (5) acres via a one-time exception to separate the residence from the farmland. The Standards for Variation are met.

Committee Member Herbert made a motion to recommend approval as staff recommended.

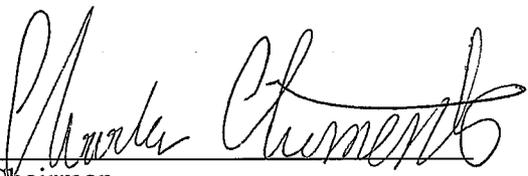
Committee Member Mares seconded the motion.

Motion carries 5/0/0

Meeting adjourned.

Respectfully submitted,

Recording Secretary



Chairman

Minutes of February 18, 2016

Full record of minutes available upon request in the Zoning Department