

Sangamon County, Illinois
ZONING BOARD OF APPEALS

The Zoning Board of Appeals met on November 15, 2018 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 Sudeth
(X) Committee Member Spiro	(X) Committee Member Beaty
() Committee Member Lathan	

STAFF PRESENT:

Emily Prather, Associate Planner, Spfld-Sang County Regional Planning Commission
Steve Keenan, Senior Planner, Spfld-Sang County Regional Planning Commission
Dwayne Gab, Assistant States Attorney, States Attorney's Office
Trustin Harrison, Zoning Administrator, Sangamon County Zoning

Chairman Chimento called the meeting to order.
Approval of October 18, 2018 Minutes

Committee Member Larry Beaty made a motion to approve the October 18, 2018 minutes.

Committee Member Tony Mares seconds the motion.

Motion carries 5/0/0

Docket 2018-052 Donald Thompson for property located at 2421 Catalina Lane, Springfield, IL 62702

PETITIONER(S): Donald Thompson

OBJECTOR(S): No

PRESENT ZONING CLASSIFICATION: R-1

REQUESTING: Petitioner requests a rezoning from "R-1" Single-Family Residence District to "B-3" General Business District; a variance to allow the parking to remain unpaved (grass) instead of the required bituminous seal coat; a variance to allow two (2) uses on one (1) parcel: (1) single-family residence and (2) off-street parking; a variance to allow a single-family residence in a "B-3" General Business District; and, a variance to allow off-street parking on a lot that is not the same as the lot served.

Don Thompson was sworn in.

Thompson: I am looking for a re-zoning for Weeble's parking lot. We want to allow parking on the lot and get people off the road/grass during our busy seasons and we have quite a few bigger events...and they park up and down the frontage road and Peoria Road. I would like to get the okay from the County Board to allow parking on this personal property, for the bar and for people's safety.

Charlie Chimento: When I was out there it was all chained off and had telephone poles...how do they get in?

Thompson: They come off the Weeble's end on Catalina Lane...I put two 2' telephone poles all the way in the ground and put 2 vertical poles up and a chain to keep people from driving from the parking lot on to Catalina Lane and keep them away from the residential area. The ingress and egress will be off of Weeble's parking lot.

JD Sudeth: Will you have someone out there on those nights that are busier?

Thompson: Yes, we will on those nights such as bike night. I will have approximately six staff out there to direct people.

Spiro: Is there any concern about parking and the rain and turn around into a muddy mess?

Thompson: If it's raining, there's a good chance that we will cancel the event and/or there won't be that many people there. I think we 60-63 parking spots designated currently in our lot.

Spiro: You would only use it every now and then?

Thompson: Yes, that's correct. Only for bike night or big fundraisers on special events.

Mares: When you are using this overflow lot for parking...Catalina will be closed off then?

Thompson: Yes, basically the entrance to Catalina Lane will be closed off and serving two purposes. Yes, I could move the chains if need be and get a firetruck in and if people wanted they could ingress and egress off of Catalina Lane.

Mares: When I went by and did the inspection there were buses...are those your buses?

Thompson: Yes, those are my personal buses.

Mares: You park those there, why?

Thompson: Just to get them off of the Weeble's parking lot.

Sudeth: Are you planning on renting the residence that's on that property?

Thompson: Yes.

Chimento: County board? Any objectors? Hearing none read the staff recommendation.

STAFF RECOMMENDATION: Recommend denial of the requested B-3 zoning. The subject property is in an area that has remained mixed residential with commercial uses fronting Peoria Road. The list of uses permitted in the B-3 District is too intense for the mixed residential area. Therefore, staff recommends approval of a Use Variance in the R-1 District to allow an off-street parking lot as described and shown in the petition and its exhibits. Recommend approval of the requested variance to allow two (2) uses on one (1) parcel (single-family residence and off-street parking). The variance to allow the residence along with the parking lot on the subject property is warranted due to the recommended approval of a Use Variance on the subject property.

The variance requested to allow a single-family residence in the B-3 District is not necessary due to staff's recommendation of denial for the B-3 zoning request.

Recommend approval of the requested variances to allow the parking to remain unpaved (grass) instead of the required bituminous seal coat and to allow the off-street parking on a lot that is not the same as the lot served. The proposed grass parking area will help eliminate on-street parking and will only serve as overflow parking to the tavern's existing parking lot during large events and good weather. It is also not economical to pave a parking lot that is going to be used approximately 15-20 times per year. The petitioner owns the adjacent tavern and purchased the subject property as a way to provide more parking to limit the negative impacts of on-street parking from the tavern use on the surrounding residential area. The Standards for Variation are met.

Committee Member Tony Mares made a motion to recommend approval of staff recommendation.

Committee Member JD Sudeth seconded the motion.

Motion carries 5/0/0

Docket 2018-053 Fred & Marilyn Bell for property located at 650 W. Fisher Road, Cantrall, IL 62625

PETITIONER(S): Fred & Marilyn Bell

OBJECTOR(S): No

PRESENT ZONING CLASSIFICATION: A

REQUESTING: Petitioners request for Proposed Parcel 2: a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District.

Duane Weiss was sworn in.

Weiss: We would like to re-classify lot 2 of the proposed minor subdivision, as R-1 and lot 1 of the minor subdivision would remain ag.

Chimento: Any questions?

Mares: The reason for the splitting off?

Weiss: It's a grandson and the property in question is a hillside and is pasture only and he has run cattle on it but it would be highly erodible if he were to cultivate the hillside.

Mares: Thank you.

Chimento: County board? Objectors? Hearing none read the staff recommendation.

STAFF RECOMMENDATION: Recommend approval. The LESA score of 146 indicates the property is acceptable for non-agricultural development. The purpose of the requested rezoning is to allow the petitioner to split the subject property into two residential parcels. The area has a rural residential trend. The subject property has a history of a previous division being granted in Zoning Case #2012-004, in which R-1 zoning and a variance was granted to allow 1.6 acres to be split off from the subject property.

Committee Member Andrew Spiro made a motion to recommend approval of staff recommendation.

Committee Member Tony Mares seconded the motion.

Motion carries 5/0/0

Docket 2018-054 Lincoln Land Energy Center LLC for property located at Black Diamond & Ameren Road, Pawnee, IL 62558

PETITIONER(S): Lincoln Land Energy Center LLC

OBJECTOR(S): No

PRESENT ZONING CLASSIFICATION: A

REQUESTING: Petitioner requests for a rezoning from "A" Agricultural District to "I-2" General Industrial District.

Attorney Matthew Cate was sworn in.

Cate: As you can all see on the visual drawing...you can see the outline of current rendering of what the proposed plant will hopefully look like. The reason we are asking for additional re-zoning is because the north half is currently zoned I-2 and seeking that the south half of the plant can be zoned I-2 so that the plant can be shifted to the south. Several reasons are because engineers believe it will help with the sound dampening and the areas located at the back of the property they wanted as far back to the tree line, thus we needed to request the I-2 zoning, for the southern half so that it all has the same consistent zoning, as the northern half. Only good things that come from that are...sound dampening effects to the north, more visual block to the south of the tree line and it simply make sense. I will be happy to answer any questions.

Mares: The original parcel is still the same, correct?

Cate: Correct.

Mares: So you are just asking to expand the zoning, correct?

Cate: Correct.

Mares: My question I have is to the south and going back towards the road that cuts right in front of the property...what are we doing with the frontage now?

Cate: It will be just further back and have longer driveways is the plan.

Mares: So there will be no development in the front portion?

Cate: no there is no intention to have any more development just additional buffer all the way around it.

Mares: Thank you.

Chimento: Any other questions?

Spiro: How far will you be from the Village of Pawnee?

Cate: I apologize I have not measured it...I know it will be further away vs the original plans.

Harrison: Currently it's estimated to be about 2,300 feet

Cate: Yes, that's correct.

Chimento: County board? Objectors? Hearing none read the staff recommendation.

STAFF RECOMMENDATION: Recommend approval. Previously in Zoning Case #2017-016, the northern 80 acres was granted I-2 zoning for a proposed natural gas power plant, and now the petitioner is requesting I-2 for the southern 80 acres in order to shift the site of the proposed power plant slightly south to better buffer it from the surrounding uses. The LESA score of 181 indicates the property is suitable for only agricultural uses. However, this score presumes that no water or sewer is available at the site. The petition indicates that the City of Springfield, CWLP, or Otter Lake Water Commission will provide water and the Village of Pawnee will provide sewer service. Obtaining those services for the development reduces the LESA score to 146 making the site suitable for non-agricultural development. The property adjacent to the subject property contains a sizeable electric substation which is a permitted use in the Agricultural zoning district even though it is considered to be an industrial use. The construction of the substation had the effect of developing a trend of industrial uses in the immediate area. Rezoning the subject property to I-2 would not be considered to be spot zoning as the proposed use of the property is compatible with the electric substation. Furthermore, locating the highly intense industrial uses close together is seen as good planning principles. The east side of the property also contains a dense tree line along Horse Creek which will help screen the proposed power plant from the residences located along Black Diamond Road.

Committee Member JD Sudeth made a motion to recommend approval of staff recommendation.

Committee Member Andrew Spiro seconded the motion.

Motion carries 5/0/0

Motion to Adjourn:

Committee Member Tony Mares made a motion to adjourn.

Committee Member Larry Beaty seconded the motion.

Motion Carries 5/0/0

Meeting adjourned.

Respectfully submitted,


Recording Secretary


Chairman

Minutes of November 15, 2018

Full record of minutes available upon request in the Zoning Department