

**Sangamon County, Illinois**  
**ZONING BOARD OF APPEALS**

The Zoning Board of Appeals met on June 15, 2017, at 7:00 P.M. in the County Board Chamber in the County Complex.

**ATTENDANCE**      **(X) denotes present**

<b>(X) Chairman Chimento</b>	<b>(x) Committee Member Mares</b>
<b>(X) Committee Member Wulf</b>	<b>() Committee Member Sudeth</b>
<b>(X) Committee Member Spiro</b>	<b>(X) Committee Member Beaty</b>

**STAFF PRESENT:**

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

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Chairman Chimento called the meeting to order.  
Approval of May 18, 2017 Minutes

**Committee Member Tony Mares made a motion to approve the May minutes.**

**Committee Member Andrew Spiro seconds the motion.**

**5/0/0**

**Docket 2017-025 John Bruntjen for property located at 3000 Block Mt. Pulaski Road, Illiopolis, IL 62539**

PETITIONER(S): John Bruntjen

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: I-2

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

John Bruntjen was sworn in.

Bruntjen: I like to have this 6.33 acres zoned to agricultural from I-2 zoning. I like to build some grain bins.

ZBA Mares: Do you own the contiguous property around it?

Bruntjen: I do not. I just recently purchased the 6.33 acres.

ZBA Mares: It looks like in the background the storage bins in the northeast, those aren't yours?

Bruntjen: No.

ZBA Mares: Ok.

CB Mendenhall: Most of all this property was zoned to industrial back in the 1940's and hasn't been zoned back.

**Chairman Chimento asked if any questions? County Board? Objectors? Hearing none read the staff recommendation.**

STAFF RECOMMENDATION: Recommend approval. While agricultural usage is allowed in the I-2 district, the property is better suited for an agricultural classification given that it is under cultivation, and the subject property is proposed to have several grain bins.

**Committee Member Don Wulf made a motion to accept staff's recommendation.**

**Committee Member Tony Mares seconded the motion.**

**Motion carries 5/0/0**

**Docket 2017-026 Pebbles Rubble, LLC for property located at 3600 N. Dirksen Parkway, Springfield, IL 62702**

PETITIONER(S): Pebbles Rubble, LLC

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: I-1

REQUESTING: Petitioner requests a variance to allow three (3) uses on one parcel: (a) trucking company, (b) paving company, (c) landscaping material sales; a variance to allow a sign with zero (0) feet front yard setback instead of the required ten (10) feet with a three (3) face sign not to exceed three hundred (300) square feet area instead of the required two hundred (200) square feet; a variance to allow a sign with eight (8) feet front yard setback instead of the required ten (10) feet; and, a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width.

Ron Furman was sworn in.

Furman: We purchased 3600 N Dirksen Parkway and want to continue to do business there and provide services on that side of town for landscape material.

**Chairman Chimento asked if any questions? County Board? Objectors? Hearing none read the staff recommendation.**

STAFF RECOMMENDATION: Recommend approval. The subject property is fairly large and has a history of multiple uses dating back to Zoning Case #1988-29 when the property was first rezoned to I-1. Denying the petitioner multiple uses on the subject property after approximately thirty years of having many businesses on the property could constitute a hardship. The essential character of the corridor is unlikely to be impaired by the requested sign variances as there appears to be a discrepancy in the size of signage allowed between the City and the County for industrially zoned property. Specifically, there is I-2 zoned property in the City of Springfield (which allows approximately 300 square feet of ground signage) approximately 400 feet south. There is some hardship in that a surrounding zoning authority allows a larger sign along the northern Dirksen Parkway corridor. The subject property fronts a heavily traveled four-lane highway and allowing the petitioner to place the signs within the front yard setback areas allows more visibility for the three businesses without restricting visibility for vehicles traveling on Dirksen Parkway. The Standards for Variation are met.

**Committee Member Andrew Spiro made a motion to accept staff's recommendation.**

**Committee Member Don Wulf seconded the motion.**

**Motion carries 5/0/0**

**Docket 2017-027 Dan Godiksen for property located at 18 Covered Bridge Acres, Glenarm, IL 62536**

PETITIONER(S): Dan Godiksen

OBJECTOR(S): none

PRESENT ZONING CLASSIFICATION: R-1

REQUESTING: Petitioner requests a variance to allow a six (6) foot tall solid fence in the required front yard instead of the required four (4) foot tall and fifty (50) percent open fence that will be approximately three (3) foot from the West property line instead of the required thirty (30) foot.

Dan Godiksen was sworn in.

Godiksen: I want to build a privacy fence and realized I needed a permit and I applied for a fence permit with zoning department. I realized while doing the permit I needed to be

15' off property line, however, I am requesting 3' off property line due to the Covered Bridge Acres subdivision already has a fence next to the stop sign. I don't feel will hinder anyone's visibility.

ZBA Chimento: It will give you more room, right?

Godiksen: Yes.

ZBA Mares: To the east there's a property that has the same kind of fence line as you...you have a fence that's already on the inside; are you going to take that down?

Godiksen: No, that's for a pool. I want the pool separate.

ZBA Mares: Ok.

**Chairman Chimento asked if any questions? County Board? Objectors? Hearing none read the staff recommendation.**

STAFF RECOMMENDATION: Recommend approval. The subject property has a unique circumstance in that the perceived front yard is located along Covered Bridge Acres where the house fronts; however by definition, the actual front yard is located along Wayside Meadows requiring a six (6) foot solid fence to be setback at least thirty (30) feet from the property line instead of fifteen (15) feet for required corner side yards. Requiring a thirty (30) foot setback along Wayside Meadows reduces the amount of area to be fenced in for the enjoyment of the petitioner, which reduces the reasonable usage of the subject property. The Standards for Variation are met.

**Committee Member Don Wulf made a motion to accept staff's recommendation.**

**Committee Member Tony Mares seconded the motion.**

**Motion carries 5/0/0**

**Docket 2017-028 Dale Anders for property located at 4421 Peoria Road, Springfield, IL 62702**

PETITIONER(S): Dale Anders

OBJECTOR(S): Susan Horrihs

PRESENT ZONING CLASSIFICATION: RM-4

REQUESTING: Petitioner requests a rezoning from "RM-4" Manufactured Home District to "I-1" Restricted Industrial District; a variance to allow the access way to be unpaved (rock) instead of the required minimum bituminous seal coat; a variance to allow two (2) principal uses on one (1) parcel; a variance to allow a single-family

residence in an "I-1" Restricted Industrial District; and, a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width.

Dale Anders was sworn in.

Anders: I want to move my business to 4421 Peoria Road. I have been in business for 27 years and on Peoria Road the last 6 years. I bought the piece of property with a house on it and it has been used for commercial, as long as I know. It is zoned residential and I was proposing to move my business there and clean the place up...it's been abandoned for 4 years.

ZBA Chimento: Your business is?

Anders: Anders Concrete and Construction...mostly concrete.

ZBA Chimento: So you're going to store forms there?

Anders: Yes, dry storage and various tools that we use on concrete job sites.

ZBA Chimento: Storing vehicles?

Anders: Yes, I have a few trucks there.

CB Scaife: Where do you store everything now?

Anders: 3949 Peoria Road at my existing location; I have a fenced in lot there; however, it just isn't big enough.

ZBA Wulf: Your lot there at 4421 Peoria Road will be fenced in?

Anders: Yes.

ZBA Mares: The home on the lot currently... are you using that as an office, or anything?

Anders: No, I have a friend that's going to live there and rent.

ZBA Mares: So, he is going to be a caretaker?

Anders: Yes.

ZBA Chimento: Objectors?

Susan Horrihs was sworn in.

Horrihs: I live right across from this property and Mr. Anders has done a nice job cleaning it up, so thank you. My concern is the gravel/dust that will come up from it. I

don't understand why he doesn't zone his 7.5 acres that he currently owns, instead of trying to come to "our neighborhood" and rezone there; this is "RM-4" had mobile home and it has since been taking out. I am concerned if Anders outgrows his business, we are left to deal with an "I-1" zoning what could go in there next? There are others that are concerned about this and couldn't be here tonight. What other business can go in there with an "I-1" zoning?

Chimento: There's quite a list.

Horrighs: That's what we are afraid of. There's a school down street, a park and numerous children up and down this ride. I am fighting for my neighborhood...everyone says it's going commercial.

ZBA Chimento: Any questions?

CB Mendenhall: Mr. Anders if your variance was granted to not have to pave the access, would you be willing to pave the last 30-40' to cut down on the dust and not carry any rock on to the road?

Anders: Yes.

CB Mendenhall: That would help with the dust situation on your end.

Horrighs: It would, but I am still thinking about all of the kids and the traffic.

ZBA Spiro: Isn't the park north of this location?

Horrighs: Its north one house of me.

ZBA Wulf: You're going to use this property as your business...what are hours of operation?

Anders: 6am-6pm

ZBA Wulf: Are you constantly in and out of that area?

Anders: No, we meet in mornings and then head out to job site.

ZBA Wulf: No continuous traffic throughout the day?

Anders: No.

ZBA Mares: Monday thru Friday situation? Weekends?

Anders: Yes, and no weekends.

CB Stumpf: I want to ask professional staff about what it could become if "I-1" approved and hard area to govern and mixed residential and business/industrial. If he meets all of the criteria for what he's asking for...it's really hard to govern that. I won't be able to keep residential there. If you look at trend in area this is the trend in area.

Horrighs: Only because the Sangamon County Board allows it.

CB Stumpf: No, it's also what the Regional Planning Commission allows.

Horrighs: Can we request that he has no access from Sand Hill Road?

CB Stumpf: I would like to ask professional staff...do you have any issues with this? And answer was no because he is meeting all of the findings of fact. You have an "I-1" right next to it.

Horrighs: And they have access from frontage road.

CB Stumpf: Do you have any reservations for the findings of fact?

Harrison: The findings have to go through regional planning.

Keenan: The couple of requests we looked at are... the nature of the rezoning...mixed use area, wide range of zoning "R-1" to "I-1" within 300'. The findings of fact for this area limited at this particular area, but we did find the findings of fact are met.

Horrighs: I have seen the current location Mr. Anders is at right now...because if I am going to see the piles of concrete and all of the trucks and heavy equipment then that concerns me. What type of a barrier is going to be put up?

CB Forsyth: Mr. Anders, are you having the concrete recycled?

Anders: Yes.

ZBA Mares: What weight of trucks?

Anders: I have couple plow trucks, work truck that crew cab, 1 dump truck single axle, bob cat.

ZBA Mares: What's gross weight?

Anders: The biggest truck I have is 10,000 pounds.

ZBA Mares: Question for staff...is there weight limit for Sand Hill Road?

Harrison: Sand Hill is a township road...I don't have the requirements for that road to provide.

ZBA Mares: I understand the objector's viewpoint. It seems though like light duty for the job on this property.

CB Stumpf: Frontage on the backside on the ingress/egress 40' to be paved...can we get that on the record?

Harrison: Mr. Anders stated on the record that he would be willing to do that.

Gab: You will need to put that on the variance and staff would need to amend their recommendation in regards to the access way to be unpaved.

CB Scaife: Is there a timeframe for the paving?

Harrison: Typically 1 year and weather permitting.

Harrison: Mr. Anders would be willing state on the record to amend your request on the paving variance and state that you plan to pave the ingress/egress of the first 40' and off of Sand Hill Road within 1 year.

Anders: I agree to pave the first 40' off of Sand Hill Road entrance.

Harrison: With concrete?

Anders: Yes.

Harrison: Ok.

ZBA Mares: Sand Hill Road side, correct?

Anders: Yes, correct.

Horrighs: What kind of a barrier is he putting up?

Anders: Chain link fence, 6'.

Harrison: Mr. Anders did come in today and applied for a fence permit.

**Chairman Chimento read the staff recommendation.**

STAFF RECOMMENDATION: Recommend approval. Zoning within the area is mixed ranging from R-1 to I-1 within 300 feet of the subject property. The area surrounding the subject property has been moving from residences toward businesses so the proposed concrete contractor business would be consistent with the trend. Also, the single-family residence on the subject property pre-dates the adoption of the Zoning Regulations, and denying the continued residential use on the subject property would constitute a hardship. The petitioner will have concrete trucks utilizing the access way which could cause

continuous damage to the access way if paving would be required, which could reduce the reasonable return on the subject property. The Standards for Variation are met.

**Committee Member Tony Mares made a motion to accept staff's recommendation.**

**Committee Member Andrew Spiro seconded the motion.**

**Motion carries 5/0/0**

**Committee Member Tony Mares made a motion to adjourn.**

**Committee Member Don Wulf seconded the motion.**

Meeting adjourned.

Respectfully submitted,

  
Recording Secretary

  
Chairman

Minutes of June 15, 2017

Full record of minutes available upon request in the Zoning Department