Sangamon County, Illinois
ZONING BOARD OF APPEALS

The Zoning Board of Appeals met on April 21, 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 Wulf
(x) Committee Member Spiro
(x) Alt. Committee Member Dobrinsky
(x) Committee Member Mares
(x) Committee Member Herbert
(x) Alt. Committee Member Lucchesi

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 Administrator, Sangamon County Zoning

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Chairman Chimento called the meeting to order.

Committee Member Wulf made a motion to approve the minutes for the March meeting.

Committee Member Mares seconded the motion.

Motion carries 5/0/0

Docket 2016-011 For property located at 1822 Adlai Stevenson Drive, Springfield, IL 62703

PETITIONER(S): Malibu Development

OBJECTOR(S): None

PRESENT ZONING CLASSIFICATION: B3 w/ CPU & w/ Variances

REQUESTING: A Conditional Permitted Use to allow a tavern limited to 1,500 square feet at address 1822 Adlai Stevenson Drive, and a variance to allow a tavern property line to be within one hundred (100) feet of a residential structure.

Alex Plocher was sworn in. Alex stated that he would like to open a bar/lounge with video gaming, dba as Biffy Gluck's.

Andy Mares asked if he has applied for a similar use at the same location or adjacent. Alex stated it was and adjacent unit.

Andy asked what the previous recommendation was.

Steve Keenan stated that staff had recommended approval.

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

STAFF RECOMMENDATION: Recommend approval. In 2015, the County Board passed Zoning Case #2015-003 to allow a tavern with conditions at a different address in the same strip mall. This established a precedent that staff believes warrants the CPU and the variance request, provided the applicant meets applicable state rules. The proposed tavern would also occupy part of a space previously occupied by a restaurant that served alcohol, i.e. Top Cat's, presumably as a legal non-conforming use. This case in effect brings the presumed former legal non-conformity in the shopping center into compliance. Staff recommends the following conditions be placed on the CPU to remain consistent with the previous case: (1) that the hours of operation are restricted to the hours on the Sangamon County liquor license; (2) that the operation of the tavern is restricted to 1822 Stevenson Drive in a floor space not to exceed one thousand five hundred (1,500) square feet; and, (3) that the tavern is confined to an indoor space. The Standards for Variation are met.

Committee Member Wulf made a motion to recommend to accept staff recommendation.

Committee Member Mares seconded the motion.

Motion carries 5/0/0

Docket 2016-012 for property located at 600 Jostes Road, Rochester, IL 62563

PETITIONER(S): Grant & Alison Blasdell

OBJECTOR(S): None

PRESENT ZONING CLASSIFICATION: (A) Agriculture

REQUESTING: Petitioners request for proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width; and, for proposed Parcel 2: a rezoning from

"A" Agricultural District to "R-1" Single-Family Residence District, and a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width.

Don Wulf recused himself for this case.

Grant Blasdell was sworn in. Grant stated that he would like to build a new SFR. He would like to separate five acres from his current lot.

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

STAFF RECOMMENDATION: Recommend approval. The LESA score of 173 indicates the property is marginal for non-agricultural use. The subject property sits in an area where the prevailing trend appears to be toward rural residential uses, especially to the north. Also, staff believes the essential character of the area will not change in granting the variance. The existing residence and the proposed residence will be situated a fair distance back from the road, which should provide a buffer for the residences to the north. The Standards for Variation are met.

Committee Member Spiro made a motion to recommend to accept staff recommendation.

Committee Member Mares seconded the motion.

Motion carries 5/0/0

Docket 2016-013 for property located at 5505 Buffalo Hart Road, Riverton, IL 62561

PETITIONER(S): Jason Jarrett and Lori & Richard Jarrett

OBJECTOR(S): None

PRESENT ZONING CLASSIFICATION:

REQUESTING: Petitioners request for proposed Parcel 1: a variance to allow one (1) parcel less than forty (40) acres (approximately nine acres); a variance to allow forty (40) feet of road frontage instead of the required one hundred fifty (150) feet; a variance to allow the lot width to be met at a distance greater than sixty (60) feet from a public road; a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width; and, for proposed Parcel 2: a variance to allow one (1) parcel less than forty (40) acres (approximately 2.15 acres).

Attorney Matthew Cate was sworn in. Mr. Cate stated that parcel three will go back to the farmer to the north. Parcel one will be used the drive way. This situation was a result of the curve being added to the road.

Anthony Mares asked if this case has been in front of them previously.

Steve Keenan stated that a previous case had staffs approval.

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

STAFF RECOMMENDATION: Recommend approval. The purpose of the case is to allow the farmstead owner to purchase the driveway leading to Buffalo Hart Road to the south, ensuring the house is not landlocked. This will also give the house a non-easement based access, which is considered a sound planning principle. The width of the driveway will be approximately forty (40) feet at its narrowest point and it appears the driveway will be wider at the road. The split would also allow approximately 9.8 acres of tillable ground to be recombined to make an approximately 80-acre farmland tract. This split will help the owner yield a reasonable return on the property, as it will allow the tillable parcels to be combined into one and the house to be combined with the driveway. The Standards for Variation are met.

Committee Member Mares made a motion to recommend to accept staff recommendation.

Committee Member Wulf seconded the motion.

Motion carries 5/0/0

Meeting adjourned.

Respectfully submitted,

Recording Secretary

Chairman

Minutes of April 21, 2016
Full record of minutes available upon request in the Zoning Department