

STATE OF ILLINOIS)
) SS
COUNTY OF OGLE)

ORDINANCE NO. 2014-1001

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT ON PROPERTY
LOCATED IN 6000 BLOCK OF S. HICKORY ROAD IN GRAND DETOUR TOWNSHIP

WHEREAS, John B. Anderson has filed a petition for a Map Amendment (Petition No. 9-14AM) to re-zone from AG-1 Agricultural District to IA Intermediate Agricultural District on property located in the 6000 Block of S. Hickory Road in Grand Detour Township, and legally described as shown in Exhibit “A” attached hereto; and

WHEREAS, following due and proper notice by publication in the Ogle County Life at least fifteen (15) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least fifteen (15) days prior thereto, the Ogle County Zoning Board of Appeals conducted a public hearing on September 25, 2014 at which the petitioner presented evidence, testimony, and exhibits in support of the requested Map Amendment, and no member(s) of the public spoke in support of or in opposition to the petition; and

WHEREAS, the Zoning Board of Appeals, having considered the evidence, testimony and exhibits presented has made its findings of fact and recommended that the requested Map Amendment be approved as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated September 25, 2014, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Planning and Zoning Committee of the Ogle County Board has reviewed the testimony and exhibits presented at the public hearing and has considered the Findings of Fact and recommendation of the Zoning Board of Appeals, and has forwarded a recommendation to the Ogle County Board that the requested Map Amendment be approved; and

WHEREAS, the Ogle County Board has considered the findings of fact and recommendation of the Zoning Board of Appeals and the recommendation of the Planning and Zoning Committee, and has determined that granting the Map Amendment would be consistent with the requirements established by Section 9.07(G) of the *Ogle County Amendatory Zoning Ordinance*;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF OGLE COUNTY, ILLINOIS, as follows:

SECTION ONE: The report of the Ogle County Zoning Board of Appeals, Exhibit "B" attached hereto, is hereby accepted and the findings set forth therein are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: Based on the findings of fact as set forth above, the petition of John B. Anderson for a Map Amendment (Petition No. 9-14AM) to re-zone from AG-1 Agricultural District to IA Intermediate Agricultural District on property located in the 6000 Block of S. Hickory Road in Grand Detour Township, and legally described as shown in Exhibit "A" attached hereto, is hereby approved, and the Ogle County Zoning Map shall be amended to reflect said zone change.

SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of Ogle County, Illinois and attestation by the Ogle County Clerk.

SECTION FOUR: Failure of the owners of other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 9.10 of the Ogle County Amendatory Zoning Ordinance.

PASSED BY THE COUNTY BOARD THIS 21ST DAY OF OCTOBER 2014 A.D.

Kim P. Gouker, Chairman of the Ogle County Board

ATTEST:

Rebecca Huntley, Ogle County Clerk and
Ex Officio Clerk of the Ogle County Board

EXHIBIT "A"
LEGAL DESCRIPTION

Part of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section Three (3), Township Twenty-two (22) North, Range Nine (9) East of the Fourth (4th) Principal Meridian, Ogle County, Illinois, described as follows, to wit:

Commencing at the Northeast corner of the Northeast Quarter (NE1/4) of said Section Three (3); thence South 01 degrees 39 minutes 54 seconds West, along the East line thereof, a distance of 400.12 feet to the Point of Beginning; thence continuing South 01 degrees 39 minutes 54 seconds West, along said East line, a distance of 602.98 feet to a point 1531.50 feet North of the Southeast corner of said Northeast Quarter (NE1/4); thence North 89 degrees 08 minutes 16 seconds West, a distance of 920.00 feet; thence North 16 degrees 42 minutes 49 seconds East, a distance of 325.28 feet; thence North 63 degrees 34 minutes 51 seconds East, a distance of 626.28 feet; thence South 89 degrees 43 minutes 05 seconds East, parallel with the North line of said Northeast Quarter (NE1/4), a distance of 283.00 feet to the Point of Beginning, containing 10.000 acres, more or less.

Property Identification Number (PIN): Part of 21-03-200-012

Common Location: 6000 Block of S. Hickory Road

EXHIBIT "B"

**FINDINGS OF FACT AND RECOMMENDATION
OF THE ZONING BOARD OF APPEALS**

FINDINGS OF FACT AND RECOMMENDATION
OF THE OGLE COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of John B. Anderson, 6000 S. Hickory Rd., Oregon, IL, in case #9-14AM. The applicant is requesting a map amendment to change the zoning classification of part of Parcel Identification No. 21-03-200-012 from AG-1 Agricultural District to IA Intermediate Agricultural District, a 10.0 acre parcel which is part of the E ½ of G.L. 2 of the NE ¼ Fractional Section 3, Township 22N, R9E of the 4th P.M., and is located in Grand Detour Township in the 6000 Block of s. Hickory Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on September 25, 2014 in the County Board Room, 3rd Floor, Ogle County Courthouse, Oregon, Illinois and hereby reports its findings of fact and recommendation(s) as follows:

SITE INFORMATION: See Staff Report (attached herewith).

ANALYSIS OF SIX STANDARDS: After considering all the evidence and testimony presented at the public hearing, this Board makes the following analysis of the six standards listed in Section 9.07(G) (Standards for Map Amendments) of the *Ogle County Amendatory Zoning Ordinance* that must all be found in the affirmative prior to recommending granting of the petition.

1. That the proposed amendment will allow development that is compatible with existing uses and zoning of nearby property. **Residential use of the site will not adversely affect surrounding agricultural operations, the site is adjacent to two existing non-farm dwellings, and it is compatible with the surrounding area as there are three (3) non-farm dwellings within 1/4 mile of the site and eight (8) non-farm dwellings within ½ mile of the site. Standard met.**
2. That the County of Ogle and other service providers will be able to provide adequate public facilities and services to the property (including, but not necessarily limited to, schools, police and fire protection, roads and highways, water supply and sewage disposal), while maintaining adequate public facilities and levels of service to existing development. **The site will generate a low density of development (one dwelling), which will have a minor impact on public service providers. Standard met.**
3. That the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject site or on the environment, including air, noise, stormwater management, wildlife and natural resources. **Little or no adverse impacts on other property in the vicinity of the subject site or on the environment, including air, noise, stormwater management, wildlife and natural resources are anticipated from the development of the site, provided care is taken in designing a septic system considering the limitations of the soils. Standard met.**

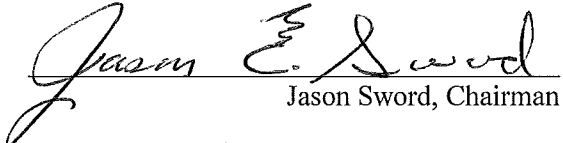
4. That the subject property is suitable for the proposed zoning classification. **Approximately one-half of the site is wooded and sloping, the soils on the site are not highly productive for crops, the site is located in a rural area that contains several non-farm residential uses within 1/4 mile of the site, is adjacent to an existing non-farm residential parcel, and has a low LESA score. Standard met.**
5. That the proposed zoning classification is consistent with the trend of development, if any, in the general area of the subject property including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification. **There is a trend of development in the vicinity of non-farm residential uses, as there are three (3) non-farm dwellings within 1/4 mile of the site and eight (8) non-farm dwellings within 1/2 mile of the site. The proposed zoning classification of IA Intermediate Agricultural District is consistent with this trend. Standard met.**
6. That the proposed amendment is consistent with the public interest and not solely for the interest of the applicant, giving due consideration to the stated purpose and intent of the Amendatory Zoning Ordinance as set forth in Division 1 therein, the Land Evaluation and Site Assessment (LESA) findings (if applicable), and the recommendation(s) of the Ogle County Regional Planning Commission with respect to the *Ogle County Amendatory Comprehensive Plan*. **The LESA score indicates a low rating for protection, and the proposed amendment is consistent with the purpose and intent of the Amendatory Zoning Ordinance. The Zoning Board of Appeals has given due consideration that the Regional Planning Commission has recommended approval. Standard met.**


RECOMMENDATION: We find that the proposed map amendment requested meets all the standards for recommending granting as found in Section 9.07(G) of the *Ogle County Amendatory Zoning Ordinance* and that such request is in the public interest. Therefore, the Zoning Board of Appeals hereby recommends that the zoning district classification of the property described above be changed from AG-1 Agricultural District to IA Intermediate Agricultural District.

ROLL CALL VOTE: The roll call vote was 4 members for the motion to recommend granting, 1 opposed.

Respectfully submitted this 25th day of September 2014 by the Ogle County Zoning Board of Appeals.

**Jason Sword, Chairman
Maynard Stivers
David Williams
Dennis Williams
Paul Soderholm**


Jason Sword, Chairman

ATTEST:

Michael Reibel, Secretary