



*Rebecca Huntley*  
Ogle County Clerk & Recorder

October 26, 2015

The Ogle County Board, at their regular meeting held on Tuesday, October 20, 2015, Welty presents the petition of Doug & Gayla Creason, 15254 E. IL Rte. 72, Davis Junction, IL; and Rudy Dixon, 270 Vida Ct., Sycamore, IL for an Amendment to the Zoning District to rezone from R-2 Single Family Residential District to R-1 Rural Residence District on property described as follows, owned by Doug & Gayla Creason and being purchased by Rudy Dixon: Lots 2 & 3 Goldie Acres Subdivision, part of the SE1/4 of the SE1/4 of Section 7 Flagg Township 40N, R1E of the 3<sup>rd</sup> P.M., Ogle County, IL, 4.064 acres, more or less. P.I.N.: 24-07-476-005 & -006 - Common Location: 9800 Block of E. Fowler Rd. O'Brien moves to approve O-2015-1001, Meyers seconds and the motion carries on a voice vote.(Placed on file)



*Rebecca Huntley*

Rebecca Huntley  
Ogle County Clerk

The contents of this letter are a portion of the tentative Ogle County Board minutes pertaining to your zoning request. These minutes are subject to approval at the next Ogle County Board meeting.

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF OGLE         )

ORDINANCE NO. 2015-1001

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT ON PROPERTY  
LOCATED IN THE 9800 BLOCK OF E. FOWLER ROAD IN FLAGG TOWNSHIP

WHEREAS, Doug & Gayla Creason, 15254 E. IL Route 72, Davis Junction, IL and Rudy Dixon, 270 Vida Ct., Sycamore, IL have filed a petition for a Map Amendment (Petition No. 8-15AM) to re-zone from R-2 Single Family Residence District to R-1 Rural Residence District on property located in the 9800 Block of E. Fowler Road in Flagg 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 24, 2015 at which the petitioners presented evidence, testimony, and exhibits in support of the requested Map Amendment. 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 24, 2015, 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 16-9-7G 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.

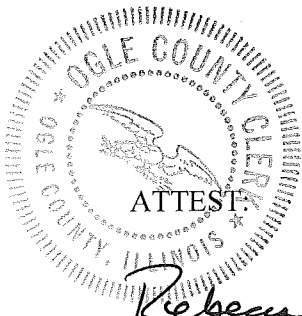
SECTION TWO: Based on the findings of fact as set forth above, the petition of Doug & Gayla Creason, 15254 E. IL Route 72, Davis Junction, IL and Rudy Dixon, 270 Vida Ct., Sycamore, IL for a Map Amendment (Petition No. 8-15AM) to re-zone from R-2 Single Family Residence District to R-1 Rural Residence District on property located in the 9800 Block of E. Fowler Road in Flagg 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: The approval of the Map Amendment (Petition No. 8-15AM) as detailed in this Ordinance shall be subject to the following condition: *Lots 2 and 3 of Goldie Acres together shall be utilized as a single zoning lot due to the lot size and width requirements of the R-1 Rural Residence District.*

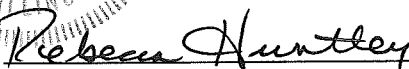
SECTION FOUR: This Ordinance shall be in full force and effect upon its adoption by the County Board of Ogle County, Illinois and attestation by the Ogle County Clerk.

SECTION FIVE: 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 16-9-10 of the *Ogle County Amendatory Zoning Ordinance*.

PASSED BY THE COUNTY BOARD THIS 20<sup>TH</sup> DAY OF OCTOBER 2015 A.D.



  
\_\_\_\_\_  
Kim P. Gouker, Chairman of the Ogle County Board

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

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Lots 2 and 3 of Goldie Acres Subdivision as recorded in the Office of the Ogle County Recorder, a subdivision of part of the South Half (S ½) of the Southeast Quarter (SE 1/4) of Section Seven (7), Township Forty (40) North, Range One (1) East of the Third (3rd) Principal Meridian, Ogle County, Illinois.

Parcel Identification Number(s): 24-07-476-005 and 24-07-476-006

Common Location: 9800 Block of E. Fowler Road

**EXHIBIT “B”**

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

# Ogle County Zoning Board of Appeals

911 W. Pines Road  
Oregon, IL 61061  
815.732.1190  
Fax: 815.732.3709

---

## 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 Doug & Gayla Creason, 15254 E. IL Route 72, Davis Junction, IL and Rudy Dixon, 270 Vida Ct., Sycamore, IL in case #8-15AM. The applicants are requesting a map amendment to change the zoning classification from R-2 Single Family Residence District to R-1 Rural Residence District on Parcel Identification Nos. 24-07-476-005 and 24-07-476-006. Said parcel(s) are described as Lots 2 and 3 of Goldie Acres Subdivision, located in part of the SE 1/4 SE 1/4 of Section 7, Township 40 North, Range 1 East of the 3<sup>rd</sup> P.M., Ogle County, Illinois, and are located in Flagg Township in the 9800 Block of E. Fowler Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on September 24, 2015 in the County Board Room, 3<sup>rd</sup> 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 16-9-7G (Report by Zoning Board of Appeals) 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. **Use of the site for large-lot rural residential use is compatible with the existing uses and zoning of nearby property, as the site adjoins similar land uses, and there are similar land uses in the vicinity. 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. **Use of the site for large-lot residential use will not create a burden on the County of Ogle and other public service providers due to its location on a hard-surfaced road, relative proximity to public service providers, and the low density of development that will be generated on the site. 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 residential use of the site. Standard met.**

4. That the subject property is suitable for the proposed zoning classification. **The site is located in a predominately residential area that contains both small (less than 1 acre) residential parcels and larger residential parcels similar in use to the proposed use. 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 an established trend of development in the vicinity of residential uses and zoning. The proposed zoning classification of R-1 Rural Residence 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 proposed amendment is consistent with the public interest and not solely for the interest of the applicant as 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 16-9-7G 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 R-2 Single Family Residence District to R-1 Rural Residence District.

**ROLL CALL VOTE:** The roll call vote was 5 members for the motion to recommend granting, 0 opposed.

Respectfully submitted this 24<sup>th</sup> day of September 2015 by the Ogle County Zoning Board of Appeals.

**Randy Ocken, Chairman  
 Maynard Stivers  
 David Williams  
 Paul Soderholm  
 Dennis Williams**

\_\_\_\_\_  
 Randy Ocken, Chairman

ATTEST:  
  
 \_\_\_\_\_  
 Michael Reibel, Secretary



*Rebecca Huntley*  
Ogle County Clerk & Recorder

October 26, 2015

The Ogle County Board, at their regular meeting held on Tuesday, October 20, 2015, Welty presents the petition of Scott A. and Patricia J. Watson, 1346 Marijon Dr., Byron, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to R-1 Rural Residence District on property described as follows and owned by the petitioners: Part of the NW1/4 of the NE1/4 & part of the NE1/4 of the NE1/4 of Section 18; and part of the SW1/4 of the SE1/4 of Section 7 Byron Township 25N, R11E of the 4<sup>th</sup> P.M., Ogle County, IL, 10.0 acres, more or less. P.I.N.: 05-18-200-003 - Common Location: 3707 E. Oak Grove Rd. Welty moves to approve O-2015-1002, Janes seconds and the motion carries on a voice vote.(Placed on file)



*Rebecca Huntley*

Rebecca Huntley  
Ogle County Clerk

The contents of this letter are a portion of the tentative Ogle County Board minutes pertaining to your zoning request. These minutes are subject to approval at the next Ogle County Board meeting.



STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF OGLE         )

ORDINANCE NO. 2015-1002

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT ON PROPERTY  
LOCATED AT 3707 E. OAK GROVE ROAD IN BYRON TOWNSHIP

---

WHEREAS, Scott A. & Patricia J. Watson, 1346 Marijon Dr., Byron, IL have filed a petition for a Map Amendment (Petition No. 9-15AM) to re-zone from AG-1 Agricultural District to R-1 Rural Residence District on property located at 3707 E. Oak Grove Road in Byron 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 24, 2015 at which the petitioners presented evidence, testimony, and exhibits in support of the requested Map Amendment. 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 24, 2015, 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 16-9-7G of the *Ogle County Amendatory Zoning Ordinance*;

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

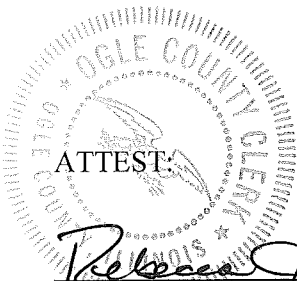
SECTION ONE: The report of the Ogle County Zoning Board of Appeals, Exhibit “B” attached hereto, is hereby accepted and the findings set forth therein are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: Based on the findings of fact as set forth above, the petition of Scott A. & Patricia J. Watson, 1346 Marijon Dr., Byron, IL for a Map Amendment (Petition No. 9-15AM) to re-zone from AG-1 Agricultural District to R-1 Rural Residence District on property located at 3707 E. Oak Grove Road in Byron 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 16-9-10 of the *Ogle County Amendatory Zoning Ordinance*.

PASSED BY THE COUNTY BOARD THIS 20<sup>TH</sup> DAY OF OCTOBER 2015 A.D.



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

Kim P. Gouker  
Kim P. Gouker, Chairman of the Ogle County Board

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

PART OF THE SOUTHEAST QUARTER (1/4) OF SECTION 7 AND PART OF THE NORTHEAST QUARTER (1/4) OF SECTION 18, TOWNSHIP 25 NORTH, RANGE 11 EAST OF THE FOURTH PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER (1/4) OF SECTION 7, 578.36 FEET SOUTH 89 DEGREES 40 MINUTES EAST OF THE SOUTHWEST CORNER OF SAID QUARTER (1/4) SECTION; THENCE NORTH A DISTANCE OF 136.67 FEET TO THE CENTERLINE OF THE PUBLIC ROAD RUNNING EASTERLY AND WESTERLY THROUGH SAID QUARTER (1/4) SECTION; THEN SOUTH 86 DEGREES 46 MINUTES EAST ALONG THE CENTERLINE OF SAID ROAD A DISTANCE OF 234.77 FEET TO AN ANGLE POINT IN SAID CENTERLINE; THENCE SOUTH 75 DEGREES 58 MINUTES 30 SECONDS EAST ALONG SAID CENTERLINE A DISTANCE OF 527.22 FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER (1/4) OF SECTION 7 (BEING THE NORTH LINE OF AFORESAID NORTHEAST QUARTER (1/4) OF SECTION 18), THENCE SOUTH 89 DEGREES 48 MINUTES EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER (1/4) OF SECTION 18 A DISTANCE OF 257.57 FEET; THENCE SOUTH A DISTANCE OF 371.74 FEET; THEN NORTH 89 DEGREES 40 MINUTES WEST PARALLEL WITH THE NORTH LINE OF SAID QUARTER (1/4) SECTION A DISTANCE OF 1003.48 FEET; THENCE NORTH A DISTANCE OF 371.74 FEET TO THE PLACE OF BEGINNING; SITUATED IN THE TOWNSHIP OF BYRON, THE COUNTY OF OGLE AND THE STATE OF ILLINOIS.

Parcel Identification Number(s): 05-18-200-003 and 05-07-400-005

Common Location: 3707 E. Oak Grove Road

**EXHIBIT “B”**

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

# Ogle County Zoning Board of Appeals

911 W. Pines Road  
Oregon, IL 61061  
815.732.1190  
Fax: 815.732.3709

## 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 Scott A. & Patricia J. Watson, 1346 Marijon Dr., Byron, IL in case #9-15AM. The applicants are requesting a map amendment to change the zoning classification from AG-1 Agricultural District to R-1 Rural Residence District on Parcel Identification Nos. 05-18-200-003 and 05-07-400-005. Said parcel(s), 10.0 acres in area, are located in part of the NW 1/4 NE 1/4 & part of the NE 1/4 NE 1/4 Section 18, Township 25 North, Range 11 East of the 4<sup>th</sup> P.M. and part of the SW 1/4 SE 1/4 Section 7, Township 25 North, Range 11 East of the 4<sup>th</sup> P.M., Ogle County, Illinois, and are located in Byron Township at 3707 E. Oak Grove Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on September 24, 2015 in the County Board Room, 3<sup>rd</sup> 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 16-9-7G (Report by Zoning Board of Appeals) 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 an existing non-farm dwelling, and it is compatible with the surrounding area as there are five (5) non-farm dwellings within 1/4 mile of the site and seven (7) non-farm dwellings within 1/2 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 is located on a seal coat surface road, is within 1.5 miles of the City of Byron, and will generate a low density of development. 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. Standard met.**

4. That the subject property is suitable for the proposed zoning classification. **The site is a former farmstead, and is not in agricultural production. 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, is located on a seal coat surfaced road, 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. **The site is a former farmstead, and there is a trend of development in the vicinity of non-farm residential uses, as there are five (5) non-farm dwellings within 1/4 mile of the site and seven (7) non-farm dwellings within 1/2 mile of the site. The proposed zoning classification of R-1 Rural Residence 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 16-9-7G 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-2 Agricultural District to R-1 Rural Residence District.

**ROLL CALL VOTE:** The roll call vote was 5 members for the motion to recommend granting, 0 opposed.

Respectfully submitted this 24<sup>th</sup> day of September 2015 by the Ogle County Zoning Board of Appeals.

**Randy Ocken, Chairman  
 Maynard Stivers  
 David Williams  
 Paul Soderholm  
 Dennis Williams**

---

Randy Ocken, Chairman

ATTEST:




---

Michael Reibel, Secretary



*Rebecca Huntley*  
Ogle County Clerk & Recorder

October 26, 2015

The Ogle County Board, at their regular meeting held on Tuesday, October 20, 2015, Welty presents the petition of Scott A. & Patricia J. Watson, 1346 Marijon Dr., Byron, IL for a Special Use Permit to allow a Guest House in the R-1 Rural Residence District on property described as follows and owned by petitioners: Part of the NW1/4 of the NE1/4 & part of the NE1/4 of the NE1/4 of Section 18; and part of the SW1/4 of the SE1/4 of Section 7 Byron Township 25N, R11E of the 4<sup>th</sup> P.M., Ogle County, IL, 10.0 acres, more or less. P.I.N.: 05-18-200-003 & 05-07-400-005 - Common Location: 3707 E. Oak Grove Rd. Welty moves to approve O-2015-1003, Oltmanns seconds and the motion carries on a voice vote.(Placed on file)



*Rebecca Huntley*

Rebecca Huntley  
Ogle County Clerk

The contents of this letter are a portion of the tentative Ogle County Board minutes pertaining to your zoning request. These minutes are subject to approval at the next Ogle County Board meeting.

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF OGLE         )

ORDINANCE NO. 2015-1003

AN ORDINANCE APPROVING A SPECIAL USE PERMIT ON  
PROPERTY LOCATED AT 3707 E. OAK GROVE ROAD IN BYRON TOWNSHIP

WHEREAS, Scott A. & Patricia J. Watson, 1346 Marijon Dr., Byron, IL have filed a petition for a Special Use Permit in the R-1 Rural Residence District (Petition No. 5-15SU) to allow a guest house on property located at 3707 E. Oak Grove Road in Byron 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 24, 2015, at which the petitioners presented evidence, testimony, and exhibits in support of the requested Special Use Permit, and no member(s) of the public spoke in favor 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 Special Use Permit be granted as set forth in the *Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals* dated September 24, 2015, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Planning & 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 Special Use Permit be granted; 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 & Zoning Committee, and has determined that granting the Special Use Permit in the R-1 Rural Residence District (Petition No. 5-15SU) to allow a guest house would be consistent with the requirements established by Section 16-9-8C 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.



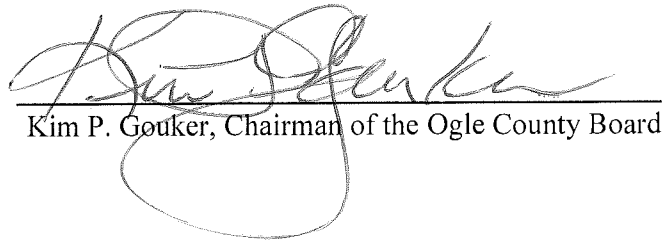
SECTION TWO: Based on the findings of fact set forth above, the petition of Scott A. & Patricia J. Watson, 1346 Marijon Dr., Byron, IL for a Special Use Permit in the R-1 Rural Residence District (Petition No. 5-15SU) to allow a guest house on property located at 3707 E. Oak Grove Road in Byron Township and legally described as shown in Exhibit "A" attached hereto, is hereby approved.


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 or other party in interest or a subsequent owner or 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 16-9-10 of the *Ogle County Amendatory Zoning Ordinance*.

PASSED BY THE COUNTY BOARD THIS 20<sup>TH</sup> DAY OF OCTOBER 2015 A.D.



  
\_\_\_\_\_  
Kim P. Gouker, Chairman of the Ogle County Board

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

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

PART OF THE SOUTHEAST QUARTER (1/4) OF SECTION 7 AND PART OF THE NORTHEAST QUARTER (1/4) OF SECTION 18, TOWNSHIP 25 NORTH, RANGE 11 EAST OF THE FOURTH PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER (1/4) OF SECTION 7, 578.36 FEET SOUTH 89 DEGREES 40 MINUTES EAST OF THE SOUTHWEST CORNER OF SAID QUARTER (1/4) SECTION; THENCE NORTH A DISTANCE OF 136.67 FEET TO THE CENTERLINE OF THE PUBLIC ROAD RUNNING EASTERLY AND WESTERLY THROUGH SAID QUARTER (1/4) SECTION; THEN SOUTH 86 DEGREES 46 MINUTES EAST ALONG THE CENTERLINE OF SAID ROAD A DISTANCE OF 234.77 FEET TO AN ANGLE POINT IN SAID CENTERLINE; THENCE SOUTH 75 DEGREES 58 MINUTES 30 SECONDS EAST ALONG SAID CENTERLINE A DISTANCE OF 527.22 FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER (1/4) OF SECTION 7 (BEING THE NORTH LINE OF AFORESAID NORTHEAST QUARTER (1/4) OF SECTION 18), THENCE SOUTH 89 DEGREES 48 MINUTES EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER (1/4) OF SECTION 18 A DISTANCE OF 257.57 FEET; THENCE SOUTH A DISTANCE OF 371.74 FEET; THEN NORTH 89 DEGREES 40 MINUTES WEST PARALLEL WITH THE NORTH LINE OF SAID QUARTER (1/4) SECTION A DISTANCE OF 1003.48 FEET; THENCE NORTH A DISTANCE OF 371.74 FEET TO THE PLACE OF BEGINNING; SITUATED IN THE TOWNSHIP OF BYRON, THE COUNTY OF OGLE AND THE STATE OF ILLINOIS.

Parcel Identification Number(s): 05-18-200-003 and 05-07-400-005

Common Location: 3707 E. Oak Grove Road

**EXHIBIT "B"**

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

# Ogle County Zoning Board of Appeals

911 W. Pines Road  
Oregon, IL 61061  
815.732.1190  
Fax: 815.732.2229

## 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 Scott A. & Patricia J. Watson, 1346 Marijon Dr., Byron, IL in case #5-15SU. The applicants are requesting a Special Use Permit in the R-1 Rural Residence District to allow a guest house on Parcel Identification Nos. 05-18-200-003 and 05-07-400-005. Said parcel(s), 10.0 acres in area, are located in part of the NW 1/4 NE 1/4 & part of the NE 1/4 NE 1/4 Section 18, Township 25 North, Range 11 East of the 4<sup>th</sup> P.M. and part of the SW 1/4 SE 1/4 Section 7, Township 25 North, Range 11 East of the 4<sup>th</sup> P.M., Ogle County, Illinois, and are located in Byron Township at 3707 E. Oak Grove Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on September 24, 2015 in the County Board Room, 3<sup>rd</sup> 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 16-9-8C (Standards for Special Use Permits) 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 special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or the public health, safety, morals, comfort or general welfare at large. **No evidence has been presented that would indicate a guest house would be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or the public health, safety, morals, comfort or general welfare at large. STANDARD MET.**
2. That the location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood, consideration shall be given to:
  - a. The location, nature and height of building, structures, walls and fences on the site; and,
  - b. The nature and extent of proposed landscaping and screening on the proposed site.

**The proposed guest house will be in architectural harmony with the proposed dwelling to be constructed, and is well buffered from adjoining uses. STANDARD MET.**

3. That off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations. **The site is large enough so that adequate off-street parking and loading areas can be provided. STANDARD MET.**

4. That adequate utilities, ingress/egress to the site, access roads, drainage and other such necessary facilities have been or will be provided. **Adequate utilities, ingress/egress to the site from E. Oak Grove Road, access roads, drainage and other such necessary facilities have been or will be provided. STANDARD MET.**
5. That the proposed use can be operated in a manner that is not detrimental to the permitted developments and uses in the zoning district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of Ogle County. **The proposed use of a guest house can be operated in a manner that is not detrimental to the permitted developments and uses in the R-1 zoning district, will be visually compatible with the area, and is deemed essential and desirable. STANDARD MET.**
6. That the proposed special use complies with all provisions of the applicable district regulations. **The proposed special use appears to comply with all provisions of the R-1 zoning district regulations. STANDARD MET.**

**RECOMMENDATION:** After considering all the evidence and testimony presented, this Board finds that the application meets all the standards as found in Section 6-9-8C of the *Ogle County Amendatory Zoning Ordinance*.

Therefore, the Zoning Board of Appeals hereby recommends that a Special Use Permit in the R-1 Rural Residence District be granted to allow a guest house.

**ROLL CALL VOTE:** The roll call vote was 5 members for the motion to recommend granting, 0 opposed.

Respectfully submitted this 24<sup>th</sup> day of September 2015 by the Ogle County Zoning Board of Appeals.

**Randy Ocken, Chairman  
Maynard Stivers  
David Williams  
Paul Soderholm  
Dennis Williams**

\_\_\_\_\_  
Randy Ocken, Chairman

ATTEST:



\_\_\_\_\_  
Michael Reibel, Secretary