



Laura J. Cook
Ogle County Clerk & Recorder

February 7, 2017

The Ogle County Board, at their regular meeting held on Tuesday, January 17, 2017, Janes presents the petition for Lisa L. Lovett, 5600 S. Hickory Rd., Oregon, 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 petitioner: Part of the SW1/4 of the NW1/4 of Section 34 Pine Creek Township 23N, R9E of the 4th P.M., Ogle County, IL, 5.0 acres, more or less – P.I.N.: Part of 15-34-200-007 Common Location: 5000 block of W. Penn Corner Rd. Janes moves to approve O-2017-0101 as presented, seconded by Hopkins. Motion carries. (Placed on file)



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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.

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 17TH DAY OF JANUARY 2017 A.D.



Laura J. Cook, Ogle County Clerk and
Ex Officio Clerk of the Ogle County Board

Kim P. Gouker, Chairman of the Ogle County Board

EXHIBIT "A"
LEGAL DESCRIPTION

Part of the Northeast Quarter of Section 34, Township 23 North, Range 9 East of the Fourth Principal Meridian, Ogle County, Illinois, described as follows:

Commencing at a stone at the northwest corner of said Northeast Quarter; thence South 1 degree 24 minutes 38 seconds West (bearings assumed for description purposes), a distance of 1355.31 feet (1355.53 feet recorded) on the West line of said Northeast Quarter, to a steel pin on the occupied southerly right of way line of a public roadway designated Penn Corner Road; thence North 88 degrees 26 minutes 52 seconds East, a distance of 50.07 feet on said southerly right of way line, to the Point of Beginning; thence continuing North 88 degrees 26 minutes 52 seconds East, a distance of 464.15 feet on said southerly right of way line, to a steel pin; thence South 0 degrees 51 minutes 28 seconds West, a distance of 467.29 feet; thence South 88 degrees 26 minutes 52 seconds West, a distance 468.66 feet to a point 50.00 feet easterly of as measured perpendicularly to said West line of the Northeast Quarter; thence North 1 degree 24 minutes 38 seconds East, a distance of 467.50 feet on a line 50.00 feet easterly of and parallel with the West line of said Northeast Quarter, to the Point of Beginning, containing 5.00 acres, more or less.

Parcel Identification Number(s): Part of 15-34-200-007

Common Location: 5000 Block of W. Penn Corner 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 Lisa L. Lovett, 5600 S. Hickory Rd., Oregon, IL in case #05-16AM. The applicant is requesting a Map Amendment to change the zoning classification from AG-1 Agricultural District to R-1 Rural Residence District on part of Parcel Identification No. 15-34-200-007, a 5.0-acre parcel located in part of the SW 1/4 NW 1/4 Section 34, Township 23 North, Range 9 East of the 4th P.M., Ogle County, Illinois, and located in Pine Creek Township in the 5000 Block of W. Penn Corner Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on December 29, 2016 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 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. **Large-lot residential use of the site will not adversely affect surrounding agricultural operations, and there are two other existing non-farm dwellings within 1/4 miles 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 Ogle County highway, 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 are anticipated from the development of the site for residential use. Standard met.**
4. That the subject property is suitable for the proposed zoning classification. **The site is located within an area that contains several existing non-farm residential uses, is located on a seal coat surfaced County highway, and a majority of the soils on the site are not prime farmland. 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 slight trend of development in the vicinity of residential uses, as there are two existing non-farm dwellings within 1/4 mile of the site. The proposed zoning classification 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 purpose and intent of the Amendatory Zoning Ordinance. Even though the LESA score indicates a high rating for protection, the high rating is mitigated by the presence of two existing non-farm dwellings within 1/4 miles of the site, and the fact that a majority of the soils on site are not prime farmland. 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-1 Agricultural District to R-1 Rural Residence District.

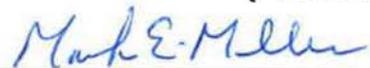
ROLL CALL VOTE: The roll call vote was 3 members for the motion to recommend granting, 2 opposed.

Respectfully submitted this 29th day of December 2016 by the Ogle County Zoning Board of Appeals.

**Randy Ocken, Chairman
 Maynard Stivers
 Cody Considine
 Paul Soderholm
 David Williams**

Randy Ocken, Chairman

ATTEST:



Michael Reibel, Secretary
 by Mark E. Miller, Acting Secretary