



Laura J. Cook
Ogle County Clerk & Recorder

June 21, 2017

The Ogle County Board, at their regular meeting held on Tuesday, June 21, 2017, Janes presents the petition for #3-17 Special Use - Robert DeCosta & Christie Hardt for a Special Use Permit to allow a commercial dog kennel (including dog breeding, import & sale of puppies, grooming facility and dog obedience training) in AG-1 Agricultural District on property described as follows and owned by the petitioners: Part of the NW1/4 of the NW1/4 of Section 13 White Rock Township 41N, R1E of the 3rd P.M., Ogle County, IL, 10.94 acres, more or less. P. I. N.:18-13-100-006 & -005 - Common Location: 14189 E. Dutch Rd.

Janes moves to approve R-2017-0604 as presented, Hopkins seconds and the motion carries. (Placed on file)



Laura J. Cook

Laura J. Cook
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)

RESOLUTION NO. 2017-0604

A RESOLUTION DENYING A SPECIAL USE PERMIT ON PROPERTY
LOCATED AT 14189 E. DUTCH ROAD IN WHITE ROCK TOWNSHIP

WHEREAS, Robert DeCosta and Christie Hardt, 6367 E. Clare Rd., Clare, IL have filed a petition for a Special Use Permit in the AG-1 Agricultural District (Petition No. 3-17SU) to allow a commercial dog kennel (including dog breeding, import & sale of puppies, grooming facility and dog obedience training) on property located at 14189 E. Dutch Road in White Rock 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 April 27, 2017, at which the petitioners presented evidence, testimony, and exhibits in support of the requested Special Use Permit, five member(s) of the public spoke in favor of the petition, and eleven members of the public spoke 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 denied as set forth in the *Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals* dated April 27, 2017, 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 denied; 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 AG-1 Agricultural District (Petition No. 3-17SU) to allow a commercial dog kennel (including dog breeding, import & sale of puppies, grooming facility and dog obedience training) on property located at 14189 E. Dutch Road in White Rock Township and legally described as shown in Exhibit “A” attached hereto would be inconsistent with the requirements established by Section 16-9-8C of the *Ogle County Amendatory Zoning Ordinance*;

NOW, THEREFORE, BE IT RESOLVED 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 Robert DeCosta and Christie Hardt, 6367 E. Clare Rd., Clare, IL for a Special Use Permit in the AG-1 Agricultural District (Petition No. 3-17SU) to allow a commercial dog kennel (including dog breeding, import & sale of puppies, grooming facility and dog obedience training) on property located at 14189 E. Dutch Road in White Rock Township and legally described as shown in Exhibit "A" attached hereto, is hereby denied.

SECTION THREE: This Resolution 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 Resolution, after execution of such Resolution, 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*.

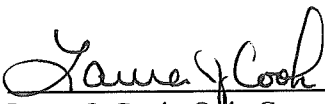
PASSED BY THE COUNTY BOARD THIS 20TH DAY OF JUNE 2017 A.D.





Kim P. Gouker, Chairman of the Ogle County Board

ATTEST:



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

EXHIBIT "A"

LEGAL DESCRIPTION

OF PROPERTY DESCRIBED AS: Part of the West-half of the Northwest Quarter of Section 13, Township 41 North, Range 1 East of the Third Principal Meridian, bounded and described as follows:

Beginning at the Northeast Corner of the West-half of the Northwest Quarter of Section 13, as established by a survey performed by Simmons and Associates, Ltd., on March 17, 1987 as Job No. 23187; thence South 0 degrees 33 minutes 22 seconds West along the East Line of the West-half of the Northwest Quarter of said Section 13, as established by aforesaid survey, a distance of 936.95 feet; thence North 90 degrees 00 minutes 00 seconds west parallel with the North Line of the West-half of said Northwest Quarter, a distance of 508.44 feet; thence North 0 degrees 33 minutes 22 seconds East parallel with the East Line of the West-half of said Northwest Quarter, a distance of 936.95 feet to the North Line of the West-half of said Northwest Quarter, as established by aforesaid survey; thence north 90 degrees 00 minutes 00 seconds East along said North Line, a distance of 508.44 feet to the Point of Beginning, containing 10.936 acres, more or less, subject to that land being used for public road purposes, also subject to all easements, agreements, county codes and/or ordinances of record, if any, all situated in the Township of White Rock, the County of Ogle and the State of Illinois.

Property Identification Numbers (PIN): 18-13-100-005 and 18-13-100-006

Common Location: 14189 E. Dutch 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 Robert DeCosta and Christie Hardt, 6367 E. Clare Rd., Clare, IL in case #3-17SU. The applicants are requesting a Special Use Permit in the AG-1 Agricultural District to allow a commercial dog kennel (including dog breeding, import & sale of puppies, grooming facility and dog obedience training) on Parcel Identification Nos. 18-13-100-005 and 18-13-100-006, a 10.94-acre parcel located in part of the NW 1/4 NW 1/4 Section 13, Township 41 North, Range 1 East of the 3rd P.M., Ogle County, IL, and located in White Rock Township at 14189 E. Dutch Road.

After due notice, as required by law, the Zoning Board of Appeals conducted a public hearing in this case on April 28, 2017 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 16-9-8C (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. **The site is located within a predominately agricultural area, is surrounded by farmland, and the proposed special use is located at least 1,000 feet from the nearest dwelling. The applicants have demonstrated that reasonable measures will be taken to protect 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 site is located in a predominately agricultural area, is surrounded by farmland, and no other dwellings are located within 1,000 feet of the proposed kennel location. 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. Dutch 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 may be detrimental to or hinder the existing agricultural uses in the surrounding area, and is not essential or desirable to preserve and promote the public health, safety and general welfare of Ogle County. STANDARD NOT 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 AG-1 zoning district regulations. STANDARD MET.**


RECOMMENDATION: After considering all the evidence and testimony presented, this Board finds that the application does not meet 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 AG-1 Agricultural District to allow a commercial dog kennel (including dog breeding, import & sale of puppies, grooming facility and dog obedience training) be denied.

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

Respectfully submitted this 27th day of April 2017 by the Ogle County Zoning Board of Appeals.

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


 Randy Ocken, Chairman

ATTEST:

 Michael Reibel, Secretary

White Rock Resolution 1011 - Objection to 3-17 Special Use Permit

County Clerk

Sent: Monday, April 03, 2017 5:36 PM

To: Shannon Landers [slanders@oglecounty.org]; Mike Reibel

Attachments: White Rock R-1011 - Object~1.pdf (153 KB)

Thank you,

Laura J. Cook

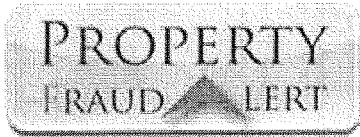
Ogle County Clerk and Recorder

105 S. 5th St. - Suite 104

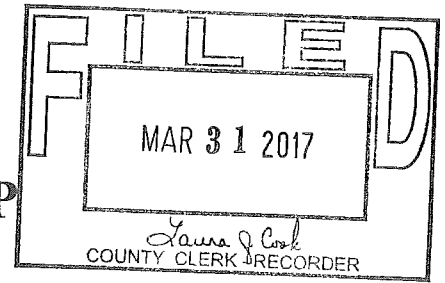
Oregon, IL 61061

815-732-1110 - phone

815-732-3477 - fax



WHITE ROCK TOWNSHIP
BOARD OF TRUSTEES



Resolution # 1011

A RESOLUTION to the extent of permitted by law, stating our desired rejection of the requested Special Use Permit #3-17, allowing a commercial dog kennel with the importation and sale of puppies.

The Board of Trustees of White Rock Township met in a regular session on the 8th day of March, 2017, at the White Rock Town Hall with the following members present:

- | | |
|------------------|------------|
| Tom Smith | Supervisor |
| Larry Blumeyer | Trustee |
| Jim Milligan | Trustee |
| Lorraine Hubbard | Trustee |
| Luke Carmichael | Trustee |

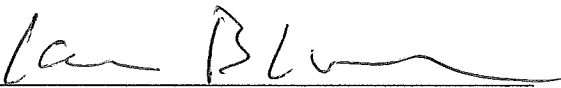
Through a unanimous vote the above members moved for adoption the following Resolution:


At our regular meeting the Board Supervisor Smith presented a letter from the Ogle County Planning & Zoning Department stating the petition for a Special Use Permit, (#3-17), by Robert Decosta & Christie Hardt. The desired commercial business would be a commercial dog kennel, including dog breeding, import and sale of puppies, grooming and training.

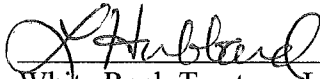
The Board of Trustees of White Rock Township have reviewed this SUP and determined that this request should be denied. We do not feel this business can be viewed as essential, nor desirable to preserve and promote the general welfare of White Rock Township. The size of this proposed operation, quantity of animals, etc, is a concerning unknown, and with a vastly reduced State inspection process ensuring minimal if any regulation the future uncertainties vastly outweigh the proposed benefit. We have serious concerns this commercial endeavor will cause unreasonable detrimental property loss to other properties in the general area.


NOW, THEREFORE, BE IT RESOLVED, the Board of Trustees of White Rock Township do not support Special Use Permit #3-17. Motion made by Lorraine Hubbard, seconded by Larry Blumeyer, role call was requested and the vote is as follows:

Role Call Vote:	Tom Smith	<u> </u> Yes <u> </u>		
	Larry Blumeyer	<u> </u> Yes <u> </u>	Jim Milligan	<u> </u> Yes <u> </u>
	Lorraine Hubbard	<u> </u> Yes <u> </u>	Luke Carmichael	<u> </u> Yes <u> </u>



White Rock Trustee Larry Blumeyer


White Rock Trustee Jim Milligan


White Rock Trustee Lorraine Hubbard


White Rock Trustee Luke Carmichael

Adopted on the 8th day of March, 2017


Supervisor Tom Smith
White Rock Township
Ogle County, Illinois